



STATE OF RHODE ISLAND  
**ENERGY EFFICIENCY &  
RESOURCE MANAGEMENT COUNCIL**

**Request for Proposal: Legal Services**

**Submission Deadline: January 30, 2015, 4:00 PM (Eastern Time)**

**Questions concerning this solicitation must be received by the EERMC at eermc.rfp@gmail.com no later than 4:00 PM on January 26, 2015.**

**All questions received will be responded to within forty-eight (48) hours of receipt.**

**Responses will be posted on the EERMC website at: www.rieermc.ri.gov**

**All questions must be submitted in writing.**

Proposals must be submitted via e-mail to eermc.rfp@gmail.com.

Proposals must be received at the email address above by 4:00 PM on January 30, 2015.



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## **INTRODUCTION**

The Rhode Island Energy Efficiency and Resource Management Council (“EERMC”) is seeking interested firms/individuals (“Applicant”) to provide legal services beginning **April 1, 2015**. The EERMC provides oversight of the energy efficiency and system reliability programs and initiatives which are proposed and administered by the electric and gas utility distribution company as required by R.I.G.L. § 39-1-27.7.

## **BACKGROUND**

The EERMC, a thirteen-member council appointed by the Governor with advice and consent of the Senate, includes nine voting representatives from large and small commercial and industrial customers, residential customers, low income customers, environmental interests, energy design and codes, energy law and policy, energy efficiency education and employment tracking and municipal energy users. The four non-voting members include representatives from the electric and gas utilities, home heating oil industry, and the Commissioner of the Office of Energy Resources (“OER”).

The EERMC works closely with the OER and its staff; issues reports on its work to the state General Assembly; and appears before the Public Utilities Commission (“PUC”) on various regulatory matters. The EERMC also engages a Policy & Program Planning Consultant (“Consultant”) in order to achieve its statutory objectives as defined in R.I.G.L. § 42-140.1-3, including:

- A. Evaluate and make recommendations including, but not limited to, the development and implementation of utility plans and programs for the least cost procurement of energy efficiency and system reliability resources that are cost-effective compared to traditional supply options; and
- B. Provide consistent, comprehensive, informed, and publicly accountable stakeholder involvement in energy efficiency and system reliability resources; and
- C. Monitor and evaluate the effectiveness of programs to achieve the procurement of and investment in energy efficiency and system reliability resources; and
- D. Promote public understanding of energy issues and of ways in which energy efficiency and system reliability resource procurement and investments can be effectuated.



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**SCOPE OF SERVICES**

Scope of legal services to be provided by the Applicant shall include, but are not limited to, the following:

- A. Represent and advise the EERMC on all legal matters pertaining to its statutory obligations where appropriate and necessary.
- B. Prepare and provide legal interpretations on all legislative mandates including, but not limited to, energy efficiency, renewable energy and distributed generation, upon request.
- C. As directed by the EERMC, review policies developed by the EERMC and/or its Consultant on a range of issues germane to the EERMC's statutory authority including, but not limited to, triennial and annual energy efficiency and system reliability plan development and implementation; efficiency and system reliability standards development; energy efficiency savings targets; program budget and financing; cost-effectiveness; evaluation, monitoring, and verification; financing; and performance incentives, as needed.
- D. Provide written responses to any information requests from third parties upon request of the EERMC.
- E. Upon request by the EERMC, attend EERMC meetings, Executive Committee meetings, Demand Collaborative Subcommittee meetings, System Reliability Subcommittee meetings and other ad hoc committees that may be formed, as necessary.
- F. Represent the EERMC at all relevant regulatory proceedings conducted by the PUC including, but not limited to, evidentiary hearings, technical sessions, and open meetings, as needed.
- G. Assist in the preparation, development, and delivery of testimony, data requests, and other regulatory support materials necessitated by relevant PUC proceedings, as needed.
- H. Provide legal support and representation with respect to relevant state and regional entities, as requested by the EERMC.
- I. Represent the EERMC on all other matters necessary to advance the statutory responsibilities of the EERMC, as directed.
- J. Provide other legal services on an as needed basis.



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**TERM OF CONTRACT**

The term of a contract signed pursuant to the terms of this Request for Proposals will be twelve (12) months from the date of contract signature. Upon satisfactory performance and availability of funds, the contract may be extended, under the same terms and conditions, by the EERMC for not more than two (2) additional twelve (12) month periods, without re-bidding, and upon mutual agreement in writing.

**TERMINATION**

The EERMC reserves the right to terminate the services of the Applicant for any cause by giving at least thirty (30) days written notice of the fact of such termination. In such event, all finished or unfinished work products prepared by the Applicant shall become the property of the EERMC, and the Applicant shall be entitled to compensation for satisfactory work under this agreement.

**BILLING**

The EERMC requires monthly invoicing of itemizing services rendered in the previous calendar month. Invoices shall be submitted by the tenth (10<sup>th</sup>) day of each month to the EERMC Executive Committee or its authorized designee. If no legal services were provided in the previous month, the Applicant shall submit an invoice stating such.

Invoices shall be reviewed within thirty (30) days of receipt by the EERMC Executive Committee or its authorized designee. Following review, the EERMC Executive Committee or its authorized designee shall notify National Grid to issue payment to the Applicant.



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**PROPOSAL REQUIREMENTS**

A. Scope of Services

The Applicant shall provide a clear, concise response to the Scope of Services set forth above. Include a statement of your understanding of the work to be performed. Please limit your response to this section to ten (10) pages.

B. Qualifications

The Applicant shall identify the individual(s) and other key personnel that will be involved in providing the Services. Provide a brief resume for each person listed which details their specific qualifications, education, position in the organization/firm, and total years of experience. Please detail any specific energy- or regulatory-related experience.

Provide information on the organization's/firm's background and experience. Discuss its familiarity with Rhode Island, the EERMC, and state energy policy objectives and goals. Detail any demonstrated knowledge and understanding of clean energy matters including, but not limited to, energy efficiency, system reliability, and renewable energy programs.

Please discuss your general availability to provide services in Rhode Island. Include the location(s) of your offices.

C. References

Provide the name, address and telephone number of not less than three (3) clients for whom services similar to those described in this Request for Proposal have been performed.

D. Potential Conflicts of Interest

Detail any potential for personal or professional conflicts of interest – both real and perceived – as it relates to past or present legal or other work conducted on behalf of clients engaged in delivering energy services/products within the State of Rhode Island. This includes, but is not limited to, past and present work conducted on behalf of an electric and/or natural gas utility company, energy project developer, and/or energy services provider.



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E. Fee Schedule

Please discuss the terms for compensation related to work conducted under the terms of this Request for Proposals.

Provide a chart detailing the hourly or other billing rates of each attorney or other staff expected to work under the terms of this Request for Proposals.

List and explain all other charges related to your proposal, such as retainer fees, travel expenses, office and other administrative costs, etc.

The EERMC reserves the right to negotiate with preferred Applicant(s) on the structure and amount associated with all proposed fees and costs.

**EVALUATION CRITERIA**

Proposals will be reviewed and scored based on the following criteria:

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| 1. Overall quality of response                     | 20% |
| 2. Experience of firm                              | 20% |
| 3. Qualifications                                  | 20% |
| 4. Demonstrated understanding of the scope of work | 20% |
| 5. Pricing/Fees                                    | 20% |

The EERMC reserves the right, at its sole discretion, to reject any or all proposals submitted pursuant to this Request for proposals; to waive any minor irregularities or informalities in a proposal; and to enter into any agreement deemed by EERMC to be in the best interest of the ratepayers of the State of Rhode Island. Selected applicants will report directly and solely to the EERMC. The EERMC reserves the right to discuss with the selected applicant(s) any terms and conditions associated with this Request for Proposals or responses received pursuant to it.