

# STATE OF OREGON



## COVER PAGE

### DEPARTMENT OF ENVIRONMENTAL QUALITY

Is Issuing this Request For Applications for

### COMMUNITY CLIMATE INVESTMENT ENTITIES

Date of Issue: January 7, 2026

Opening Date and Time: March 20, 2026, 4 p.m. PT

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The State of Oregon promotes equal opportunity for all individuals without regard to age, color, disability, marital status, national origin, race, religion or creed, sex or gender, sexual orientation, or veteran status.

**List of Attachments**

Attachment A: Disclosure Exemption Affidavit

Attachment B: Applicant Information and Certification Sheet

Attachment C: Reference Check Form

Attachment D: Responsibility Inquiry

Attachment E: Checklist

Attachment F: Financial Accounting and Management Controls

Attachment G: Partner or Subcontractor Statement of Agreement

## 1.1 Introduction

The State of Oregon, acting by and through the Department of Environmental Quality (Agency), is issuing this Request for Applications (RFA) for Community Climate Investment (CCI) Entities under the Climate Protection Program (CPP) Oregon Administrative Rule (OAR) chapter 340, division 273, as adopted by the Environmental Quality Commission (EQC) November 21, 2024. Agency anticipates approving one (1) or more CCI entities through this RFA process. Agency plans to enter a zero-dollar agreement with these approved CCI entities with an unknown amount of future CCI funds coming directly from covered fuel suppliers, emissions-intensive trade-exposed industry sources, and direct natural gas sources regulated by the CPP. Agency anticipates the CCI entity or entities to begin implementation as early as October 1, 2026, and for the work to extend for up to ten (10) years. These dates are subject to change depending on the timing of agreement negotiations and approval of workplans.

The CPP sets a declining emissions limit, or cap, on greenhouse gas emissions from fossil fuels used throughout Oregon, including diesel, gasoline, natural gas, and propane, used in transportation, residential, commercial, and industrial settings. The purposes of the CPP are to:

- Reduce greenhouse gas emissions,
- Achieve co-benefits from other air contaminant reductions,
- Support a strong statewide economy
- Enhance public welfare for Oregon communities, particularly environmental justice (EJ) communities.

Companies subject to the CPP declining emissions limit include the following:

1. Natural gas utilities: Suppliers of natural gas used, for example, in home or commercial heating or appliances.
2. Liquid fuels and gaseous fuel suppliers: Suppliers of gasoline, diesel, propane, and other fuels used, for example, in transportation or for off-road uses.
3. Emissions-intensive trade-exposed industries and direct natural gas sources starting in 2028.

Regulated companies can choose to earn CCI credits by contributing CCI funds to CCI entities that are approved through this RFA process.

As set forth in OAR 340-273-0900, the purposes of the CCI component of the broader CPP rules are to:

- Provide covered entities with an optional means of meeting part of their compliance obligation. Regulated companies can use CCI credits to meet up to 15% of their emission obligation in the first three-year compliance period (2025-2027), rising to 20% in all subsequent two-year compliance periods.
- Reduce anthropogenic greenhouse gas emissions in Oregon, and achieve an average of at least one MT CO<sub>2</sub>e per CCI credit distributed by DEQ.
- Reduce emissions of other air contaminants that are not greenhouse gases, particularly in or near environmental justice communities in Oregon.
- Promote public health, environmental, and economic benefits for environmental justice communities throughout Oregon.
- Accelerate the transition in or near environmental justice communities in Oregon

to zero emission or other lower greenhouse gas emission sources of energy.

Environmental justice communities means communities of color, communities experiencing lower incomes, communities experiencing health inequities, Tribal communities, rural communities, remote communities, coastal communities, communities with limited infrastructure and other communities traditionally underrepresented in public processes and adversely harmed by environmental and health hazards, including seniors, youth and persons with disabilities.

CCI funds must be held separately from any other funds held by an approved CCI entity, in an interest-bearing account. Approved CCI entities can however use CCI funds along with additional funding sources when implementing projects. In those cases, the approved CCIs entities would still provide to Agency the data and reporting metrics (i.e., emissions reductions) attributable to the CCI funds. When implementing projects, CCI funds could be distributed in a variety of ways including rebates, grants, loans, or payments. Additional details on the scope of the projects authorized to be funded with contributions from covered entities are included in Section 2.

The initial term of an agreement is anticipated to be three (3) years with options for renewal dependent on the successful implementation of projects and funding. The total agreement term will not exceed ten (10) years. Agreement term is subject to change depending on the successful implementation of CCI funds.

## 1.2 Schedule

The table below represents a tentative schedule of events. All times are listed in Pacific Time. All dates listed are subject to change.

Event	Date	Time
Pre-Application Conference #1	January 15, 2026	10:00 AM
Pre-Application Conference #2	February 11, 2026	2:00 PM
Questions / Requests for Clarification Due	February 27, 2026	5:00 PM
Answers to Questions / Requests for Clarification Issued (approximately)	March 6, 2026	
Opening (Application Due)	March 20, 2026	4:00 PM
Presentations, Demonstrations, or Interviews	To be determined	
Issuance of Notice of Intent to Approve (approx.)	June 1, 2026	

## 1.3 Single Point of Contact (SPC)

The SPC for this RFA is identified on the Cover Page, along with the SPC's contact information. Applicant shall direct all communications related to any provision of the RFA only to the SPC, whether about the technical requirements of the RFA, agreement requirements, the RFA process, or any other provision.

# Section 2: Authority, Overview, and Scope

## 2.1 Authority and Method

Agency is issuing this RFA pursuant to its authority under Oregon Revised Statute (ORS) 468.035 and OAR 340-273-0900 through 340-273-0990.

Agency is using a competitive sealed applications process to review Applications. Agency may also use optional procedures, including a) competitive range; b) discussions and revised applications; c) revised rounds of negotiations; d) negotiations; and e) multistep sealed applications.

## 2.2 Key Terms

**Climate Protection Program (CPP):** A regulatory program implemented by Agency that reduces greenhouse gas emissions in Oregon by 90% by the year 2050. The CPP sets a declining limit, or cap, on greenhouse gas emissions from fossil fuels used throughout Oregon, including diesel, gasoline, natural gas, and propane, used in transportation, residential, commercial, and industrial settings. [Visit the CPP Website.](#)

**Community climate investments (CCI):** Covered fuel suppliers are allowed to meet up to 15% of their emissions obligations by using CCI credits in the first three-year compliance period (2025-2027). For all subsequent compliance periods, covered entities are allowed to meet up to 20% of their emissions obligations by using CCI credits. Credits are obtained by covered entities by contributing CCI funds directly to approved CCI entities. Agency sets the CCI credit contribution amount each year.

**Community climate investment entity (CCI entity):** A non-profit organization that has been approved through this RFA process to receive CCI funds from covered entities and implement approved projects that reduce anthropogenic greenhouse gas emissions throughout Oregon, prioritizing projects in environmental justice (EJ) communities.

**Climate Protection Program covered fuel suppliers:** Natural gas utilities (local distribution companies), and suppliers of gasoline, diesel, kerosene, and propane with emissions that meet or exceed a threshold for inclusion. Over time, the threshold declines to cover a wider scope of emissions and suppliers, and the program will capture approximately 99% of in-scope combustion emissions from liquid fuels and propane used in Oregon.

**Direct natural gas sources (DNG sources):** Stationary sources in non-EITE industry sectors that use natural gas distributed to the source by an entity other than a local distribution company and that meet or exceed a threshold of 15,000 metric tons of carbon dioxide equivalent (MT CO<sub>2</sub>e).

**Emissions-intensive trade-exposed sources (EITE sources):** Stationary sources in trade-exposed industry sectors with annual covered emissions that meet or exceed a threshold of 15,000 metric tons of carbon dioxide equivalent (MT CO<sub>2</sub>e).

**Eligible projects:** Actions that reduce anthropogenic greenhouse gas emissions that would otherwise occur in Oregon. Eligible projects include, without limitation, actions that reduce emissions in Oregon resulting from:

- Transportation of people, freight, or both;
- An existing or new residential use or structure;
- An existing or new industrial process or structure; and
- An existing or new commercial use or structure.

## 2.3 Overview and Purpose

### 2.3.1 Agency Overview and Background

Agency restores, maintains, and enhances the quality of Oregon's air, water, and land. It regulates industrial air pollution, conducts vehicle emissions testing, sets and enforces water quality standards, monitors river basins, measures groundwater quality, and regulates waste discharges from city sewage treatment and industrial facilities. It also regulates hazardous waste disposal, promotes solid waste reduction, regulates underground storage tanks, and enhances environmental cleanup. In addition to state mandates, the U.S. Environmental Protection Agency (EPA) has delegated authority to Agency to administer federal environmental programs including the federal Clean Air Act, Clean Water Act, and Resource Conservation and Recovery Act within the state.

The Office of Greenhouse Gas Programs is the unit within Agency responsible for developing and implementing many of Oregon's programs to reduce anthropogenic greenhouse gas emissions. The CPP is one of those programs.

### **2.3.2 Project Overview and Background**

The CPP sets a declining emissions limit, or cap, on greenhouse gas emissions from fossil fuels used throughout Oregon, including diesel, gasoline, natural gas, and propane, used in transportation, residential, commercial, and industrial settings. The emission limit declines each year until it is reduced by 90% in 2050. Covered fuel suppliers regulated under this program can meet up to 15% of their emissions obligations using CCI credits for the program's first three-year compliance period (2025-2027). This percentage increases to 20% for all subsequent two-year compliance periods for all covered entities. Covered entities may earn CCI credits by contributing CCI funds directly to Agency-approved CCI entities.

The CCI credit contribution amount is the dollar amount that will earn one CCI credit for contributions to CCI entities. As per OAR 340-273-0820, each year Agency posts the inflation-adjusted contribution amount effective for March 1 on the [CPP website](#). At the time of this RFA posting, the contribution amount is \$132 (in 2025 dollars).

Once CCI entities are approved and in an agreement with DEQ, regulated companies can choose to contribute funds. Approved CCI entities must immediately place CCI funds received from regulated entities into a secure and separate interest-bearing account and may not use such CCI funds except to implement an Agency approved workplan that clearly identifies the projects the CCI entity will be implementing to reduce anthropogenic greenhouse gas emissions.

Financial oversight, regular reporting, and auditing of the funds and emission reduction projects are of the utmost importance for the CCI program. It will be critical for DEQ to work closely with CCI entities on implementing protocols to ensure CCI funds are managed responsibly. This includes documenting the receipt and expenditures of funds to enable transparent reporting on the overall performance of those expenses and the effects of the investments on Oregon communities.

Applicants are strongly encouraged, but not required, to use subcontracts or to work in partnership with other organizations with relevant skills in fiscal management, experience and capacity to manage a significant amount of funding, greenhouse gas emission accounting and emission reduction projects, and to increase the scope and diversity of projects, local engagement with EJ communities, and geographic reach.

Through this RFA, Agency seeks to enter into an agreement with one (1) or more entities to receive CCI funds from regulated companies. The purposes of these CCI funds are

to:

- Reduce anthropogenic greenhouse gas emissions in Oregon, and to achieve an average of at least one MT CO<sub>2</sub>e per CCI credit.
- Reduce emissions of other air pollutants that are not greenhouse gases, particularly in and near environmental justice communities in Oregon.
- Promote public health, environmental, and economic benefits for environmental justice communities throughout Oregon to mitigate impacts from climate change, air contamination, and energy costs.
- Accelerate the transition of uses of fossil fuels in or near EJ communities in Oregon to zero or other lower greenhouse gas emissions sources of energy to protect people, communities, and businesses from increases in the prices of fossil fuels.

CCI entities may use these CCI funds only for:

- Implementing eligible projects in Oregon.
- The costs of administering CCI funds and Eligible Projects, including costs of reporting and other requirements included in OAR 340-273-0930 and costs of capacity-building for implementation of eligible projects.

The scope of work to be developed in agreements with each approved CCI entity may be different depending on the entity's financial procedures and protocols, approved projects, subcontractors, and engagement activities. Approved CCI entities must operate in compliance with the requirements described in OAR 340-273-0930 and 340-273-0990, as well as those in their agreements negotiated with Agency. Central to the work of the approved CCI entities will be financial management of potentially significant funds and activities that reduce anthropogenic greenhouse gas emissions in Oregon while prioritizing and engaging EJ communities. Also central to the work will be regular tracking, reporting, and auditing on CCI funds, projects, engagement, demographics, communities served, partnerships, greenhouse gas reductions, co-pollutant reductions, and other project-specific metrics.

A CCI entity must also use a minimum of 15% of CCI funds that are used for implementing eligible projects for projects that benefit federally recognized Tribes and Tribal communities in Oregon.

Each approved Community Climate Investment Entity must pay a fee to DEQ equal to 4.5% of all CCI contributions that the entity receives from covered fuel suppliers as described in OAR 340-273-0950. More background and information on CPP can be found on the [CPP website](#).

## 2.4 Minimum Qualifications

Applicants must meet the following requirements as a CCI entity. Applicant must demonstrate that it:

1. Is authorized to do business in Oregon, and that it is exempt from federal taxation according to Section 501(c)(3) of the U.S. Internal Revenue Code, 26 U.S.C. §

501(c)(3). Note: Applicants based outside of Oregon are eligible and encouraged to apply, if they are authorized to do business in Oregon.

2. Has the capacity to administer and spend CCI funds to carry out Eligible Projects.
3. Has or will have staff capable of conducting work associated with being a CCI entity.
4. Has or will have staff or subcontractors capable of implementing Eligible Projects throughout Oregon; and
5. Is not a covered entity under the CPP or a related entity of a covered entity.

An eligible organization described above may apply to be approved as a CCI entity to implement eligible projects directly or by agreement with one or more subcontractors, or both. Subcontractors are not CCI entities and do not need to meet the eligibility requirements of the section above. Subcontractors therefore do not need to be 501(c)(3) nonprofits and can be for-profit companies. However, a covered entity or a related entity of a covered entity may not be a subcontractor or a CCI entity.

## **2.5 Minimum Submission Requirements**

### **2.5.1 Application Submissions**

To be considered for evaluation, Application must contain each of the following elements (further detailed in Application Requirements section below):

- Disclosure Exemption Affidavit (Attachment A)
- Applicant Information and Certification Sheet (Attachment B)
- Reference Check Form (Attachment C)
- Responsibility Inquiry (Attachment D)
- Financial Accounting and Management Controls (Attachment F)
- Financial Information
- Key Persons and Resumes
- Project Summaries
- Comprehensive Management Plan
- Proposed Projects
- Documentation demonstrating intended partnership with any other entities that will be relied upon for performance as an approved CCI entity (Attachment G)

### **2.5.2 Application Page Limits**

Application is limited to 30 pages. Any pages exceeding this limit will not be provided to the Evaluation Committee or considered in the evaluation. The following items do not count toward the page limit:

- Disclosure Exemption Affidavit (Attachment A)
- Applicant Information and Certification Sheet (Attachment B)
- Reference Check forms (Attachment C)
- Responsibility Inquiry (Attachment D)
- Financial Controls (Attachment F)
- Financial Information
- Key Persons Resumes
- Work Samples
- Subcontractor or External Partner Overviews



- Partner or Subcontractor Letter of Commitment (Attachment G)

### 2.5.3 Application Format and Quantity

Application should follow the format and reference the sections listed in the Application Requirements section. Responses to each section and subsection should be labeled to indicate the item being addressed.

**Electronic Response.** Applicant should submit its Application electronically through email to the SPC's address above. If Applicant is unable to submit electronically, please contact the SPC before the date of the Opening (listed in Section 1.2). Electronic response is preferred, but if an accommodation is needed, please contact the SPC one (1) week prior to the date of Opening.

Applicant shall submit one copy of its Application and all other submittal requirements, with Attachment B - Applicant Information and Certification Sheet bearing the Applicant's authorized representative's Signature, in one of the following formats: Adobe Acrobat (pdf), Microsoft Word (docx), or Microsoft Excel (xlsx). If Applicant believes any of its Application is exempt from disclosure under Oregon Public Records Law (ORS 192.311 through 192.478), Applicant shall complete and submit the Disclosure Exemption Affidavit (Attachment A). Applicant shall also mark as "Confidential" all attachments to its Application that Applicant believes are exempt from disclosure.

### 2.5.4 Authorized Representative

Failure of Applicant's authorized representative to sign the Application may result in rejection of the Application by Agency.

## 2.6 Application requirements

Application must address each of the items listed in this section and all other requirements set forth in this RFA. An Application that merely offers to provide the projects authorized to be funded with CCI funds stated in this RFA will be considered non-Responsive to this RFA and will not be considered further.

Application should not include extensive artwork, unusual printing, or other materials not essential to the utility and clarity of the Application. Do not include marketing or advertising material in the Application. Application should be straightforward and address the requests of the RFA. Application containing unsolicited marketing or advertising material may receive a lower evaluation score if required information is difficult to locate.

### 2.6.1 Applicant Information and Certification Sheet

Applicant shall complete and submit the Applicant Information and Certification Sheet (Attachment B). Failure to demonstrate compliance with Oregon Tax Laws and sign the Applicant Information and Certification Sheet may result in a finding of non-responsibility.

### 2.6.2 Financial Information and Attachment F Financial Accounting and Management Controls

- 2.6.2.1** Applicant shall submit its IRS Form 990 for each of the three (3) most recent years, if available; an illustrative example would be submitting IRS Form 990 for years

2024, 2023, and 2022.

- 2.6.2.2** Applicant shall submit its most recent two (2) years of audited financial statements and their corresponding management letters.
- 2.6.2.3** Applicant shall describe the administrative processes and financial controls it will use for any CCI funds received and how the Applicant shall ensure all CCI funds are held separately from Applicant's other funds. This must detail how Applicant will manage and invest CCI funds at a minimum in a manner consistent with ORS 128.318(2), (3), and (5)(a) through (f) (Standards of conduct in managing and investing institutional fund);
  - 2.6.2.3.1** Applicant shall also include whether these administrative processes and financial controls are currently in place or must be developed as well as indicate any responsible Key Persons for the administrative processes and financial controls.
- 2.6.2.4** Applicant shall submit a complete Attachment F Financial Accounting and Management Controls.
- 2.6.2.5** Applicant shall describe the desired annual total amount of CCI funds the Applicant has the capability of receiving, managing, and investing on eligible projects including a description of why that annual amount is desired.
- 2.6.2.6** Applicant shall describe prior experience managing and expending funds, including amount of funds, number of projects or grants managed, and cycles of funding if applicable.

### **2.6.3 Project Experience**

- 2.6.3.1** Describe Applicant's organization information such as year established, employee count, etc. Describe Applicant's experience implementing or supporting implementation of Eligible Projects or similar project types, particularly in environmental justice communities. This may include the experience of the Key Persons, whether or not that prior experience occurred while working with the entity. Please provide a list of such projects undertaken in the last five (5) years. Additionally, describe Subcontractor or partner's experience implementing or supporting implementation of eligible projects or similar project types, particularly in environmental justice communities.

#### **2.6.3.1.1 Applicant shall also include:**

2.6.3.1.1.1 Summaries of up to three (3) specific Eligible Projects or similar project types where Applicant implemented or supported implementation.

1. Projects within the last five (5) years are highly preferable.
2. Summaries should include information, where available, regarding:
  - a. complexity,
  - b. any specific EJ communities that were engaged and/or benefitted,
  - c. Key Persons involvement,

- d. scalability,
- e. recordkeeping and reporting requirements,
- f. any roadblock/issues and their resolutions,
- g. changes in project goals and how Applicant adapted,
- h. methodology in estimating a project's environmental results (preferably greenhouse gas reductions) and/or community benefits, and
- i. funding value of projects.

2.6.3.1.1.2 For each summary, please include any available work samples. Work samples' total page count must not exceed fifteen pages.

**2.6.3.2** Describe why Applicant is well positioned to promote public health, environmental, and economic benefits for EJ communities throughout Oregon and any specific EJ communities it engages and their geographic locations.

**2.6.3.3** Describe why Applicant is well positioned to assess and prioritize projects aimed at reducing greenhouse gas emissions.

**2.6.3.4** Describe the mission of the Applicant and how being a CCI entity would support that mission.

**2.6.3.5 Key Persons and their Resumes, and Subcontractors or Partners (if any)**

**2.6.3.5.1** Specify Key Persons representing the primary organization applying to be assigned to this project and include a current resume (not to exceed two pages each) for each Key Person that demonstrates the person's qualifications and experience for the work described in this RFA. Applicant shall use OAR 340-273-0900 through 340-273-0990 to review all necessary requirements. Key Persons must include at least the Chief Executive Officer (or equivalent) and Chief Financial Officer (or equivalent). Applicant should also describe what duties and responsibilities would be assigned to each Key Person. Applicant should include no more than 5 Key Persons. Key Persons should not represent subcontractors or external partners.

**2.6.3.5.2** Include a list of Applicant's current Board of Trustees or Board of Directors, any subcommittees, and executive leadership, including position titles and organizational affiliations.

**2.6.3.5.3** Specify any subcontractors or external partners to be assigned to this project and include an overview of the organization or individual. Subcontractor or external partner overviews' total page count must not exceed ten (10) pages.

For any subcontractors or external partners, Applicants shall include the following::

- Name, full mailing address, and website address;
- Contact person's contact information including name, title or position, phone number, and email address;
- Confirmation that the subcontractor or external partner is not a covered entity or related to any covered entity;

- If applicable, a description of the mission of the subcontractor or external partner and how being a subcontractor or partner of a CCI entity supports its mission;
- A description of the subcontractor or partner's experience with financial management and reporting of significant funds or grants.
- A description of the experience and expertise of key individuals who would be working to implement Eligible Projects with CCI funds;
- A description of the subcontractor's or external partner's prior experience implementing or supporting implementation of Eligible Projects and project types and a description of prior experience serving communities in Oregon;
- Information regarding any violation by the proposed subcontractor or external partner related to federal or state labor laws within the preceding five (5) years; and
- Proposed division of responsibilities between the Applicant and the subcontractor or external partners.
- Attachment G: Partner or Subcontractor Statement of Commitment.

**2.6.3.5.4** If there are no known or planned subcontractors or external partners, Applicant should include any information about how any subcontractor(s) or external partners may be selected during project implementation.

**2.6.3.5.5** If any perceived or potential conflicts of interest exist, provide a summary of them.

## **2.6.4 References**

Provide at least three (3) references but no more than five (5) references, using the Attachment C-Reference Check Form, from current or former partner organizations, community members served, or clients for similar projects performed within the last five (5) years. References must be able to verify the quality of previous, related work.

Agency may check to determine if references provided support Applicant's ability to comply with the requirements of this RFA. Agency may use references to obtain additional information, or verify any information needed. Agency may contact any reference (submitted or not) to verify Applicant's qualifications.

It is highly preferred that reference forms are completed by the reference and returned to the Applicant. If the reference is unavailable, Applicant may submit contact information for each of its references and Agency will contact to complete the Reference Check Form.

## **2.6.5 Comprehensive Management Plan and Proposed Projects**

### **2.6.5.1 Comprehensive Management Plan**

Provide a comprehensive management plan that the Applicant intends to follow. Illustrate how the plan will serve to coordinate and accomplish implementation of Eligible Projects.

Plan shall include at least the following:

- Methodology of estimating and reporting its projects' reductions in anthropogenic greenhouse gas emissions, co-pollutants, and its community impact.
- Approach to working with organizations who possess expertise in effective and innovative mechanisms to achieve verifiable reductions in greenhouse gas emissions.

- Approach to working with, centering, and prioritizing EJ communities.
- Approach to working with, centering, and prioritizing Tribal communities to ensure that at least 15% of funds used for implementing eligible projects, be used to benefit Tribes and Tribal communities.
- Outreach and community engagement.
- Communications plans as well as any emergency preparedness procedures.
- Administrative approach (including, but not limited to, recordkeeping as required under OAR 340-273-0990, reporting as required under OAR 340-273-0930(5), management of subcontractors and partners, conflicts of interest).
- Approach for achieving a reduction of one MT CO<sub>2</sub>e for each contribution the Applicant will receive that qualifies a regulated entity to receive one CCI credit. Example: Covered fuel supplier contributes CCI funds sufficient to be issued 100 credits at the current rate of \$132/credit, totaling \$13,200, to an approved CCI entity. CCI entity must use the CCI funds on greenhouse gas emission reduction projects, with a goal to reduce emissions by 100 MT CO<sub>2</sub>e.

#### **2.6.5.2 Proposed Project List**

Applicant shall submit a general description of either or both of the following:

- Anticipated eligible project(s) or project type(s) that support the purposes of CCIs described in OAR 340-273-0900(1) and that are Eligible Projects as defined in OAR 340-273-0900(2) that Applicant plans to implement if approved as a CCI entity and a description of those project(s)' feasibility and the Applicant's readiness to implement them; and
- The communities that are anticipated to benefit if the Applicant is approved as a CCI entity.

#### **2.6.5.3 Capacity**

If Applicant has any known commitments that may conflict with negotiating an agreement in the 2026 calendar year, Applicant shall include a summary of these commitments.

## **Section 3: Solicitation Process**

### **3.1 Public Notice**

The RFA and attachments are published <https://www.oregon.gov/deq/ghgp/cpp/Pages/Community-Climate-Investments.aspx>. Documents will not be mailed to prospective Applicants.

Modifications, if any, to this RFA will be made by written Amendment(s) published in the location above. Prospective Applicant is solely responsible for checking the location above to determine whether or not any Amendment(s) have been issued. Amendment(s) are incorporated into the RFA by this reference.

### **3.2 Pre-Application Conference**

A Pre-Application conference will be held at the date and time listed in the Schedule in Section

1.2. Prospective Applicants' participation in this conference is highly encouraged, but not mandatory. The purpose of the Pre-Application conference is to:

- Provide an additional description of the CCI Program;
- Explain the RFA process; and
- Answer any questions Applicants may have related to the project or the process.

Statements made at the Pre-Application conference are not binding upon Agency. Applicants may be asked to submit questions in writing.

Interested parties may attend a Pre-Application Conference by using the Zoom link on the [CCI webpage](#). Registration for the session will be required. The session will be recorded and available if requested and if there are questions that cannot be answered at the session, Agency will provide an answer within two (2) weeks.

### **3.3 Questions and Requests for Clarifications**

All inquiries, whether relating to the RFA process, administration, deadline, or method of approval, or to the intent or technical aspects of the RFA must:

- Be delivered to the SPC via an email;
- Identify Applicant's name and contact information;
- Refer to the specific area of the RFA being questioned (i.e. page, section and paragraph number); and
- Be received by the due date and time for Questions/Requests for Clarification identified in the Schedule in Section 1.2. If questions are received after the due date and time, Agency reserves the right to answer Questions or Requests for Clarifications, but is not obligated to do so.

Agency will post all inquiries and Agency's answers on the [CCI webpage](#).

### **3.4 Application Delivery Options**

Applicant is solely responsible for ensuring its Application is received by the SPC in accordance with the RFA requirements before the date for opening listed in Section 1.2 (Opening). Agency is not responsible for any delays in mail or by common carriers or by transmission errors or delays, or for any mis-delivery for any reason. An Application submitted by any means not authorized below will be rejected. The following delivery options are permitted for this RFA:

Application submission should be submitted electronically to the SPC's email listed on the Cover Page unless otherwise directed by SPC.

### **3.5 Application Modification or Withdrawal**

If an Applicant wishes to make modifications to a submitted Application, the Applicant must submit its modification in one of the authorized methods listed in Section 3.4. To be effective the modification must be submitted to the SPC prior to Opening.

If an Applicant wishes to withdraw a submitted Application, it must submit a written notice signed by an authorized representative of its intent to withdraw to the SPC via email, prior to Opening.

### 3.6 Application Due

An Application (including all required submittal items) must be received by the SPC on or before Opening. All Application modifications or withdrawals must also be received prior to Opening.

An Application received after Opening is considered **late** and will **not** be accepted for evaluation. A late Application will be returned to the Applicant or destroyed.

### 3.7 Application Rejection

Agency may reject an Application, and not consider it further, for any of the following reasons:

- Applicant fails to substantially comply with all prescribed RFA procedures and requirements, including but not limited to the requirement that Applicant's authorized representative sign the Application.
- Applicant has liquidated and delinquent debt owed to the State or any department or agency of the State.
- Applicant makes any contact regarding this RFA with State representatives such as State employees or officials other than the SPC or persons authorized by the SPC, or inappropriate contact with the SPC.
- Applicant attempts to influence a member of the Agency's RFA evaluation committee.

### 3.8 Evaluation Process

#### 3.8.1 Responsiveness and Responsibility Determination

##### 3.8.1.1 Responsiveness determination

An Application received prior to Opening will be reviewed to determine if it is Responsive to all RFA requirements including compliance with Section 2.4 (Minimum Qualifications) and Section 2.5 (Minimum Submission Requirements). If the Application is unclear, the SPC may request clarification from Applicant. If the SPC finds the Application non-Responsive, the Application may be rejected as provided in Section 3.7; however, Agency may contact Applicants and allow Applicants to remedy issues within one (1) week.

##### 3.8.1.2 Responsibility determination

Agency will determine if an apparent successful Applicant is responsible prior to approval and execution of an agreement. Applicants shall submit a signed Responsibility Inquiry form (Attachment D) with Application. At any time prior to approval, Agency may reject an Applicant found to be not responsible.

#### 3.8.2 Evaluation Criteria

Each Application meeting all responsiveness requirements will be independently evaluated by members of an Evaluation Committee selected by Agency. Evaluation Committee members may change, and Agency may have additional or fewer evaluators for optional rounds of application review. Members of the Evaluation Committee will assign a score for each evaluation criterion listed below in this Section 3.8.2 up to the maximum points available as specified in Section 3.9 (Point and Score

Calculation).

SPC may request further clarification from an Applicant to assist the Evaluation Committee in gaining additional understanding of an Application. A response to a clarification request may only clarify or explain portions of the already submitted Application and may not contain new information not included in the original Application.

Prior to any Applicant approvals or denials, DEQ will meet with the Equity Advisory Committee, a key partner for the CCI program. This committee will provide feedback on the Applicants and their Applications but will not have any formal decision-making role. The committee will also review future draft workplans for any approved CCI entities and provide feedback on those and other submittals to DEQ.

### **3.8.2.1 Applicant Information and Certification (Pass/Fail)**

Did Applicant submit a completed Attachment B and its required documentation?

### **3.8.2.2 Financial Accounting and Management (35 pts)**

- Are there any patterns of irregularity or non-compliance with generally accepted accounting principles or sound fiscal management, or areas of concern in Applicant's submitted IRS 990 forms and other requested financial documents?
- How well does Applicant demonstrate that its (existing or proposed) administrative processes and financial controls for CCI funds will meet the needs of the program? How thoroughly does Applicant answer each of the 16 questions included in Appendix F Financial Accounting and Management Controls?
- How well does Applicant demonstrate that any received CCI funds would be held separately from Applicant's other funds in an interest-bearing account?
- How well does Applicant demonstrate its management and investment of funds to align at a minimum with ORS 128.318 (2), (3), and (5)(a) through (f)?
- How well does Applicant demonstrate the ability, capacity, and previous experience of responsibly managing significant amounts of funds by developing and implementing procedures and protocols to prevent fraud or mismanagement?

### **3.8.2.3 Project Experience (25 pts)**

- How recent and comprehensive are Applicant's projects?
- How well does Applicant's experience demonstrate similar program management and work?
- How well does Applicant's experience highlight its understanding of the various facets of the CCI entity requirements?
- How well does Applicant's experience demonstrate that Applicant could assess and prioritize projects that reduce greenhouse gas emissions?
- How well does Applicant's experience show centering and engaging EJ communities
- How well does Applicant's experience demonstrate that Applicant could scale and develop its work over time?
- How well does Applicant demonstrate its ability to meet recordkeeping and reporting requirements like those required by the CCI program (see OAR 340-273-0990 and 340-273-0930(5))?
- How well does Applicant demonstrate its ability to face and overcome challenges it faced



in its projects?

- How well does Applicant demonstrate that it could adapt to changes in project goals?
- How well does Applicant describe its representation of EJ communities in Oregon or how it plans to engage these communities?
- How well does Applicant's mission align with the goals of the CCI program? How well does Applicant demonstrate that being a CCI entity would support its mission?

#### **3.8.2.4 Key Persons and their Resumes, and Subcontractors (if any) (15 pts)**

- How well does Applicant demonstrate the experience of Applicant's Key Persons and its Subcontractors (if any) in financial management of significant funds or grants and developing or implementing the types of projects that would be considered eligible projects for CCI funds?
- How well does Applicant demonstrate the experience of Applicant's Key Persons and its Subcontractors or partners meets the needs of implementing, tracking, and reporting on the program?
- How well does Applicant show that the Key Persons and its Subcontractors (if any) could represent or demonstrate experience with uplifting and centering voices of EJ communities in Oregon, including Tribal perspectives?
- If there are planned Subcontractors, is Applicant's division of responsibilities appropriate?
- If there are no known or planned subcontractors, how well does Applicant describe and explain its plan (outreach, requirements, other factors) to select Subcontractors during project implementation? How appropriate is that plan?

#### **3.8.2.5 References (5 pts)**

- How well does the information provided by the reference support Applicant's ability to perform similar required services, taking into consideration such factors as Applicant's experience, qualifications, resources, and partnerships?
- How well does the information provided by the reference support Applicant's ability to center and uplift marginalized voices, taking into consideration such things as trust built within communities, transparent engagement with community members, and shared forms of leadership?

#### **3.8.2.6 Comprehensive Management Plan and Proposed Projects (20 pts)**

- How comprehensive is Applicant's intended management plan?
- How likely are Applicant's described projects to result in greenhouse gas emission and co-pollutant reductions in EJ communities?
- How likely are Applicant's described projects to result in greenhouse gas emission and co-pollutant reductions for Tribes and Tribal communities?
- How well does the Applicant describe their approach to reducing emissions of one MT CO<sub>2</sub>e for each contribution it receives that qualifies a covered entity to receive one CCI credit?
- How well does the Applicant describe their approach to working with organizations who have expertise in quantifiable emission reduction projects?
- Does Applicant's description of the communities in Oregon that are anticipated to benefit align with the CCI program's definition of EJ communities?
- Does Applicant have potential partners or Subcontractors with clearly defined roles?
- How comprehensive is Applicant's plan for soliciting, selecting, and reporting on potential projects?
- Does Applicant provide examples of work that demonstrate a deep understanding of the

drivers and impacts of climate change?

- Does Applicant demonstrate deep understanding and trust within Oregon's Tribal nations and Tribal communities?
- Does Applicant have any potential conflicts in its schedule that may affect its work if approved?

### 3.8.2.7 Tiebreakers

Agency intends to invite one or more Applicants to negotiate an agreement. If Agency receives Applications that score identically on the Evaluation Criteria, Agency may consider other relevant factors to determine which Applicants to invite to negotiate an agreement.

## 3.9 Point and Score Calculations

Points are the total possible for each section as listed in the table below. The SPC will average all scores from members of the Evaluation Committee for each evaluation criterion.

**Table 1. Point allocation by section**

Total Points Possible:		100
Points Possible:		
2.6.2 3.8.2.2	Financial Information	35
2.6.3 3.8.2.3	Project Experience	25
2.6.3.4 3.8.2.4	Key Persons, their Resumes, and Subcontractors (if any)	15
2.6.4 3.8.2.5	References	5
2.6.5 3.8.2.6	Comprehensive Management Plan and Proposed Projects	20

## 3.10 Ranking of Applicants

The SPC will average the scores for each Application in a given round of competition (calculated by totaling the points awarded by each Evaluation Committee member and dividing by the number of members). The SPC will determine the rank of each Application, with the highest score receiving the highest rank, and successive rank order determined by the next highest score.

Agency may, in Agency's sole discretion, determine one or more apparent successful Applicant(s) with no additional rounds of competition. If additional rounds are conducted, Agency will rank advancing Applicants at the conclusion of each subsequent round and may determine an apparent successful Applicant at any time during the solicitation process.

### Next Step Determination

At the conclusion of a round of competition, Agency may choose to conduct additional round(s) of competition if in the best interest of the State. Additional rounds of competition may consist of, but will not be limited to:

- Interviews
- Presentations/Demonstrations/Additional Submittal Items
- Discussions and submittal of revised Applications
- Serial or simultaneous negotiations
- Additional consultations with the Equity Advisory Committee

### **3.10.1 Competitive Range Determination**

If Agency, in its sole discretion, determines that one or more additional rounds of competition is necessary, it will select a competitive range to indicate the Applicants that will be invited to participate in a subsequent round. The competitive range may include all, or at Agency's sole discretion, some (based primarily on a natural break in the distribution of scores), of the Applicants from a previous round. Agency will post a notice to the CCI website of its competitive range determination and provide details about the process and schedule for the subsequent round.

### **3.11 Additional Rounds**

Agency reserves the right to host additional rounds. If Agency hosts an additional round, Applicants progressing to additional rounds will be invited to participate and scoring criteria will be provided at that time.

## **Section 4: Approval and Negotiation**

### **4.1 Approval Notification Process**

#### **4.1.1 Approval Consideration**

Agency, if it approves an application and invites an applicant to negotiate an agreement, will approve applications and invite agreement negotiations with the highest-ranking responsible Applicants based upon the scoring methodology and process described in Section 3.

#### **4.1.2 Intent to Approve Notice**

Agency will notify all Applicants in writing that Agency approves an application and intends to initiate agreement negotiations with the selected Applicant(s).

### **4.2 Apparent Successful Applicant Submission Requirements**

Applicant(s) who are selected to initiate agreement negotiations under this RFA will be required to submit additional information and comply with the following:

#### **4.2.1 Insurance**

Prior to agreement execution, Applicant shall secure and demonstrate to Agency proof of insurance as negotiated.

#### **4.2.2 Taxpayer Identification Number**

Applicant shall provide its Taxpayer Identification Number (TIN) and backup withholding status on a completed W-9 form when requested by Agency or when the backup withholding status or any other relevant information of Applicant has changed since the

last submitted W-9 form, if any.

#### **4.2.3 Business Registry**

If selected, Applicant shall be duly authorized by the State of Oregon to transact business in the State of Oregon before executing the agreement. Visit <http://sos.oregon.gov/business/pages/register.aspx> for Oregon Business Registry information.

#### **4.2.4 Responsibility Inquiry**

Prior to award, Applicant shall be required to complete and submit Attachment D — Responsibility Inquiry.

#### **4.2.5 Discrimination in Employment**

As a condition of receiving the approval of an Agreement under this RFA, Applicant must certify by its Signature on Attachment C - Applicant Information and Certification Sheet, in accordance with ORS 279A.112, that it has in place a policy and practice of preventing sexual harassment, sexual assault, and discrimination against employees who are members of a protected class. The policy and practice must include giving employees a written notice that the policy both prohibits, and prescribes disciplinary measures for, conduct that constitutes sexual harassment, sexual assault, or unlawful discrimination.

### **Agreement Negotiation**

#### **4.2.6 Negotiation**

After approval of one or more successful Applicant(s), Agency may enter into Agreement negotiations with each successful Applicant. By submitting an Application, Applicant agrees to comply with the requirements of the RFA.

Final agreements will include standard state agreement provisions, will comply with OAR 340-273-0920(2) and (3), 340-273-0930, and 340-273-0990, and may include provisions to ensure compliance with any other requirements of OAR chapter 340, division 273 and to meet the goals of the CCI program.

If the parties have not reached mutually agreeable terms within 180 calendar days, Agency may terminate Negotiations and may choose to commence Negotiations with the next highest-ranking Applicant.

## **Section 5: Additional Information**

### **5.1 Commitment to Diversity, Equity, and Inclusion**

The State of Oregon is committed to taking active steps toward increasing and promoting diversity, equity, and inclusion values across procurement and contracting processes for minority, women, emerging small, and service-disabled veteran owned businesses by reducing barriers to compete for and be approved to enter agreements with the State. All interested businesses are encouraged to submit applications for this opportunity.

### **5.2 Certified Firm Participation**

Pursuant to Oregon Revised Statute (ORS) Chapter 200, Agency encourages the participation of small businesses, certified by the Oregon Certification Office for Business Inclusion and Diversity (“COBID”) in all contracting opportunities. This includes certified small businesses in the following categories: disadvantaged business enterprise, minority-owned business, woman-owned business, a business that a service-disabled veteran owns or an emerging small business. Agency also encourages joint ventures or subcontracting with certified small business enterprises. For more information, visit: <https://www.oregon.gov/biz/programs/COBID/Pages/default.aspx>

### **5.3 Governing Laws and Regulations**

This RFA is governed by the laws of the State of Oregon. Venue for any administrative or judicial action relating to this RFA, evaluation and approval is the Circuit Court of Marion County for the State of Oregon; provided, however, if a proceeding must be brought in a federal forum, then it must be brought and conducted solely and exclusively within the United States District Court for the District of Oregon. In no event shall this Section 5.3 be construed as a waiver by the State of Oregon of any form of defense or immunity, whether sovereign immunity, governmental immunity, immunity based on the eleventh amendment to the Constitution of the United States or otherwise, to or from any claim or consent to the jurisdiction of any court.

### **5.4 Ownership and Permission to Use Materials**

All Applications are public records and are subject to public inspection after Agency issues the Notice of Intent to Approve. Application of the Oregon Public Records Law will determine whether any information is exempt from disclosure.

All Applications submitted in response to this RFA become the Property of Agency. By submitting an Application in response to this RFA, Applicant grants the State a non-exclusive, perpetual, irrevocable, royalty-free license for the rights to copy, distribute, display, prepare derivative works of and transmit the Application solely for the purpose of evaluating the Application, negotiating an Agreement, if Agency approves Applicant, or as otherwise needed to administer the RFA process, and to fulfill obligations under Oregon Public Records Law (ORS 192.311 through 192.478). Applications, including supporting materials, will not be returned to Applicant, except in the case of Applications that were submitted late and rejected by Agency.

### **5.5 Cancellation of RFA; Rejection of Application; No Damages**

Agency may reject any or all Applications in-whole or in-part or may cancel this RFA at any time when the rejection or cancellation is in the best interest of the State or Agency, as determined by Agency. Neither the State nor any State agency is liable to any Applicant for any loss or expense caused by or resulting from the delay, suspension, or cancellation of the RFA or an Agreement approval, or the rejection of any Application.

### **5.6 Cost of Submitting an Application**

Applicant shall pay all costs incurred in connection with its Application, including, but not limited to, the costs to prepare and submit the Application, costs of samples and other supporting materials, costs to participate in demonstrations, and costs associated with protests.

## **5.7 Statewide E-Waste/ Recovery Procedure**

If applicable, Applicant shall include information in its Application that demonstrates compliance with the Statewide E-Waste/Recovery Procedure #107-011-050\_PR. Visit the DAS website [www.oregon.gov/das](http://www.oregon.gov/das) and use the search bar feature to locate the procedure.

## **5.8 Recyclable Products**

Applicant shall use recyclable products to the maximum extent economically feasible in the performance of the work described in this RFA and the subsequent Agreement.

## **5.9 Checklist Disclaimer**

Any checklists that may be contained in this RFA are provided only as a courtesy to prospective Applicant. Agency makes no representation as to the completeness or accuracy of any Checklist. Prospective Applicant is solely responsible for reviewing and understanding the RFA and complying with all the requirements of this RFA, whether listed in a checklist or not. Neither the State nor Agency is liable for any claims, or subject to any defenses, asserted by Applicant based upon, resulting from, or related to, Applicant's failure to comprehend all requirements of this RFA.

## Attachment A — Disclosure Exemption Affidavit

\_\_\_\_\_ (Affiant), being first duly sworn under oath, and representing [insert Applicant Name \_\_\_\_\_] (hereafter “Applicant”), hereby deposes and swears or affirms under penalty of perjury that:

1. I am an employee of the Applicant, I have knowledge of the Request for Applications referenced herein, and I have full authority from the Applicant to submit this affidavit and accept the responsibilities stated herein.
2. I am aware that the Applicant has submitted an Application, dated on or about [insert date] (the “Application”), to the State of Oregon (State) in response to Request for Applications, for Community Climate Investments Entities, and I am familiar with the contents of the RFA and Application.
3. I have read and am familiar with the provisions of Oregon’s Public Records Law, Oregon Revised Statutes (“ORS”) 192.311 through 192.478, and the Uniform Trade Secrets Act as adopted by the State of Oregon, which is set forth in ORS 646.461 through ORS 646.475. I understand that the Application is a public record held by a public body and is subject to disclosure under the Oregon Public Records Law unless specifically exempt from disclosure under that law.
4. I have reviewed the information contained in the Application. The Applicant believes the information listed in Exhibit A is exempt from public disclosure (collectively, the “Exempt Information”), which is incorporated herein by this reference. It is my opinion that the Exempt Information is exempt from disclosure under Oregon’s Public Records Law under the specifically designated sections as set forth in Exhibit A or constitutes “Trade Secrets” under either the Oregon Public Records Law or the Uniform Trade Secrets Act as adopted in Oregon because that information is either:
  - A. A formula, plan, pattern, process, tool, mechanism, compound, procedure, production data, or compilation of information that:
    - i. Is not patented,
    - ii. Is known only to certain individuals within the Applicant’s organization and that is used in a business the Applicant conducts,
    - iii. Has actual or potential commercial value, and
    - iv. Gives its user an opportunity to obtain a business advantage over competitors who do not know or use it.

or

- B. Information, including a drawing, cost data, customer list, formula, pattern, compilation, program, device, method, technique or process that:

- i. Derives independent economic value, actual or potential, from not being generally known to the public or to other persons who can obtain economic value from its disclosure or use; and
  - ii. Is the subject of efforts by the Applicant that are reasonable under the circumstances to maintain its secrecy.
- 5. I understand that disclosure of the information referenced in Exhibit A may depend on official or judicial determinations made in accordance with the Public Records Law.

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Affiant's

Signature

State of \_\_\_\_\_)

ss: County of \_\_\_\_)

Signed and sworn to before me on \_\_\_\_\_(date) by \_\_\_\_\_(Affiant's name).

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Notary Public for the State of \_\_\_\_\_

My Commission Expires: \_\_\_\_\_



## **Exhibit A to Attachment A**

Applicant identifies the following information as exempt from public disclosure under the following designated exemption(s):

## Attachment B — Applicant Information and Certification Sheet

Legal Name of Applicant: \_\_\_\_\_

Address: \_\_\_\_\_ City, State, Zip: \_\_\_\_\_

State of Incorporation: \_\_\_\_\_ Entity Type: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Contact Title: \_\_\_\_\_

Oregon Business Registry Number (if required): \_\_\_\_\_

Website Address: \_\_\_\_\_

**Any individual signing below hereby certifies they are an authorized representative of Applicant and that:**

1. Applicant understands and accepts the requirements of this RFA.
2. Applicant acknowledges receipt of any and all Addenda to this RFA.
3. If approved to negotiate an Agreement, Applicant agrees to perform the scope of work and meet the performance standards set forth in the final negotiated scope of work of the Agreement.
4. I have knowledge regarding Applicant's payment of taxes and by signing below I hereby certify that, to the best of my knowledge, Applicant is not in violation of any tax laws of the state or a political subdivision of the state, including, without limitation, ORS 305.620 and ORS chapters 316, 317 and 318.
5. Applicant does not discriminate in its employment practices with regard to race, creed, age, religious affiliation, gender, disability, sexual orientation, national origin. When awarding subcontracts, Applicant does not discriminate against any business certified under ORS 200.055 as a disadvantaged business enterprise, a minority-owned business, a woman-owned business, a business that a service-disabled veteran owns or an emerging small business. If applicable, Applicant has, or will have prior to agreement execution, a written policy and practice, that meets the requirements described in ORS 279A.112 (formerly HB 3060), of preventing sexual harassment, sexual assault and discrimination against employees who are members of a protected class. Agency may not enter into an agreement with an anticipated agreement price of \$150,000 or more with an Applicant that does not certify it has such a policy and practice. See <https://www.oregon.gov/DAS/Procurement/Pages/hb3060.aspx> for additional information and sample policy template.
6. Applicant complies with ORS 652.220 and does not unlawfully discriminate against any of Applicant's employees in the payment of wages or other compensation for work of comparable character on the basis of an employee's membership in a protected class. "Protected class" means a group of persons distinguished by race, color, religion, sex, sexual orientation, national origin, marital status, veteran status, disability or age.

If Applicant is approved and issued an Agreement, Applicant, as an approved CCI entity, must continue to comply and non-compliance constitutes a material element of resulting Agreement and a failure to comply constitutes a breach that entitles Agency to terminate resulting Agreement for cause.

CCI entity may not prohibit any of its employees from discussing the employee's rate of wage, salary, benefits, or other compensation with another employee or another person. CCI entity may not retaliate against an employee who discusses the employee's rate of wage, salary, benefits, or other compensation with another employee or another person.

7. Applicant is not engaged in the provision of broadband Internet access service, or if at any time Applicant is engaged in or may engage in the provision of broadband Internet access service Applicant is in compliance with Oregon Laws 2018, Chapter 88 (HB 4155) and applicable Public Utility Commission rules, and will remain in compliance throughout the term of the Agreement.
8. Applicant and Applicant's employees, agents, and subcontractors are not included on:
  - A. the "Specially Designated Nationals and Blocked Persons" list maintained by the Office of Foreign Assets Control of the United States Department of the Treasury found at: <https://www.treasury.gov/ofac/downloads/sdnlist.pdf>, or
  - B. the government wide exclusions lists in the System for Award Management found at: <https://www.sam.gov/portal/>
9. Applicant certifies that, to the best of its knowledge, there exists no actual or potential conflict between the business or economic interests of Applicant, its employees, or its agents, on the one hand, and the business or economic interests of the State, on the other hand, arising out of, or relating in any way to, the subject matter of the RFA. If any changes occur with respect to Applicant's status regarding conflict of interest, Applicant shall promptly notify the State in writing.
10. Applicant certifies that all contents of the Application (including any other forms or documentation, if required under this RFA) and this Application Information and Certification Sheet are truthful and accurate and have been prepared independently from all other Applicants, and without collusion, fraud, or other dishonesty.
11. Applicant understands that any statement or representation it makes, in response to this RFA, if determined to be false or fraudulent, a misrepresentation, or inaccurate because of the omission of material information could result in a "claim" {as defined by the Oregon False Claims Act, ORS 180.750(1)}, made under Agreement being a "false claim" {ORS 180.750(2)} subject to the Oregon False Claims Act, ORS 180.750 to 180.785, and to any liabilities or penalties associated with the making of a false claim under that Act.
12. Applicant acknowledges these certifications are in addition to any certifications required in the Agreement and Statement of Work at the time of Agreement execution.
13. Applicant shall submit:
  - Current copy of Applicant's articles of incorporation and bylaws
  - Proof that the IRS has certified the Applicant as qualifying as an exempt organization according to Section 501(c)(3) of the U.S. Internal Revenue Code, 26 U.S.C. § 501(c)(3)

14. I certify under penalty of perjury under the laws of the State of Oregon that to the best of my knowledge and belief the information in this Application is true, accurate, and complete. Applicant seeks to become a community climate investment entity and, if approved, will comply with the applicable requirements in Oregon Administrative Rules chapter 340, division 273.

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Authorized Signature

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Date

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(Printed Name and Title)

## Attachment C – Reference Check Form

Applicant Name: \_\_\_\_\_

Reference Entity: \_\_\_\_\_

Reference Contact Name: \_\_\_\_\_

Contact Telephone Number: \_\_\_\_\_

Contact Email Address: \_\_\_\_\_

In checking references, Agency may ask additional questions not listed below.

Please rate the following questions on a scale of 0-10:

0 = Not satisfied

5 = Moderately satisfied

10 = Extremely satisfied

1. How would you rate the Applicant's overall quality of services or projects provided and your overall relationship with the Applicant?

Score: \_\_\_\_\_

Comments:

\_\_\_\_\_

2. How would you rate the Applicant's implementation of services or projects?

Score: \_\_\_\_\_

Comments:

\_\_\_\_\_

3. How would you rate the Applicant's responsiveness?

Score: \_\_\_\_\_

Comments:

\_\_\_\_\_

4. How would you rate the Applicant's financial systems and management?

Score: \_\_\_\_\_

Comments:

\_\_\_\_\_

5. In what way(s) did you partner or work with the Applicant?
6. For how long and to what extent did you partner or work with the Applicant in the instances listed above in Question 1?
7. Describe the Applicant's approach to building relationships and trust within Oregon communities.
8. Describe your satisfaction with the business relationship with the Applicant.

Score: \_\_\_\_\_

Comments:

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9. Describe any issues that arose during your business relationship with the Applicant. Elaborate on the Applicant's methods for problem resolution and if the issues were successfully resolved.
10. Describe the Applicant's ability to adapt.
11. How likely would you partner or work with the Applicant again?
12. What do you feel are the greatest strengths of this Applicant?
13. What do you feel are areas for improvement for this Applicant?
14. How well did the Applicant communicate any necessary changes to a plan, timeline, or budget related to the work or partnership together?
15. How did Applicant's estimates of their projects compare to the actual, final costs?

## Attachment D – Responsibility Inquiry

Agency will determine responsibility of an Applicant prior to approval and execution of an Agreement. In addition to this form, Agency may notify Applicant of other documentation required, which may include but is not limited to recent profit-and-loss history, current balance statements and cash flow information, assets-to-liabilities ratio, including number and amount of secured versus unsecured creditor claims, availability of short and long-term financing, bonding capacity, insurability, credit information, materials and equipment, facility capabilities, personnel information, record of performance under previous contracts, etc. Failure to promptly provide requested information or clearly demonstrate responsibility may result in an Agency finding of non-responsibility and rejection.

1. Does Applicant have available the appropriate financial, material, equipment, facility and personnel resources and expertise, or ability to obtain the resources and expertise, necessary to demonstrate the capability of Applicant to meet all agreement responsibilities? **Yes / No**
2. Within the last five years, how many contracts or agreements of a similar nature has Applicant completed that, to the extent that the costs associated with and time available to perform the contract or agreement remained within Applicant's control, Applicant stayed within the time and budget allotted, and there were no contract or agreement claims by any party? **Number:** \_\_\_\_

How many contracts or agreements did not meet those standards? **Number:** \_\_\_\_

If any, please explain. **Response:**

3. Within the last three years has Applicant (incl. a partner or shareholder owning 10% or more of Applicant's firm) or a major subcontractor (receiving 10% or more of a total contract or agreement amount) been criminally or civilly charged, indicted or convicted in connection with:
  - Obtaining, attempting to obtain, or performing a public (Federal, state, or local) contract or subcontract,
  - Violation of federal or state antitrust statutes relating to the submission of bids, or
  - Embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property?**Yes / No**

If "Yes," indicate the jurisdiction, date of indictment, charge or judgment, and names and summary of charges in the response field below. **Response:**

4. Within the last three years, has Applicant had:
  - Any contracts or agreements terminated for default by any government agency, or
  - Any lawsuits filed against it by creditors or involving contract or agreement disputes? **Yes / No**

If "Yes," please explain. (With regard to judgments, include jurisdiction and date of final judgment or dismissal.) **Response:**

5. Does Applicant have any outstanding or pending judgments against it? **Yes / No**

Is Applicant experiencing financial distress or having difficulty securing financing? **Yes / No**

Does Applicant have sufficient cash flow to fund day-to-day operations throughout the proposed agreement period? **Yes / No**

If "Yes" on the first question or second question, or "No" on the third question, please provide additional details. **Response:**

6. Within the last three years, has Applicant filed a bankruptcy action, filed for reorganization, made a general assignment of assets for the benefit of creditors, or had an action for insolvency instituted against it? **Yes / No.**

If "Yes," indicate the filing dates, jurisdictions, type of action, ultimate resolution, and dates of judgment or dismissal, if applicable. **Response:**

7. Does Applicant have all required licenses, insurance and/or registrations, if any, and is Applicant legally authorized to do business in the State of Oregon? **Yes / No**

If "No", please explain. **Response:**

8. Labor Law Violations. Does Applicant have any violations by the Applicant related to federal or state labor laws within the preceding five years?

**Yes / No / N/A    Response:**

### **Authorized Signature**

By signature below, the undersigned Authorized Representative on behalf of Applicant certifies to the best of his or her knowledge and believes the responses provided on this form are complete, accurate, and not misleading.

---

Applicant Name RFA

---

Authorized Signature Date

---

Printed Name Title



## Attachment E – Checklist

### No page limits:

**Attachment A:** Disclosure Exemption Affidavit (only submit as needed) (ref. 2.5.3)

**Attachment B:** Applicant Information and Certification Sheet (ref. 2.6.1)

- Current copy of Applicant's articles of incorporation and bylaws
- Proof that the IRS has certified the Applicant as qualifying as an exempt organization according to Section 501(c)(3) of the U.S. Internal Revenue Code, 26 U.S.C. § 501(c)(3)

**Attachment C:** Reference Check Form: at least three references and no more than five references within the last five years (preferred method is sending completed forms, but if needed submitting a reference with contact information is allowed) (ref. 2.6.4)

**Attachment D:** Responsibility Inquiry (ref. 3.8.1)

**Attachment F:** Financial Accounting and Management Information (ref. 2.6.2)

**Attachment G:** Partner or Subcontractor Statement of Commitment (ref. 2.6.3)

**Financial information:** (ref. 2.6.2)

- Administrative processes and financial controls
- Description of anticipated annual total amount of CCI funds
- IRS Form 990 for three most recent years (where available)
- Two years of audited financial statements and their corresponding management letters

### Combined page limit of 30 pages:

**Experience:** (ref. 2.6.3)

- Organization Information and mission
- Eligible Projects experience (list of projects within last five years)
- Project summaries and work samples (work samples not included in page limit, but must be no more than 15 pages)
- EJ Communities
- Key Persons (must include CEO and CFO or equivalent) and resumes (not included in page limit, but must be no more than two pages per key person)
- Board of trustees or board of directors list, subcommittees, executive leadership
- Subcontractors or partners on Applicant's Plan (not included in page limit - but must be no more than 10 pages)
- Conflict of Interest Summary (if any)

**Comprehensive Management Plan:** (ref. 2.6.5)

- Emission reductions
- Approach to working with, centering, and prioritizing EJ communities
- Outreach and community engagement
- Communications plans
- Administrative approach
- Methodology of estimating and reporting project reductions

- Proposed projects
- Capacity

## Attachment F: Financial Accounting and Management Controls

**Introduction:** This questionnaire is adapted from EPA Form 6600-01 and designed to help Applicants examine their administrative and financial policies and procedures.

**Applicant Name:**

**For all responding individuals include:**

Name:

Title:

Phone number:

Email:

### Section I: Accounting and Financial Management

1. Who in your organization is responsible for reviewing, approving, and signing applications, agreements, and amendments?
2. Who in your organization is responsible for monitoring, administering and overseeing agreements similar to one from the CCI program? **Please list names and titles.**
3. Does your organization have a written accounting manual or written policies and procedures for managing finances? **Yes / No If no, please comment:**
4. Does your organization's accounting and financial management system(s) follow Generally Accepted Accounting Principles (GAAP)? **Yes / No If no, please comment:**
5. Does your organization's financial management system track revenues and expenditures and provide financial results separately for each project or program? **Yes / No If no, please comment:**
6. Does your financial management system identify the source and application of funds with records that show obligations, unobligated balances, assets, outlays, income and interest? **Yes / No If no, please comment:**
7. Does your financial management system report and allow a comparison of outlays to budgeted amounts for each project or program? **Yes / No If no, please comment:**
8. Does your organization maintain source documentation to support entries into your financial or accounting system? **Yes / No If no, please comment:**
9. Does your organization have written procedures for drawing funds and issuing payments including:
  - a. Who would be authorized to request funding from the CCI program?
  - b. What procedures are used to verify that the requests and payments are accurate?
  - c. What support documents are required for the draw of funds or for making payments?
  - d. When will drawdown of funds occur? How would time elapsed between receiving funds and disbursing them be minimized while still ensuring effective oversight?**Yes / No If no, please comment:**
10. Does your organization have written procedures to ensure that costs charged to the CCI

program are reasonable, allocable, allowable and that financial reports are issued as required? **Yes / No If no, please comment:**

- 11.** Does your organization have requirements for adequate separation of duties or internal controls so that funds are safeguarded and used only for allowable costs? How would these internal controls apply to safeguarding CCI funds? **Yes / No If no, please comment:**
- 12.** Is your organization able to monitor and provide project, program, and financial performance reports? **Yes / No If no, please comment:**
- 13.** What is the policy for your organization's retaining financial and supporting records? How many years does your organization keep records after an agreement is closed? **Yes / No If no, please comment:**
- 14.** Does your organization currently receive funds for projects that have similar goals to the CCI program? **Yes / No If yes, please comment:**

## **Section II: Procurement**

- 15.** Does your organization have written procurement policies and procedures that have:
- Written standards of conduct that address potential conflict of interests and has disciplinary action for any individual engaged in conducting and administering contracts?
  - Discussion of cost thresholds (small purchases vs. major procurements) and the procurement authorizations and approvals required?
  - A written requirement to review to avoid unnecessary purchases and to limit purchases to necessary quantities?
  - A written requirement to review lease vs. purchase alternatives (when appropriate)?
  - A requirement to perform and document a cost or price analyses for all procurements?
  - A requirement that procurement transactions maximize open and free competition?
  - Written provisions for conducting solicitations having; a clear scope of work, requirements and features prospective bidders must meet, a preference to conserving natural resources and the environment, and positive efforts to use small, disadvantaged and minority owned firms when possible?
  - Requirements to document; reasoning for the type of procurement being used, the basis for contractor selection, a justification for lack of competition or sole-source procurement, and the basis for award cost and price?
  - Provisions that ensure that goods and services are received, approved, and acceptable before payments are made?
  - Guidelines for documenting contract files?

**Yes / No If no, please comment:**

## Attachment G: Partner or Subcontractor Statement of Commitment

All partners and subcontractors listed on an application must submit a Partner Statement of Commitment letter to confirm that the partner(s) is aware of their role in the proposed project. This is a template that partners may use to write the statement. Simply replace bolded brackets with the relevant information.

### Requirements:

Partner or Subcontractor's name and signature

Applicant's name

Acknowledgment of partnership

Partner or Subcontractor's roles and responsibilities

### Template

Date: **[Today's Date]**

To: Oregon Department of Environmental Quality

From: **[Partner or Subcontractor's name]**

I am writing to confirm that I, **[Partner or Subcontractor's name]**, am committed to partnering with **[Applicant's name]** on the Community Climate Investment Entity Application. I am fully aware of the extent of the Community Climate Investment component of Oregon's Climate Protection Program, and **[Applicant's name]** has permission to list me as a collaborator. My role in 200 words or less will be **[Partner or Subcontractor's roles and responsibilities]**.

If you have any questions regarding any aspect of this partnership agreement, please contact me at **[Preferred mode of contact]**.

Sincerely,

**[Partner or Subcontractor's Name]**

**[Signature]**