

# AFFECT BIL FAC Webinar

April 4, 2023



# Disclaimer

---

*This webinar call is being recorded and will be posted on DOE's S3 eXCHANGE. If you do not wish to have your voice recorded, please do not speak during the call or disconnect now. If you do not wish to have your image recorded, please turn off your camera or participate only by phone. If you speak during the call or use a video connection, you are presumed to consent to recording and to the use of your voice or image.*

# Overview

WHAT	Assisting Federal Facilities with Energy Conservation Technologies (AFFECT) Bipartisan Infrastructure Law (BIL) Federal Agency Call (FAC), <b><i>Advancing Net-Zero Federal Facilities</i></b> – Via three topic areas that support net-zero buildings at different project stages.
WHY	Authorities (42 U.S.C. §8256(b)) and Priorities (42 U.S.C. §8253 and Executive Orders)
WHEN	Summer 2023 thru Winter 2025
HOW MUCH	\$250,000,000
HOW	Selection Criteria and Application Content
WHO	Federal Agencies ONLY
WHERE	S3 eXCHANGE at <a href="https://infrastructure-exchange.energy.gov">https://infrastructure-exchange.energy.gov</a> , DE-FOA-0003026
HELP	AFFECT BIL Team at <a href="mailto:AFFECTBIL@hq.doe.gov">AFFECTBIL@hq.doe.gov</a>

# WHY | Authority



## 42 USC § 8256 (b) FEEF

- (1) The Secretary shall establish a Federal Energy Efficiency Fund to provide grants to agencies to assist them in meeting the requirements of section 8253 of this title.
- (2) Not later than June 30, 1993, the Secretary shall issue guidelines to be followed by agencies submitting proposals for such grants. All agencies shall be eligible to submit proposals for grants under the Fund.
- (3) The Secretary shall award grants from the Fund after a competitive assessment of the technical and economic effectiveness of each agency proposal. The Secretary shall consider the following factors in determining whether to provide funding under this subsection:
- (A) The cost-effectiveness of the project.
  - (B) The amount of energy and cost savings anticipated to the Federal Government.
  - (C) The amount of funding committed to the project by the agency requesting financial assistance.
  - (D) The extent that a proposal leverages financing from other non-Federal sources.
  - (E) Any other factor which the Secretary determines will result in the greatest amount of energy and cost savings to the Federal Government.



## BIL Section 40554

ASSISTING FEDERAL FACILITIES WITH ENERGY CONSERVATION TECHNOLOGIES GRANT PROGRAM. There is authorized to be appropriated to the Secretary to provide grants authorized under section 546(b) of the National Energy Conservation Policy Act (42 U.S.C. § 8256 (b)), \$250,000,000 for fiscal year 2022, to remain available until expended.

# WHY | Priorities

**Energy Act of 2020** EA2020 amendments to section 543 of NECPA (42 USC § 8253) prioritize implementation energy conservation measures (ECMs) and adds water management as a requirement throughout. EA2020 includes the following requirements:

- Complete comprehensive evaluations (i.e., energy and water audits) of each covered facility at least once every four years;
- Implement all cost-effective ECMs identified within two years of completion of evaluation (audit);
- Use performance contracting to address at least 50% of ECMs identified.

**E.O. 14057** E.O. 14057 commits the U.S. Government to lead by example to leverage its scale and procurement power to drive clean, healthy, and resilient operations in tackling the climate crisis. The E.O. includes the following goals:

- 100% carbon pollution-free electricity (CFE) on a net annual basis by 2030, including 50% 24/7;
- A net-zero emissions building portfolio by 2045, including a 50% emissions reduction by 2032;

- Net-zero emissions from overall federal operations by 2050, including a 65% emissions reduction by 2030;
- 100% zero-emission vehicle (ZEV) acquisitions by 2035, including 100% zero-emission light-duty vehicle acquisitions by 2027;
- Achieving climate resilient infrastructure and operations;
- Building a climate- and sustainability-focused workforce; and
- Advancing environmental justice and equity.

**E.O. 14008** E.O. 14008 directs the Federal Government to deploy American-made clean energy technologies and infrastructure, increase climate resilience, and ensure that environmental and economic justice are key considerations in energy planning. The E.O. includes the following goals:

- Increasing the use of American-made products when purchasing clean energy and energy efficiency technologies;
- Applying the Davis-Bacon Act and prevailing wage and benefit requirements; and
- Directing 40 percent of the overall benefits from Federal investments to flow to disadvantaged communities.



# WHEN | Key Dates

March 23rd, 2023	Issue AFFECT BIL FAC
April 4th, 2023	Informational Webinar
Summer 2023	<b>May 31st, 2023:</b> Application Submission Deadline August 31st, 2023: Expected Selection Notifications
Winter 2023/24	<b>November 29th, 2023:</b> Application Submission Deadline February 29th, 2024: Expected Selection Notifications
Summer 2024	<b>May 29th, 2024:</b> Application Submission Deadline August 29th, 2024: Expected Selection Notifications
Winter 2024/25	<b>November 27th, 2024:</b> Application Submission Deadline February 27th, 2025: Expected Selection Notifications

# HOW MUCH | Funding

FEMP expects to make approximately **\$250 million** of federal funding available under this AFFECT BIL FAC, subject to the availability. FEMP intends to expend these funds over approximately the next **two years**, with **four separate application submission opportunities**. FEMP may issue one, multiple, or no awards. FEMP will consider individual awards greater than the historical average but **not in excess of \$10 million**. FEMP does not intend to allocate more than **5% of the AFFECT BIL grants to Topic Area 1 projects**.

Topic Area Number	Topic Area Title	Anticipated Number of Awards	Anticipated Award Size for Any One Individual Award	Approximate Total Federal Funding Available for All Awards
1	Assistance with Net-Zero Buildings Opportunity Development	0-125	\$0-\$100K	\$12.5M
2	Modify Existing Projects for Net-Zero Buildings	0-20	\$0-\$10M	\$95M
3	New/In Development Net-Zero Buildings Projects	0-30	\$0-\$10M	\$142.5M

# WHAT | Net-Zero Buildings

## Net-Zero Building Definitions

AFFECT BIL FAC relies on net-zero building related definitions provided in the Implementing Instructions for E.O. 14057. As used in this FAC, net-zero building refers more generally to a building that is a net-zero emission, water, and/or waste building.

- **Net-zero emission building** means a building that is designed and operated so that, when connected to a regional electrical grid fully serviced by carbon pollution-free electricity, the scope 1 and 2 greenhouse house emissions from all operational end uses are zero on an annual basis.
- **Net-zero waste building** means a building that is operated to reduce, reuse, recycle, compost, or recover solid waste streams (with the exception of hazardous and medical waste) thereby resulting in zero waste disposal.
- **Net-zero water building** means a building that is designed, constructed, or renovated and operated to greatly reduce total water consumption, use non-potable sources as much as possible, and recycle and reuse water in order to return the equivalent amount of water as was withdrawn from all sources, including municipal supply, without compromising groundwater and surface water quantity or quality.



# WHAT | Topic Area 1

## Topic Area 1: Assistance with Net-Zero Buildings Opportunity Development

- Applications submitted under Topic Area 1 are for proposed assistance requests for the initiation and development of an opportunity that will lead to a replicable process or program for future net-zero buildings projects.
- For purposes of this AFFECT BIL FAC, “assistance” includes but may not be limited to review of identified ECMs to determine life-cycle cost effectiveness, analysis of ECMs to determine the feasibility of a performance contract, and development of documentation and analysis to pursue a project.
- Agencies that are awarded funds for assistance with net-zero buildings opportunity development under Topic Area 1 may submit a Topic Area 2 or Topic Area 3 application under future AFFECT BIL FAC submission opportunities to seek funding for project execution.

## Final Deliverables/Grant Release Trigger:

- For Energy Savings Performance Contract (ESPC) or ENABLE projects: Issued Notice of Opportunity (NOO); or
- For Utility Energy Service Contract (UESC) projects: Issued Letter of Interest (LOI) or Sources Sought Request for Proposal (RFP); or
- For projects executed through other procurement mechanisms: Issued RFP or Request for Quote (RFQ).

FEMP reserves the right to terminate the selected AFFECT BIL grant award if the recipient agency has not submitted the applicable deliverable within 12 months of grant award.

# WHAT | Topic Area 2

## Topic Area 2: Modify Existing Projects for Net-Zero Buildings

- Applications submitted under Topic Area 2 are for proposed projects that would add net-zero buildings ECMs to previously awarded contracts. The additional ECMs would further an agency's efforts to achieve goals outlined in E.O. 14057 and E.O. 14008, consistent with 42 U.S.C. § 8253.

## Final Deliverables/Grant Release Trigger:

- Issued Amendment of Solicitation/Modification of Contract SF-30 (or equivalent form); or
- Project proposal provided by the energy service company (ESCO) (for an ESPC or ENABLE project) or by the utility (for UESC projects) to the applicant.

FEMP reserves the right to terminate the selected AFFECT BIL grant award if the recipient agency has not issued a change order for the subject project contract that is to be modified within 6 months of the grant award; or if the recipient agency has not submitted the ESCO/utility's project Proposal within 12 months; or if the recipient agency has not issued a solicitation to acquire one or more eligible ECMs within 12 months of the grant award.

# WHAT | Topic Areas 3

## Topic Area 3: New/In Development Net-Zero Buildings Projects

- Applications under Topic Area 3 are for new projects or projects in development that support net-zero buildings efforts and any or all of the goals outlined in E.O. 14057, and E.O. 14008, consistent with 42 U.S.C. § 8253.

## Final Deliverables/Grant Release Trigger:

- For ESPC or ENABLE projects: Issued NOO, Notice of Intent to Award (NOITA), and project Proposal provided by the ESCO to the applicant; or
- For UESC projects: Issued LOI or Sources Sought RFP, Notice to Proceed (NTP) to investment grade audit (IGA), and project Proposal provided by the utility to the applicant; or
- For projects executed through other procurement mechanisms: Issued RFP/RFQ and awarded contract for the acquisition of one or more eligible ECMs.

FEMP reserves the right to terminate the selected AFFECT BIL grant award if the recipient agency has not issued a NOO, LOI or Sources Sought RFP within 6 months of the grant award; **or** if the recipient agency has not issued a NOITA or NTP to IGA within 12 months of issuing the NOO, LOI or Sources Sought RFP; **or** if the recipient agency has not submitted the ESCO/utility's project Proposal within 12 months of issuing the NOITA or NTP to IGA; **or** if the recipient agency has not issued a solicitation to acquire one or more eligible ECMs within 12 months of the grant award.

# HOW | Selection Criteria: Topic Area 1

## Topic Area 1

- **Criterion 1: Agency Commitment to Net-Zero Buildings (30%)**
  - The extent to which the applicant shows commitment to develop and implement the proposed net-zero buildings project(s) scope and leverage its resources for a replicable and/or scalable project as requested in question 1.1 in Section 1 of the AFFECT BIL Topic Area 1 Application Form.
- **Criterion 2: Potential Net-Zero Buildings Project Viability (35%)**
  - The extent to which the net-zero buildings project(s) demonstrates alignment with net-zero buildings efforts, the feasibility of project execution, and the potential overall cost effectiveness of ECMs, as requested in question 2.1 in Section 2 of the AFFECT BIL Topic Area 1 Application Form.
- **Criterion 3: Value and Funding Impact (35%)**
  - The extent to which the net-zero buildings project(s) technical assistance funds will support project development and award now and, in the future, as requested in questions 3.1 – 3.2 in Section 3 of the AFFECT BIL Topic Area 1 Application Form.

# HOW | Selection Criteria: Topic Area 2 and Topic Area 3

## Topic Area 2 and Topic Area 3 [aligns with the FEEF requirements]

- **Criterion 1: The Viability and Cost Effectiveness of the Project (25%)**
  - The extent to which the project demonstrates alignment with agency mission, the feasibility of net-zero buildings project execution, and the overall cost effectiveness of ECMs, as requested in questions 1.1 – 1.6 in Section 1 of the AFFECT BIL Topic Area 2 and Topic Area 3 Application Form.
- **Criterion 2: The amount of energy and cost savings anticipated to the federal Government (20%)**
  - The extent to which the project achieves energy and cost savings for the federal government, as requested in questions 2.1 – 2.3 in Section 2 of the AFFECT BIL Topic Area 2 and Topic Area 3 Application Form.
- **Criterion 3: Leverage (15%)**
  - The extent to which the applicant leverages its agency funding commitment and non-federal financing (cost leverage) as defined in Section II.B and as requested in questions 3.1 – 3.2 in Section 3 of the AFFECT BIL Topic Area 2 and Topic Area 3 Application Form.
- **Criterion 4: Programmatic Priorities and Policy Considerations (20%)**
  - The extent to which the applicant meets the goals and requirements outlined in EA2020, E.O. 14057, and E.O. 14008, as outlined in Section I.B and as requested in questions 4.1 – 4.3 in Section 4 of the AFFECT BIL Topic Area 2 and Topic Area 3 Application Form.
- **Criterion 5: Replicability and/or Scalability (20%)**
  - The extent to which the proposed project results are conducive to replication and/or scaling for a larger deployment across multiple facilities within the proposing agency and/or at other federal facilities and the degree to which the application demonstrates how the applicant will use the experience gained through the proposed project as an example that can lend itself to similar efforts within the agency's enterprise and/or at other federal facilities, as requested in questions 5.1 – 5.2 in Section 5 of the AFFECT BIL Topic Area 2 and Topic Area 3 Application Form.

# HOW | Other Selection Factors

## Program Policy Factor

In addition to the noted selection criteria, the Selection Official may consider the following in determining selection:

- The **diversity of technologies and approaches** (including the degree to which the proposed project would be complementary to and support the existing portfolio of projects to achieve the overall goals and objectives of FEMP).
- The **geographic distribution** of projects.
- The **diversity of agencies or sub-agencies** in the project portfolio.
- The **previous history** of agencies or sub-agencies receiving AFFECT awards.
- The extent to which the project results in positive or negative cumulative environmental **impacts to disadvantaged communities** (To the extent applicable, consideration will be based on the information provided in response to questions 6.1 in Section 6 of the AFFECT BIL Topic Area 2 and Topic Area 3 Application Form).
- The extent to which the project supports **American-made products**, a **diversified workforce** within the clean energy economy in construction, and **high-quality jobs** (To the extent applicable, consideration will be based on the information requested in question 6.2 in Section 6 of the AFFECT BIL Topic Area 2 and Topic Area 3 Application Form).
- The extent to which the project contributes to the advancement of **diversity, equity, inclusion, and accessibility** (To the extent applicable, consideration will be based on the information requested in question 6.3 in Section 6 of the AFFECT BIL Topic Area 2 and Topic Area 3 Application Form).



# HOW | Full Application Content Requirements

Required Documents Checklist (PDF, unless stated otherwise)	File Name(s) Convention for Upload to S3 eXCHANGE
<b>AFFECT BIL Application Form</b> (PDF format) for Topic Area 1 OR Topic Area 2 and Topic Area 3. <i>Applicants must use the application forms available in S3 eXCHANGE.</i>	ControlNumber_LeadOrganization_Application Form
<b>SF-424 Application</b> for Federal Assistance (PDF format) <i>Available in S3 eXCHANGE.</i>	ControlNumber_LeadOrganization_App424
<b>Letter of Endorsement</b> (PDF format) <i>From federal site’s leadership or headquarter official responsible for sustainability, energy management, or procurement.</i>	ControlNumber_LeadOrganization_LoE
<b>Summary Slide</b> (MS PowerPoint format) for Topic Area 1 OR Topic Area 2 and Topic Area 3. <i>Applicants must use the template forms available in S3 eXCHANGE.</i>	ControlNumber_LeadOrganization_Slide
<b>Two eProject Builder (ePB) Calculating Templates</b> (MS Excel format) uploaded to S3 eXCHANGE ( <b>Topic Area 2 and Topic Area 3 only</b> ). <i>Applicants must use the ePB Calculating Template found under ePB Help/Documentation, Data Templates at: <a href="https://eprojectbuilder.lbl.gov">https://eprojectbuilder.lbl.gov</a>. DO NOT upload to ePB.</i>	ControlNumber_LeadOrganization_ePB_Project WITHOUT_AFFECT BIL Grant  ControlNumber_LeadOrganization_ePB_Project WITH_AFFECT BIL Grant

# WHERE | Application Submission

## Submit Material via S3 eXCHANGE

All applications must be submitted via S3 eXCHANGE at <https://infrastructure-exchange.energy.gov>. **FEMP will not review or consider submissions** submitted through means other than S3 eXCHANGE, or submissions submitted after the applicable deadline for each submission phase.

Agencies that experience issues with submission **PRIOR** to the FAC deadline should contact the S3 eXCHANGE helpdesk for assistance ([InfrastructureeXCHANGESupport@hq.doe.gov](mailto:InfrastructureeXCHANGESupport@hq.doe.gov)).

1. **Control Number:** A Control Number will be issued when an Applicant begins the S3 eXCHANGE application process. This Control Number must be prominently displayed on the upper right corner of the header of every page.
2. **Application requirements:**
  - Agencies must use the provided associated AFFECT BIL Application Form for the Topic Area being proposed;
  - Agencies may not change or modify any questions on the AFFECT BIL Application Form;
  - Each submission must not exceed the specified maximum page or word limit, including cover page, charts, graphs, maps, and photographs when printed using the formatting requirements set forth above and single spaced. If an applicant exceeds the maximum page/word limits, FEMP will review only the authorized number of pages/words and disregard any additional pages/words.
3. **Deadlines:** S3 eXCHANGE is designed to enforce the deadlines specified in this FAC. The “Apply” and “Submit” buttons will automatically disable at the defined submission deadlines. Applicants are responsible for meeting each submission deadline. Applicants are strongly encouraged to submit their applications at least 48 hours in advance of the submission deadline.

# WHO | Eligibility

## Eligible Applicants

AFFECT BIL FAC is available to **U.S. federal agencies ONLY (including sub-agencies)**. Only facilities that are owned by the U.S. federal government are eligible for funding under this FAC.

Eligible Applicants are permitted to coordinate the development of application content, information, and documentation as required for submission with National Laboratory, ESCO or Utility, or Contractor Partners as per their preference. The application, however, must be submitted by the Eligible Applicant federal agency.

In order for a project at a government-owned, contractor-operator facility to be eligible for AFFECT, the AFFECT applicant must be submitted by the cognizant Federal Contracting Officer and the following requirements must be met: the federal agency must pay the utility bills, receive the benefits of the reduced utility bills and, in the case of a performance contract, pay the ESCO/utility.

## Eligible Project Costs

AFFECT BIL grant funding may be spent on any of the equipment and/or technical assistance and other services related to the planning, development, or implementation of an eligible project.

# MORE | Additional Information

- FEMP personnel are **prohibited** from communicating (in writing or otherwise) with agencies regarding the FAC except through the established question and answer process as described below.
  - Questions regarding the content of this FAC must be submitted to: [AFFECTBIL@hq.doe.gov](mailto:AFFECTBIL@hq.doe.gov). Questions must be submitted 3 business days prior to the application due date and time. Feedback on individual applications will not be provided through Q&A.
  - All questions and answers related to this FAC will be posted on S3 eXCHANGE at: <https://infrastructure-exchange.energy.gov>. Please note that you must first select this specific FOA/FAC Number in order to view the questions and answers specific to this FAC. FEMP will attempt to respond to a question within 3 business days, unless a similar question and answer has already been posted on the website.
  - Problems with S3 eXCHANGE, please email: [InfrastructureeXCHANGESupport@hq.doe.gov](mailto:InfrastructureeXCHANGESupport@hq.doe.gov) and include FOA/FAC name and number in subject line.
- Please note this webinar provided a summary of the AFFECT BIL FAC highlights. Agencies are advised to read the full FAC closely for full details. The slides and recording of this webinar will be posted on S3 eXCHANGE.

***THANK YOU!!***