

STATE OF NEVADA
GOVERNOR'S OFFICE OF ENERGY

REQUEST FOR INFORMATION

RFI #: 01GO-S2466

Planning, Administration, and Technical Assistance for
40101(d) Preventing Outages and Enhancing the Resilience of the Electric Grid

Release Date: August 16, 2023

Due Date: September 14, 2023, @ 2:00 pm

For more information please contact: info@energy.nv.gov

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GENERAL INFORMATION

This is a Request for Information (RFI) issued by the Nevada Governor's Office of Energy (GOE). It is not a solicitation for quotations, bids, or proposals. No contract award will result from this RFI. The RFI process will be used to collect information that will ultimately support and inform GOE on best practices for program design to improve the resilience of the electric grid against disruptive events. Per BIL section 40101(a)(1),¹⁷ a disruptive event is "an event in which operations of the electric grid are disrupted, preventively shut off, or cannot operate safely due to extreme weather, wildfire, or a natural disaster." This RFI, having been determined to be the appropriate method for gathering the best information, is designed to provide interested individuals with sufficient information to submit replies meeting the intent of this request. It is not intended to limit an individual's content or exclude any relevant or essential data.

SCHEDULE

Description	Timeline
Release of RFI	August 16, 2023
Question and Answer Deadline	August 25, 2023 2:00 pm
Question and Answers Posted	September 1, 2023
Submissions Due	September 14, 2023 2:00 pm

COST OF PREPARING A RESPONSE

The state assumes no financial responsibility in connection with the individuals' costs incurred in the preparation and submission of the RFI packets, or by attending the presentation, if such presentations are conducted by the state at its sole discretion.

GENERAL TERMS AND CONDITIONS

Issuance of this RFI shall in no way constitute a commitment by the State to issue a Request for Proposals (RFP) or execute an agreement. The State reserves the right to cancel this RFI if it is deemed in the best interest of the State to do so.

Information submitted in response to this RFI will become the property of the State. The State will not pay for any information herein requested, nor will it be liable for any other costs incurred by any respondent related to the preparation or delivery of the response to this RFI or any subsequent presentation. Information submitted in response to this RFI will be treated as confidential.

The State reserves the right to reject any responses to the RFI, in whole and in part, at any time. This RFI is designed to provide individuals with the information necessary for the preparation of informative response proposal and demonstrations of product. This RFI process is for the State's benefit and is intended to provide information to facilitate the potential future selection

of goods and/or services. This RFI is not intended to be comprehensive, each individual is responsible for determining all factors necessary for submission of comprehensive responses and complete product capability demonstration.

The RFI response and demonstration will not be subject to an RFP type evaluation, but only to a review of suggested product performance, cost of processes offered, and abilities to perform services that may be of use to the State. Cost shall be estimated by the individual. When the estimated cost is submitted, the individual shall state that it is an estimated or approximated cost.

The State will not be responsible for any oral exchange or any other information or exchange that occurs outside the official process specified herein.

REQUEST FOR CONFIDENTIAL TREATMENT

The State of Nevada will treat all information submitted by an individual in response to this RFI as confidential information.

BACKGROUND

It is the vision of the Nevada Governor's Office of Energy (GOE) to provide all Nevadans with affordable, reliable, sustainable, and clean energy choices through a holistic and realistic approach.

It is the mission of the Nevada's Governor's Office of Energy (GOE) that through maintaining and applying an understanding of the energy landscape in Nevada, GOE promotes policy, manages programs, and distributes federal funding to meet Nevada's energy needs.

GOE fosters thoughtful energy forecasting and planning, promotion of research and development in the energy sector, maximization of Nevada's energy resources, and the wise use of energy.

FORMAT FOR INDIVIDUAL RESPONSES

The responses shall be submitted in the following format (see):

Responses must be provided as attachments emailed to info@energy.nv.gov that includes "RFI RESPONSE 40101(d) Preventing Outages and Enhancing the Resilience of the Electric Grid Program" in the subject line. It is recommended that attachments with file sizes exceeding 25MB be compressed (i.e., zipped) to ensure message delivery.

Responses must be provided in a format compatible with Microsoft Office Suite via email. Only electronic responses will be accepted.

Responding parties must complete this title page as follows:

- A. Provide all requested information;
- B. Type or print responses;
- C. Sign and date; and
- D. Include this title page first and prior to any sections of the RFI.

V1	Individual Name	
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V2	Street Address	
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V3	City, State, ZIP	
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V4	Telephone Number		
	Area Code:	Number:	Extension:

V5	Contact Person for Questions
	Name:
	Title:
	Address:
	Email Address:

V6	Telephone Number for Contact Person		
	Area Code:	Number:	Extension:

V7	Name of Individual Authorized to Bind the Individual (if applicable)	
	Name:	Title:

V8	Signature	
	Signature:	Date:

The Governor's Office of Energy (GOE) seeks to develop a planning framework that will guide decisions pertaining to the investment of 40101(d) funding. The objectives align with GOE's mission for resilience to address all-hazards including future climate implications, demonstrate community support, offer the option to scale for statewide applicability, and/or serve a public interest by reducing the frequency and duration of outages in disadvantaged communities within the objectives below:

- I. Energy Justice – Ensuring an equitable energy future that leaves no one behind. Including underserved and disadvantaged communities, and vulnerable populations by equitably sharing the burdens and benefits of energy production and consumption, while reducing the likelihood and consequence of disruptive events.
- II. Resilience – Reduction of frequency and duration of outages. Setting objectives to avoid, prepare for, and recover from energy disruptions to ensure energy availability and reliability.
- III. Mitigation of Climate Related Risks – Hazard mitigation and hardening in an effort to adapt to climate-related hazards.
- IV. Strong Labor Standards and Protections – Creation of good paying jobs with the free and fair choice to join a union and/or a workforce development option.

For ease of replying and to aid categorization of your responses, please copy and paste the RFI questions, including the question numbering, and use them as a template for your response. Respondents may answer as many or as few questions as they wish.

QUESTIONS

1. Are you an eligible entity? Please select all that apply.

- an electric grid operator;
- an electricity storage operator;
- an electricity generator;
- a transmission owner or operator;
- a distribution provider;
- a fuel supplier; and
- any other relevant entity, as determined by the Secretary (of DOE).

2. Is the proposed project an eligible activity?

Check one or more activities which align with your project idea(s).

- weatherization technologies and equipment
- fire-resistant technologies and fire prevention systems
- monitoring and control technologies
- the undergrounding of electrical equipment
- utility pole management
- the relocation of power lines or the reconductoring of power lines with low-sag, advanced conductors
- vegetation and fuel-load management
- the use or construction of distributed energy resources for enhancing system adaptive capacity during disruptive events, including:
 - a. microgrids; and
 - b. battery-storage subcomponents
- adaptive protection technologies
- advanced modeling technologies
- hardening of power lines, facilities, substations, of other systems; and
- the replacement of old overhead conductors and underground cables

This grant program may not be used for the construction of a

- new electric generating facility or
- large-scale battery-storage facility that is not used for enhancing system adaptive capacity during disruptive events, or
- cybersecurity.

3. COST - What is a high-level ballpark cost estimate of your proposed project?

Provide high level ballpark cost estimates. We're not looking for a dialed in budget breakdown.

While this RFI will not result in an award, the State needs cost estimates to proceed with an RFP if it so chooses. The State asks for typical costs for similar implementations. Submissions to this RFI will not be used in lieu of responses to any future RFP.

4. There is a Small Utilities Set Aside (section 40101(d)(6)) - Are you a large or small utility?

Large utilities are entities that sell greater than 4,000,000 megawatt hours of electricity per year.

Small utilities are entities that sell less than 4,000,000 megawatt hours of electricity per year.

5. Cost match (section 40101(h)) could be up to 115 percent, is this an insurmountable barrier?

A 15 percent cost match is required on all projects. In addition to this 15 percent, eligible entities performing resilience projects are required to provide a 100 percent cost match (115% total), unless the eligible entity sells not more than 4,000,000 megawatt hours of electricity per year, then the eligible entity is required to provide a one-third cost match (1/3 + 15% total). A cost match commitment letter will be required from eligible entities.

6. With cost match in mind, what is the minimum amount of an award that would interest applicants?

7. With cost match in mind, what is the ideal award amount?

8. Given how subaward programs are often designed, what are challenges in the typical design and how could the state design the subaward program in a way to mitigate those challenges?

9. Given how subaward programs are often designed, what are insurmountable barriers in the typical design and how could the state design the subaward program in a way to remove those insurmountable barriers?

10. How could the proposed project generate the greatest community benefit (whether rural or urban) in reducing the likelihood and consequences of disruptive events?

11. This award will include additional administrative requirements. Are there any insurmountable barriers listed below?

a. Foreign National Participation:

All project participants (including subrecipients and contractors) who anticipate involving foreign nationals in the performance of an award, will be required to provide The Governor's Office of Energy (GOE) with specific information about each foreign national to satisfy requirements for foreign national participation. A "foreign national" is defined as any person who is not a United States citizen by birth or naturalization. The volume and type of information collected may depend on various factors associated with the award. GOE's concurrence may be required before a foreign national can participate in the performance of any work under an award. Approval for foreign nationals from countries identified on the U.S. Department of State's list of State Sponsors of Terrorism must be obtained from GOE before they can participate in the performance of any work under an award.

b. Environmental Review in Accordance with National Environmental Policy Act (NEPA):

All project participants will be required to submit an environmental questionnaire (NETL Form 451.1-1/3) for each work location proposed in the application. A NEPA representative will review these documents and any other pertinent information to determine the likely level of NEPA documentation required for qualified projects. Computer 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 will provide further documentation. While NEPA compliance is a federal agency responsibility and the ultimate decisions remain with the Federal agency, all recipients selected for an award will be required to assist in the timely and effective completion of the NEPA process in the manner most pertinent to their proposed project. If GOE determines certain records must 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.

c. **Flood Resilience:**

Applications should indicate whether the proposed project location(s) is within a floodplain, how the floodplain was defined, and how future flooding will factor into the project's design. The base floodplain used for planning has been the 100-year floodplain, that is, a floodplain with a 1.0 percent chance of flooding in any given year. As directed by Executive Order 13690, Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input (2015), Federal agencies, including DOE, continue current base flood level to a higher vertical elevation and corresponding horizontal floodplain to address current and future flood risk and ensure that projects funded with taxpayer dollars last as long as intended." The higher flood elevation is based on one of three approaches: climate-informed science (preferred), freeboard value, or 0.2 percent annual flood change (500-year floodplain). EO 13690 and related information is available at <https://www.energy.gov/nepa/articles/eo-13690-establishing-federal-flood-risk-management-standard-and-process-further>.

d. **Real Property:**

Acquisition of land or easements is not permitted under this grant program improvements to real property for the purpose of grid hardening or resilience is not considered acquisition of real property for the purpose of this grant program and therefore may be permitted.

e. **Build America Buy America Act (BABA) Requirements for Infrastructure Projects:**

None of the funds provided under this award (federal share or recipient cost-share) may be used for a project for infrastructure unless:

1. All iron and steel used in the project is produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
2. All manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
3. All construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America Requirement only applies to articles, materials, and supplies that are consumed in, incorporated into, or permanently affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought into the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America Requirement apply to equipment and furnishings, such as movable chairs,

desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

Recipients are responsible for administering their award in accordance with the terms and conditions, including the Buy America Requirement. The recipient must ensure that the Buy America Requirement flows down to all subawards and that the sub-awardees and subrecipients comply with the Buy America Requirement. The Buy America Requirement term and condition must be included in all sub-awards, contracts, subcontracts, and purchase orders for work performed under the infrastructure project.

f. **Davis Bacon Act Requirements:**

The project will pay all of the laborers and mechanics performing construction, alteration, or repair work in excess of \$2,000 on projects funded directly by or assisted in whole or in part by and through funding under the award, wages at rates not less than those prevailing on projects of a character similar in the locality as determined by subchapter IV of Chapter 1 of Title 40, United State Code commonly referred to as the “Davis-Bacon Act” (DBA).

g. **Workforce Requirements:**

Projects must use strong labor standards and protections (including for direct employees, contractors, and sub-contractors), such as through the use of project labor agreements, local hire agreements, and outline of a plan to attract, train, and retain an appropriately skilled workforce (i.e., through registered apprenticeships and other joint labor-management training programs that serve all workers, particularly those underrepresented or historically excluded); plans to partner with a training provider (labor, community college, etc.); and the use of an appropriately credentialed workforce (i.e., requirements for appropriate and relevant professional training, certification, and licensure).

h. **Justice40:**

The Justice40 Initiative within DOE includes a collaborative effort with the Office of Management and Budget (OMB) and various federal agencies to establish policy goals and programs for better serving disadvantaged communities. The Section 40101(d) Formula Grant Program requires that eligible applicants establish objectives and metrics to involve disadvantaged communities, e.g., low income, vulnerable, and underserved communities, within their respective planning processes so that they may receive equitable benefits that derive from them.

12. Reporting: Below is a list of some but not all reporting requirements. Does the list below seem manageable? Based on the following requirements do you see any challenges or barriers GOE should consider in our program design.

Additional reporting requirements apply to projects funded by BIL. As part of tracking progress toward key Departmental goals – ensuring justice and equity, creating jobs, boosting domestic manufacturing, and reducing greenhouse gas emissions. GOE may require specific data collection. Examples of data that may be collected include:

- project locations,
- benefitted community zip code(s),
- benefitted community census tract(s),

- number of customers (i.e., meters) served by the entity performing the project,
- number of customers (i.e., meters) that are expected to see benefits from the project,
- measurable improvements of resilience,
- transmission capacity upgraded, expanded, or built,
- electricity storage capacity installed,
- funding leveraged,
- stakeholders engaged,
- technical assistance provided, and
- value of contracts or agreements with minority owned business for supplies, services, or equipment.

Recipients must maintain sufficient records to substantiate this information upon request.

13. Identify how lessons learned from previous funding opportunities could be implemented to not replicate mistakes that may have previously been made.

14. Please review the following links and provide any additional feedback you think GOE should consider.

a. Section 40101(d) Formula Grants to States and Indian Tribes: <https://netl.doe.gov/bilhub/grid-resilience/formula-grants>

b. Section 40101(d) ALRD:

<https://www.fedconnect.net/FedConnect/default.aspx?ReturnUrl=%2ffedconnect%2f%3fdoc%3dDE-FOA-0002736%26agency%3dDOE&doc=DE-FOA-0002736&agency=DOE>

c. DOE 40101(d) Proposed Criteria: https://www.energy.gov/sites/default/files/2022-05/Grid-Resilience-40101d_Webinar_Final%28web%29.pdf