

# STATE ENERGY PROGRAM

# **AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009**



# MARKET TRANSFORMATION AND TECHNOLOGY DEPLOYMENT: RENEWABLE ENERGY ROUND 2

# **FUNDING OPPORTUNITY ANNOUNCEMENT**

Publish Date: June 1, 2010

Last Modified: N/A

**Application Due Date:** July 8, 2010

# Mississippi Development Authority 501 North West Street Jackson, Mississippi 39201

#### I. INTRODUCTION

The Mississippi Development Authority-Energy Division (MDA-ED) received approximately \$40 million in American Recovery and Reinvestment Act (ARRA) funding from the U. S. Department of Energy (DOE). DOE has made a formula distribution of these funds to each state to expand the State Energy Program (SEP) for the purpose of:

- Stimulating the creation or increasing the retention of jobs and encouraging economic development;
- Reducing energy produced from fossil fuels;
- Increasing the energy generation from renewable sources;
- Reducing greenhouse gas (GHG) emissions and other pollutants;
- Providing a public benefit; and
- Implementing a project that could be replicated around the state.

A total of \$5.6 million was made available under the Market Transformation & Technology Deployment: Renewable Energy program. The program is intended to offer grants to projects that deploy commercially available renewable energy systems on locations around the State of Mississippi. Proposals under this program were received in January 2010. Not all proposals were funded and it was deemed to be in the best interests of the state and the program that some funds were held over for a Round 2.

This Round 2 Funding Opportunity Announcement (FOA) makes available approximately \$3.5 million for eligible renewable technology deployment. Please note that this FOA has been modified from the Round 1 FOA issued in October 2009. Interested Applicants are required to read and follow the requirements as stated in this FOA in order to be considered for funding.

Round 2 proposals and all required attachments called for in this FOA, subject to the conditions herein and attached hereto, will be received at 501 North West Street, Woolfolk State Building, Suite 1500, Jackson, MS 39201 until July 8, 2010 at 3:00 P.M. Central Time. Timely submission of proposals is the responsibility of the Applicant. All submissions received after this deadline will be disqualified.

NOTE: This is a competitive grant and not all Applicants will receive funding. MDA reserves the right to set available funding under this FOA. All costs associated with completing the project are the responsibility of the Applicant and must be included in the Budget Justification (see page 9 of this document).

#### **Changes from Round 1**

In the interests of the state and the program, MDA-ED has determined that another round of funding is needed to make grant awards that will most effectively demonstrate commercially-

available renewable technologies around the state. It is the goal of this program to provide the greatest impact to a diverse group of sectors through the deployment of multiple types of renewable systems. These systems should be able to demonstrate viable technologies with a reasonable expectation of widespread adoption in Mississippi in the future.

There are minimal substantive changes to the requirements of this program from Round 1. The most important change is the requirement to submit an Application as part of the proposal package. MDA chose to require all interested entities to fill out a uniform application to ensure that all pertinent information is submitted for evaluation in the same format. This will lead to greater efficiencies in the review process and lead to awards being made more quickly. All applicants, including those that submitted a proposal in Round 1 but were not funded, must follow the guidelines published in this FOA and submit the Round 2 Application in order to be considered for funding.

Many Applicants under the first FOA were not funded because they did not submit proposals in keeping with the stated goals and requirements of the program. This grant program was designed to aid in the purchase and installation of commercially-available renewable technologies on, in, or adjacent to buildings in Mississippi for the purpose of reducing or replacing energy consumption at that location. This is not a start-up capital fund to demonstrate new technologies. This is not a program to help new businesses reach economic viability. The purpose of this grant program is to demonstrate how entities in the state may explore other commercially-available energy sources and diversify how the state consumes and generates power.

To aid eligible entities in their development of proposals under Round 2, MDA-ED has developed a Best Practices document associated with this FOA. MDA encourages potential Applicants to review this document prior to submitting an application. Adhering to the guidelines in that document does not guarantee funding, but it should help Applicants develop more competitive proposals.

#### **Renewable Energy Technologies**

For purposes of this FOA, renewable energy technologies are systems that supplant the use of fossil fuels, including electrical or thermal energy generated from solar, wind, biomass, hydrogen fuel cells, geothermal, waste heat recovery, Combined Heat and Power (CHP), or hydro (water) power. This grant program will only fund the purchase and installation of renewable technologies on, in, or adjacent to facilities in Mississippi.

#### **Eligible Applicants**

For-profit organizations, non-profit organizations, Institutions of Higher Learning, community and junior colleges, public school districts, and state and local units of government. Only applications from Eligible Applicants will be reviewed. Applications from third parties vendors will not be reviewed.

#### **Ineligible Applicants**

Residential entities.

#### **Maximum Grant Amount**

The maximum grant amount allowed under this program is **75%** of installed system cost, up to a maximum of \$750,000.

#### **Minimum Grant Amount**

The minimum grant amount under this program is \$50,000.

NOTE: Successful Applicants will receive written notice from program staff if the grant proposal has been approved by the Energy Division. Grants will not be awarded or paid for projects that began or were completed prior to the grant award date. The Applicant must not begin work on the proposed project unless in receipt of a fully executed grant contract.

#### **Eligible Projects**

Commercially-available systems that supplant the use of fossil fuels, including solar energy, wind energy, solar thermal water heating (except for swimming pools), hydrogen fuel cells, hybrid solar lighting, geothermal energy, biomass, waste heat recovery systems, Combined Heat and Power (CHP), or hydro (water) power. This grant program will only fund the purchase and installation of renewable technologies on, in, or adjacent to facilities in Mississippi owned or leased by the Applicant.

#### **Ineligible Projects**

Projects whose purpose is the burning of municipal solid waste, or whose primary purpose is energy efficiency.

#### **Prohibited Expenditures**

State Energy Program Regulation 10 CFR Part 420 and ARRA regulations do not allow expenditures for the following:

- Construction, such as construction of mass transit systems and exclusive bus lanes, or for the construction or repair of buildings or structures;
- Use of funds for any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool;
- Purchase of land, a building or structure or any interest therein;
- Research, development or demonstration of renewable energy techniques or advanced vehicle technologies not commercially available; and
- Supplanting of state or local funds already committed to projects.

#### **Structural Eligibility**

Eligible facilities must be in the state of Mississippi. Facilities may **not** be:

- Classified as condemned or scheduled for demolition;
- Leased or rented by the Applicant from another party unless the landlord has given the tenant written permission to proceed with the installation;
- Encumbered by a real estate transaction or purchase option;
- Included on the National Register of Historic Landmarks and Sites maintained by the

U.S. Secretary of the Interior or, if included, has received approval of the Mississippi Department of History and Archives to perform the work; or,

• Encumbered by any type of lien.

#### **Cost Share/Match Requirement**

All proposals must leverage other non-federal funds in order to qualify for funding. A minimum of 25% of the <u>total cost</u> of the renewable energy project to be funded through this project must be contributed by the Applicant.

The non-federal match may be leveraged through a cash match or in-kind contribution, including third party in-kind contributions, from the Applicant. In-kind contributions are non-cash contributions to a project that satisfy the following:

- They are verifiable from the recipient's records;
- They are not included as contributions for any other federally-assisted project or program;
- They are necessary and reasonable for proper and efficient accomplishment of the project or program objectives;
- They are not paid by the Federal Government under another award unless authorized by Federal statue to be used for cost sharing or matching;
- They are provided for in the approved budget; and
- They conform to other provisions of this program, as applicable.

The rules associated with what is allowable as cost share are specific to the type of organization that is receiving funds under the grant, though are generally the same for all types of entities. The specific rules applicable to:

- Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations are found at 10 CFR600.123.
- State and Local Governments are found at 10 CFR600.224.
- For-profit Organizations are found at 10 CFR600.313.

Part 600—Financial Assistance Rules: <a href="http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title10/10cfr600\_main\_02.tpl">http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title10/10cfr600\_main\_02.tpl</a>

#### **Period of Performance**

In keeping with the intent of ARRA, funded projects must be initiated and completed expeditiously. The period of performance will begin upon the execution of a grant agreement and will end on or before January 31, 2012.

#### **Method of Payment**

Payments shall be made on a cost-reimbursement basis over the course of the grant. Only the cost of actual charges incurred and paid will be reimbursed by MDA-ED.

#### **Design Analysis/Site Survey**

A Feasibility Study, Design Analysis, and/or Site Survey of the project must be performed by a qualified individual using Life Cycle Cost Savings methodology (annual cost savings multiplied by the project life of the energy technology). This should include as much detail as possible on all elements of the project, including engineering plans. Include with these plans a representation of the property, either through drawings or aerial photos, depicting where the system will be installed. All roof-mounted systems must include a structural assessment that verifies the structure can maintain the weight of the proposed system.

#### **Required Permits/Building Codes**

If awarded, all project installations must have required permits and meet applicable local building codes.

#### **Certified Installers Requirement**

Certified installers are required, *where applicable*, for all renewable energy projects. All contractors/installers must be licensed, bonded and insured in the State of Mississippi according to licensing requirements for their specialty.

#### **Project Team Experience**

Successful Applicants will demonstrate that they or their subcontractor/partner have the expertise and background to successfully install and operate the proposed renewable system. This is accomplished by demonstrating that the Applicant or subcontractor has performed similar work (preferably in Mississippi), has a documented history of similar successful installations, and has references from past projects of a similar nature.

Documentation of projects should include items such as project location, date of completion, plans and/or proposal documents, interconnection agreements, and photographs of finished product. If there is no history of renewable energy installations, provide the aforementioned documentation on a completed project of similar scope.

#### **Interconnection Agreement**

If the proposed project will require tying into the electrical grid, Applicant must provide an interconnection agreement with the local utility provider.

#### **Jobs Created/Retained**

The Applicant must furnish the estimated number of jobs created and jobs retained due to ARRA funding, along with verifiable supporting documentation, to MDA-ED. Indirect and induced jobs cannot be counted.

- A **job created** is a new position created and filled, or an existing unfilled position that is filled, that is funded by the Recovery Act.
- A **job retained** is an existing position that is now funded, in whole or in part, by the Recovery Act.

#### **Sustainability**

Successful Applicants will demonstrate that the investment in this project will be sustained and maintained after ARRA funding ends. MDA-ED wishes to fund those projects that can be maintained and operate as intended for the entire useful life of the technology. Applicants must demonstrate that they have the expertise and financial resources to maintain and operate the systems without further assistance from this grant.

#### **National Environmental Policy Act**

All projects funded under ARRA are subject to review under the National Environmental Policy Act (NEPA). It is the responsibility of MDA-ED to ensure that projects funded with ARRA funds do not conflict with NEPA regulations.

Many projects can be deemed categorically excluded (CX) from further NEPA review. Activities that can be categorically excluded include, <u>but are not limited to</u>, the following categories:

- Photovoltaic: appropriately sized units on existing rooftops or parking shade structures; or a
  60 kW system or smaller unit installed on the ground within the boundaries of an existing
  facility;
- Wind Turbines: 20 kW or smaller;
- Solar Thermal Hot Water: appropriately sized units for small commercial buildings;
- Solar Thermal: system must be **20KW** or smaller;
- Geothermal/Ground Source Heat Pumps: **5.5 ton** of capacity or smaller, horizontal/vertical, ground, closed-loop system;
- Combined Heat and Power Systems: boilers sized appropriately for the buildings in which they are located;
- Biomass Thermal: **3 MMBTUs** per hour or smaller with appropriate Best Available Control Technologies (BACT) installed and operational.

Some activities, such as large projects on green field sites, or sites of special interest (ecological, historical, cultural), wind farms, large solar arrays, refineries, power plants, pipelines, etc. would likely require further review.

Applicants must complete a form NEPA ES-1 (found at <a href="www.stimulus.mississippi.org">www.stimulus.mississippi.org</a> under the Funding Opportunities and Announcements section) and submit with proposal. Failure to submit a form ES-1 may result in the rejection of a proposal. Further NEPA review required will be coordinated by MDA-ED Project Managers.

#### **Historical Preservation Requirements**

As required by Mississippi law, Applicants must complete a Request for Cultural Resources Assessment (see Attachment D) and return it with their application to ensure that no sites or buildings of historical significance are harmed by work performed under this program.

#### **Buy American Act**

ARRA requires the use of American-made steel, iron, and manufactured goods for the construction, alteration, maintenance, or repair of public buildings or public works. If applicable, Awardees will be required to comply with this provision.

#### **Wage Requirements**

ARRA requires that all laborers and mechanics working on projects funded in whole or in part by the Recovery Act be paid the prevailing wage determined by the U. S. Department of Labor. Awardees will be required to comply applicable rules associated with the Davis-Bacon Act, Copeland "Anti-Kickback" Act, and the Contract Work Hours and Safety Standards Act.

#### **State Procurement Requirements**

Please be aware that public sector Applicants (municipalities, school districts, etc) are required to adhere to applicable procurement law when selecting vendors for goods and services. Applicants are encouraged to consult with their legal counsel to ensure full compliance with state procurement law.

#### **Additional ARRA Requirements**

The expenditure and receipt of ARRA funds are subject to unprecedented transparency and reporting requirements. Awardees shall be required to report, on a monthly basis, a detailed list of all projects or activities for which Recovery Act funds were expended or obligated, including, but not limited to:

- Building retrofitted & square footage;
- Amount of greenhouse gases reduced;
- An estimate of the number of jobs created and retained;
- Annual reduction in electricity and natural gas consumption;
- Number, size, and type of renewable energy system installed, if applicable;
- Amount of electricity generated from the renewable energy system installed;
- An evaluation of the completion status of the project or activity funded by ARRA; and
- Other key metrics applicable to the project per DOE guidance.

#### **Standards and Regulations**

All proposed activities must meet DOE and MDA-ED standards and regulations (including, at a minimum, National Environmental Policy Act (NEPA) requirements, other requirements listed in this FOA, and requirements listed in the ARRA compliance attachments accompanying this FOA), as well as applicable state and local requirements. MDA-ED will review all applications to ensure that they are in compliance. If selected, MDA-ED will then negotiate a grant agreement with the Applicant to execute the activity.

#### **Generally Accepted Accounting Principles (GAAP)**

Recipients of federal funds must use administrative and financial policies and procedures that follow Generally Accepted Accounting Principles (GAAP). Applicants that receive funding will be required to demonstrate effective control over and accountability for all grants, property, and assets under this award. This includes financial policies and procedures that ensure that receipts and disbursements can be tracked in a way that serves as an effective control in preventing mistakes and safeguarding against unauthorized uses. In addition, Applicants that receive funding will be required to have in place administrative and management policies that ensure that all reporting and accountability requirements associated with these funds can be followed.

#### II. PROPOSAL CONTENTS

#### **Proposal Information**

The proposal package should, at a minimum, include the following forms and exhibits prepared by the Applicant and must follow the format below:

#### 1. Transmittal letter

The transmittal letter should highlight any special features of the proposal, and include the name, address, phone number, and email for the point of contact within the Applicant's organization. Please indicate if the Applicant's organization is minority-, women-, or veteran-owned. The transmittal letter should be signed by a representative of the Applicant's company or organization who has the authority to bind the Applicant.

#### 2. Application (Original and 5 copies)

#### 3. Budget Justification (6 copies)

Describe in detail all costs associated with the purchase and installation of the proposed system. Explain how the cost estimates in the application were developed and why they are reasonable and justified. This is accomplished by furnishing vendor quotes on the measures to be installed or other evidence of the costs of the proposed measures.

Explain how the Applicant intends to provide the minimum required 25% match (e.g.: a contribution from the Applicant in cash, a bank loan, the value of time contributed by the Applicant's employees to the completion of the project, or donated third party services). Provide funding commitment letters from all other project funding sources, if applicable. Letters should include the term, rate, and collateral conditions, and must be signed and dated.

#### 4. Design Analysis/Site Survey

A Design Analysis and/or a Site Survey of the project must be performed by a qualified individual using Life Cycle Cost Savings methodology (annual cost savings multiplied by the project life of the energy technology). Provide detailed engineering plans for the installation and operation of the proposed project. This should include as much detail as possible on all elements of the project. Include with these plans a representation of the property, either through drawings or aerial photos, depicting where the system will be installed. All roof-mounted systems must include a structural assessment that verifies the structure can maintain the weight of the proposed system.

# 5. American Recovery and Reinvestment Act (ARRA) Submission Form (see Attachment A)

- **6. SEP Certification Form** (*see Attachment B*)
- 7. Application Certification Form (see Attachment C)

#### **8.** Historical Preservation Requirements (see Attachment D)

Provide information related to possible impacts of proposed projects on sites or land of historical significance (see Attachment D – Request for Cultural Resources Assessment of the application).

#### 9. National Environmental Policy Act Regulations and Requirements

Provide information related to possible environmental impacts of proposed projects (see form NEPA ES-1 which can be found at <a href="https://www.stimulus.mississippi.org">www.stimulus.mississippi.org</a> in the Funding Opportunities and Announcements section along with this FOA).

#### 10. Required Supplemental Information

**Exhibit 1**: Attach one copy of the financial statements of the business, parent company, and other proposed guarantors, if any, for the previous three years of operation. For non-profit Applicants, provide the most recent audited financial statements of the Applicant. Financial statements should include balance sheets, income statements, and cash flow statements. If the Applicant has been in existence less than three years, provide the required financial data listed above since inception.

For those Applicants that submitted financial statements to MDA under Round 1, only provide interim financial documents for the period of time since those financial statements were submitted.

**Exhibit 2:** Provide one copy of the utility bills from the site of the proposed project for the previous 12 months. These bills should include the amount of energy consumed at the location (kWh, therms, ccf, gallons, etc) as well as monthly costs.

**Exhibit 3:** If the proposed project will require tying into the electrical grid, Applicant must provide an interconnection agreement with the local utility provider.

#### III. PROPOSAL REVIEW AND SELECTION PROCESS

#### **Evaluation Procedure and Considerations**

Award of Funds: This is a competitive program and not all Applicants will receive funding. MDA-ED will select those applications that most effectively demonstrate the use of a variety of renewable technologies across the state. MDA-ED reserves the right to distribute funds in an equitable manner that ensures, to the greatest practicable extent, that qualified Applicants from all parts of the state and in all types of sectors are awarded, subject to availability of funds.

Qualifications of Applicants: Before receiving a notice of intent to award, the Applicant will be required to show that it has the necessary facilities, ability and financial resources to complete the proposed activity. MDA-ED may make reasonable investigations deemed necessary and proper to determine the ability of the Applicant to perform the activity, and the Applicant shall furnish to MDA-ED all information for this purpose that may be requested. MDA-ED reserves the right to reject any offer if the evidence submitted by, or investigation of, the Applicant fails to satisfy MDA-ED that the Applicant is properly qualified to carry out the obligations of the contract and to complete the activity described therein. Evaluation of the Applicant's qualifications shall include:

- The ability, capacity, skill, financial, and other necessary resources to perform the proposed activity;
- The ability of the Applicant to perform the work or provide the activity promptly or within the time specified, without delay or interference;
- The reasonableness of the project, the expected life cycle cost savings of the project, and the benefit to the Applicant;
- The character, integrity, reputation, judgment, experience, and efficiency of the Applicant; and
- The quality of performance of previous contracts or activities.

**Step I:** After the application deadline, MDA-ED shall review all applications to assure compliance with the minimum required information listed in Section II of this FOA. Applications that do not comply with the minimum specifications from Section II may be rejected immediately, receiving no further considerations.

**Step II:** Applications that satisfactorily complete Step I will be reviewed and analyzed by a selection committee appointed by MDA-ED to determine if the application adequately meets the requirements of DOE, ARRA, and MDA-ED. MDA-ED will use the following factors in reviewing and scoring applications:

## Financial Analysis 20 Points

- The cost-effectiveness of the project;
- The project's ability to obtain a positive return on investment over the lifetime of the project;
- The submission of a feasible, justified project budget;
- The identification of a 25% cost match;
- The budget components are all eligible under this FOA; and

• The financial stability of the Applicant and the demonstration of sufficient financial capacity to complete the project.

Project Readiness 10 Points

- The ability to start the project within 60 days of award notification; and
- The ability to complete the project within 180 days.

#### **Project Methodology and Team Experience**

15 Points

- The project is installing a commercially-available renewable technology to a structure in Mississippi for the purpose of reducing or replacing energy consumption at that location;
- The submission of complete and clear engineering plans with enough detail to fully understand all costs and activities associated with the project;
- The degree to which the project concept demonstrates a sound methodology and approach and includes definitive goals, specific tasks to achieve goals, and a schedule to complete the work proposed; and
- The composition, qualifications and experience of the project team, including previous execution of similar projects and the extent to which the project builds upon existing resources and ongoing activities in Mississippi; and
- The Applicant has the ability and resources to adequately maintain the proposed system in a manner that ensures continued operation throughout its useful life.

Environmental Benefit 20 Points

- The amount of renewable energy produced each year and the amount of fossil fuels displaced by renewable energy technology, as measured in million British Thermal Units (MMBTUs);
- The degree to which the project will reduce greenhouse gas (GHG) emissions, measured in CO<sub>2</sub> equivalents;
- The reduction of other environmental pollutants as measured in pounds or tons;
- The anticipated energy (MMBTUs) savings;
- The anticipated benefits in terms of energy cost savings;
- The anticipated benefits in terms of improving the reliability of electricity and fuel supply and the delivery of energy services;

Economic Impact 15 Points

- The number of jobs created or retained, as defined under ARRA, due to funding;
- The degree to which this project impacts the local economy, workforce, or development of a community; and
- The degree to which this will lead to advances in an industry important to Mississippi's economy.

#### **Demonstration Benefit**

10 Points

- The degree to which this project will demonstrate the benefits of one or more renewable technologies to a wide audience;
- The degree to which the Applicant commits to display information about the renewable energy technology;

- The likelihood of widespread use of the technology in Mississippi and the ability to replicate the project; and
- The degree to which the project contributes to market penetration and long term viability of the technology in Mississippi.

### ARRA Compliance 10 Points

• The ability of the Applicant to comply and adhere to all reporting requirements and regulations mandated under ARRA.

**Step III:** MDA-ED will contact those Applicants whose proposals best meet evaluation criteria. MDA-ED may require Applicants to meet with the selection team. A site visit to the proposed location may be conducted.

**Step IV:** MDA-ED will contract with the Applicant to execute the activity. MDA-ED will fund the proposal through a grant under the American Recovery and Reinvestment Act. Work may not begin unless the Applicant is in receipt of a fully executed grant agreement.

ALL PROPOSALS SUBMITTED IN RESPONSE TO THIS FOA SHALL BE IN WRITING. APPLICANTS MAY DESIGNATE THOSE PORTIONS OF THE PROPOSALS WHICH MAY CONTAIN TRADE SECRETS OR OTHER PROPRIETARY DATA WHICH MAY REMAIN CONFIDENTIAL IN ACCORDANCE WITH SECTION 25-61-9 AND 79-23-1 OF THE MISSISSIPPI CODE.

#### MINIMUM EFFECTIVE PERIOD OF PROPOSAL

All proposals are required to remain in effect for at least 6 months from the date submitted to MDA-ED.

#### REJECTION OF PROPOSALS

Proposals that do not conform to the requirements set forth in this FOA may be rejected by MDA. Proposals may be rejected for reasons that include, but are not limited to, the following:

- The proposal contains unauthorized amendments to the requirement of the FOA;
- The proposal is conditional;
- The proposal is incomplete or contains irregularities which make the proposal indefinite or ambiguous;
- The proposal is not received by the deadline;
- The proposal is not signed by an authorized representative of the party;
- The proposal does not adequately meet the goals of the program; or
- The proposal contains false or misleading statements or references.

#### **DISPOSITION OF PROPOSALS**

All submitted proposals become the property of MDA.

#### FOA DOES NOT CONSTITUTE ACCEPTANCE OF PROPOSAL

The release of this FOA does not constitute an acceptance of any proposal, nor does such release in any way obligate MDA-ED to award funds. Additionally, the submission of a proposal does

not constitute an award. MDA-ED reserves the rights to accept, reject, or negotiate any or all proposals. The final decision to award funds to any party rests solely with MDA-ED.

#### **EXCEPTIONS AND DEVIATIONS**

Applicants taking exceptions to any part or section of the solicitation shall indicate such exceptions on the proposal and shall fully describe the exception. Failure to indicate any exception will be interpreted as the Applicant's intent to comply fully with the requirements as written. Conditional proposals, unless specifically allowed, shall be subject to rejection in whole or in part.

#### NON-CONFORMING TERMS AND CONDITIONS

A proposal that includes terms and conditions that do not conform to the terms and conditions in the FOA is subject to rejection as non-responsive. MDA-ED reserves the right to permit the Applicant to withdraw nonconforming terms and conditions from its proposal prior to a determination by MDA-ED of non-responsiveness based on the submission of non-conforming terms and conditions.

#### **EXPENSES INCURRED IN PREPARING OFFERS**

MDA-ED accepts no responsibility for any expense incurred by the Applicant in the preparation and presentation of a proposal. Such expenses shall be borne exclusively by the Applicant.

#### ADDITIONAL INFORMATION

Questions concerning this FOA must be submitted in writing to: Mississippi Development Authority, Attn: Mike McCollough/Lynn Johnson, ARRA Renewable Energy Round 2 FOA #EN07082010, 501 North West Street, Woolfolk Building, Suite 1500, Jackson, MS 39201, via fax at (601) 359-5042 (Attn: Mike McCollough/Lynn Johnson) or via e-mail at renewableR2.foa@mississippi.org. Questions will be received through June 18, 2010 at 12:00 P.M. Central Standard Time. No questions received after this deadline will be answered. Applicants are cautioned that any statements made by the contact person that materially change any portion of this FOA shall not be relied upon unless subsequently ratified by a formal written amendment to this FOA.

#### ACKNOWLEDGEMENT OF AMENDMENTS

MDA will provide written notice of all changes to this FOA in the form of an amendment to this FOA prior to response deadlines. Amendments will be provided to all known applicant parties and posted on MDA's stimulus website, <a href="http://stimulus.mississippi.org">http://stimulus.mississippi.org</a>, in the "Funding Opportunities and Announcements" section.

Applicants shall acknowledge receipt of any amendment to this FOA by signing and returning the amendment with the proposal, by identifying the amendment number and date in the space provided for this purpose on the proposal form, or by letter. The acknowledgement must be received by MDA by the time and at the place specified for receipt of proposals.

#### **DEBARMENT**

By submitting a proposal, the Applicant certifies that it is not a person or entity currently debarred from submitting proposals for contracts issued by any political subdivision or agency of the State of Mississippi or the Federal government.

#### PROPOSAL SUBMISSION INSTRUCTIONS

The original and five (5) copies of the Application and all attachments shall be signed and submitted in a sealed envelope or package to: Mississippi Development Authority, Attn: Mike McCollough, ARRA Renewable Energy FOA #EN07082010, 501 North West Street, Woolfolk Building, Suite 1500, Jackson, MS 39201. The envelope or package shall be marked "Sealed Proposal ARRA Renewable Energy Round 2 FOA" in the lower left hand corner. Each page of the proposal and all attachments shall be identified with the name of the Applicant.

#### PROPOSAL ACCEPTANCE PERIOD

<u>Proposals must be received no later than 3:00 P.M. Central Time on July 8, 2010.</u> **Timely submission of the proposal is the responsibility of the Applicant**. Offers received after the specified time shall be rejected and returned to the Applicant unopened.

Milestone	Date
Release of FOA	June 1, 2010
Deadline for Applicants to submit written	12:00 p.m. Central, June 18, 2010
questions to MDA-ED	
Deadline for MDA-ED to respond to questions	June 25, 2010
submitted by Applicants	
Proposals Due Date	3:00 p.m. Central, July 8, 2010

#### **CONTACT INFORMATION**

#### **Questions regarding this Funding Opportunity Announcement must be submitted to:**

Mississippi Development Authority Attn: Mike McCollough/Lynn Johnson ARRA Renewable Energy FOA #EN07082010 P.O. Box 849 Jackson, MS 39205-0849

Or

501 North West Street Woolfolk Building, Suite 1500 Jackson, MS 39201

#### Questions may also be submitted via fax or email:

Fax: (601) 359-5042 Attn: Mike McCollough/Lynn Johnson

Email: renewableR2.foa@mississippi.org

# Proposals and attachments must be submitted to:

Mississippi Development Authority Attn: Mike McCollough/Lynn Johnson ARRA Renewable Energy FOA #EN0708201 P.O. Box 849 Jackson, MS 39205-0849

Or

501 North West Street Woolfolk Building, Suite 1500 Jackson, MS 39201