



**Ohio Energy Loan Loss Reserve Program  
Request for Qualifications (RFQ)  
Pre-Qualifications Meeting  
April 8, 2014  
Frequently Asked Questions**

**Q1. Will projects be subject to compliance with the National Environmental Policy Act (NEPA)? What are the categorical exclusions under NEPA (page 10, VIII)?**

A1. Yes, and the categorical exclusions are outlined in the attached document (NEPA Categorical Exclusions).

**Q. Does the Davis Bacon Act (DBA) apply to the entire project or just the portion financed by funds that will be backed by the Loan Loss Reserve (LLR)?**

A2.

**Q3. Do prevailing wage requirements apply to Energy Projects financed through leveraged funds?**

A3.

**Q4. Are the administrative costs of starting/maintaining the portfolio of Eligible Loans an allowable expenditure (page 8, V, 8)? Are any funds available to assist with costs incurred as a result of ARRA requirements (page 10, VIII)?**

A4. Department of Energy (DOE) Program Notice 10-008D (attached) allows that "interest earned may be rolled back into the LLR account or used for another approved, eligible activity". Administrative costs would be an eligible activity and could be considered at the director's discretion, upon approval from the DOE project officer.

**Q5. How will Eligible Ports facilitate working outside of their current jurisdiction (page 7-8, V, 6)?**

A5. Port Authorities can enter into a cooperative agreement or memorandum of understanding with each other to outline this process. The intent of this portion of the program is to ensure that all Ohioans, regardless of geographic location, are allowed the opportunity to participate in the program.

**Q6. Can loan repayment be made via an assessment agreement?**

A6. Yes

**Q7. What kinds of items are allowable as other expenses, as referenced in the definition of Energy Project (page 4, II, 7)?**

A7. This references expenses that are necessary for the completion of the project. Ports should outline expenses incurred that are included in loans under their programs. Any information submitted through the RFQ will be considered. Note: application fees, commitment fees, and costs associated with energy audits are not included in loans under ODSA's Energy Loan Fund.

**Q8. What is the meaning of "uncommitted funds" as used in the RFQ (page 8, V, 13)?**

A8. Uncommitted funds are those in the Additional Reserve that are not backing an Eligible Project. When repayment of Eligible Loans causes the Additional Reserve to go above 100% coverage of the leveraged funds the remainder of funds in the Additional Reserve are considered uncommitted.

**Q9. How is the 15 percent energy reduction measured (page 9, VI, 4)?**

A9. Energy reduction should be calculated as 15 percent reduction from existing conditions. Note: ODSA's Energy Loan Fund uses both dollar savings and energy savings (MMBTU or kWh) to define project eligibility and 15 percent reduction.

**Q10. Is there a standard format provided for reporting?**

A10. Yes, this will be done electronically through SalesForce, an online customer relationship management program.

**Q11. What are items that will be considered an Eligible Port request increase on the maximum \$500,000 draw per project to the Additional Reserve (page 6-7, V)?**

A11. An example of the items that will be considered are the project's economic and environmental impact, size of investment, energy savings, effect on other projects, etc., and if the Eligible Port's energy program has been proven to be robust.

**Q12. If a project includes items that are not allowable under SEP-ARRA, can the LLR be used (page 9-10, VII)?**

A12. Yes, with approval from ODSA. The Energy Project must be clearly defined. For example, in a case where there is a retrofit project being completed in conjunction with the expansion of a building only the retrofit portion would be allowable. Title XVI of the Recovery Act states the following: *SEC. 1604. None of the funds appropriated or otherwise made available in this Act may be used by any State or local government, or any private entity, for any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool.*

**Q13. Does the budget section of the submitted qualifications need to include information on Common Bond Fund and other staff (page 6, IV, 3)?**

A13. Yes, information on any staff that will be dedicated in whole or in part to administration of the program should be included. Any consultation services for technical or financial review should be included as well.

**Q14. What constitutes a stakeholder as it relates to the marketing plan (page 6, IV, 4)?**

A14. Existing customers with which the Port has a business relationship.

**Q15. If a port has submitted forms in Appendix A to ODSA for other programs will they need to re-submit these forms as part of this RFQ (page 6, IV, 5)?**

A15. Yes

**Q16. Should ports submit information on Common Bond Fund projects only, or on all types of financing capabilities and experience (page 6, IV, 1)?**

A16. All types of financing. This section's intent is to show the Port's capacity to implement an energy loan program.

**Q17. Should the staffing section include information on outside staff working on behalf of the Port (page 6, IV, 2)?**

A17. Yes, anyone working on the Port's behalf for administration of the energy loan program should be included here.

**Q18. Are future uses of the LLR funded through SEP-ARRA subject to federal requirements (page 10, VIII)?**

A18. The funds available through this program retain their federal character in perpetuity.

**Q19. Can I identify reasonable costs for program start-up in my proposal?**

A19. Yes, and this is encouraged.

**Q20. Can leveraged funds backed by the Additional Reserve be purchased/capitalized by a bond issue or other method?**

A20. Yes

**Q21. Are NAICS codes required for government agencies (page 9, VI, 2)?**

A21. Yes

**Q22. In the case of a default where funds from the Additional Reserve are used, what happens with those funds (page 8, V, 12)?**

A22. The funds would be considered spent and no longer available if used to cover a loan default.

**Q23. What is ODSA's process for reviewing Energy Projects for approval of a draw to the Additional Reserve (page 6-8, V)?**

A23. ODSA will review projects and respond in writing to the Eligible Port within 10 business days of receipt of documentation required.

**Q24. Can ODSA authorization be assumed upon no response within a time frame to be determined?**

A24. No.

**Q25. In the article I read in the Ohio Economic Development Association newsletter it stated that the number of Ports eligible to participate is limited. What does that mean – based on location of the Port, or first-come, first-served basis? Can you please clarify who IS eligible to participate? Thanks!**

A25. Page 3, II, 4 “Eligible Port Authority” which receives designation from ODSA, is an Ohio Port Authority which has an active Common Bond Fund Program or other acceptable financing mechanism and has the ability to issue financing to fund future qualified Energy Projects.

**Q26. I have a question with regard to the Energy RFQ. Is the RFQ due physically at the State’s offices by 3 PM on April 30th or can we electronically submit by 3 PM on that date? Just wondered if I need to take into account days to mail or not.**

A26. Electronic submission will be accepted to make sure the deadline is met, but an original does need to be mailed to the address provided on page 2.

**Q27. Information to be submitted for RFQ, Section 1(b) includes a request for information on terms for bonds or loans. Does that refer to the bond maturity date, e.g. 15 years or 20 years? Or is it asking for other details regarding the loan/bond terms and, if so, what specific terms should be included?**

A27. The bond maturity date would be relevant information in this section. The idea is to get a good feel for the terms you offer in a financing project. For example, our loan program uses a maximum 15 year term and interest rates differ based on the type of entity. Those would be the type of details we’ll look at in the qualifications.

**Q28. Section 3(a) asks for a budget for a two-year period. Does it need to cover 24 months from the time the awards would be made, e.g. July 2014-June 2016? Or can it cover the current budget year (remainder of the year) plus the next budget year?**

A28. This should cover the two year time period during the initial term, which is defined as: “Initial Term” refers to the two year, lifetime period of the Master LLR Escrow, established on September 27, 2013 and maturing on September 30, 2015.

**Q29. Regarding the Vendor Information Form, if the Port Authority already has a Vendor Information Form on file, which box in Section 1 applies if nothing has changed? The directions state Section 1 must be completed. Is Section 10 required and, if so, who is the DSA contact to be identified and what is the correct contact information?**

A29. We always check Ohio Administrative Knowledge System (OAKS) before submitting the forms. If there is no change we will simply add it to the files and input the number in OAKS. Section 10 does not need to be completed.