

# Solar Projects at Affordable Multifamily Housing Sites

**Greenhouse Gas Reduction Fund (GGRF)  
Federal Compliance Requirements Webinar**  
December 13, 2024



# Welcome & Agenda

## Introduction & RFP Overview

## Federal GGRF Compliance Requirements

- Davis-Bacon and Related Acts
- Build America, Buy America Act
- Disadvantaged Business Enterprises

## Q&A



# Mission & Vision



**Connecticut Green Bank** is the nation's first state level green bank. Established in 2011 as a quasi-public agency, the Green Bank uses limited public dollars to attract private capital investment and offers green solutions that help people, businesses and all of Connecticut thrive.

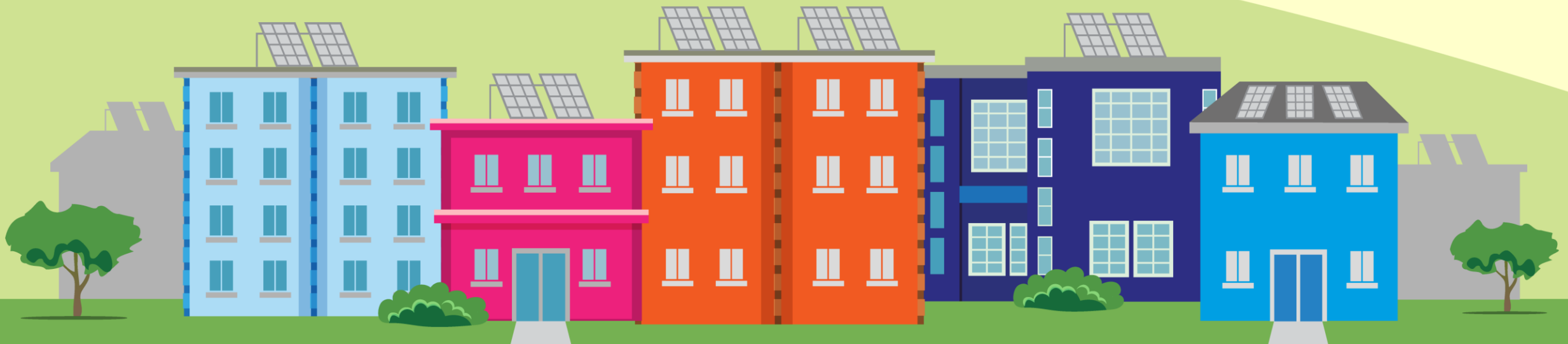
**Our mission** is to confront climate change by increasing and accelerating investment into Connecticut's green economy to create more resilient, healthier, and equitable communities.



**Our vision**

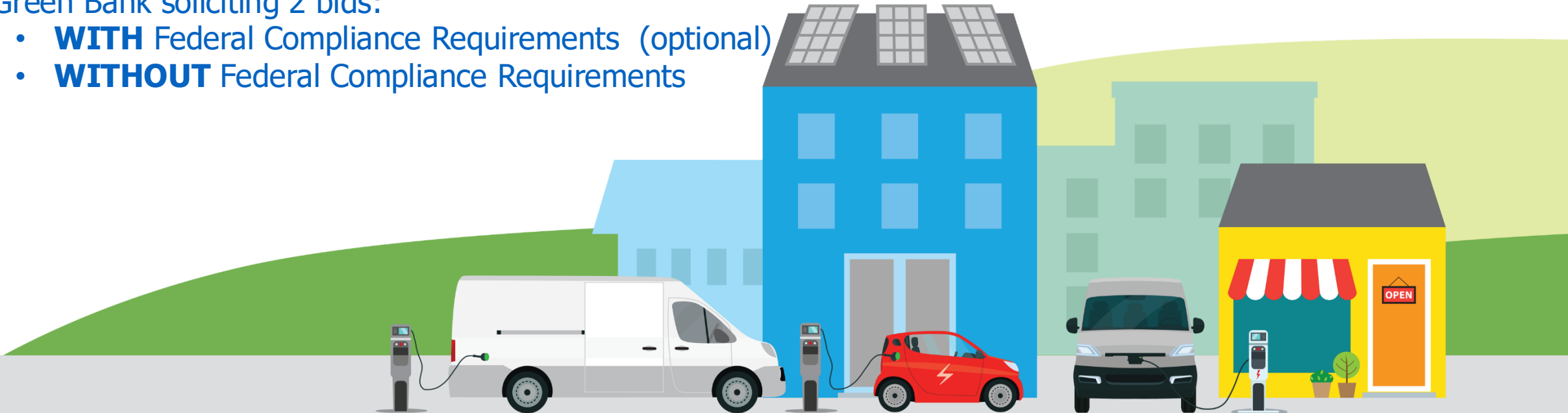


RFP Schedule	Dates
RFP Posting	December 2, 2024
Site Visits	December 9 & 10, 2024
Federal Compliance Info Webinar	December 13, 2024
Proposer Questions Due	December 17, 2024
Submissions Due	January 13, 2025



# RFP for Affordable Multifamily

- RFP for Engineering, Procurement, & Construction Services (EPC)
- 9 Projects, 2MW Portfolio of Affordable Multifamily sites
- Projects are Front-of-the-Meter, Participate in **RRES**
- Green Bank soliciting 2 bids:
  - **WITH** Federal Compliance Requirements (optional)
  - **WITHOUT** Federal Compliance Requirements



# RFP for Affordable Multifamily

**Secondary pricing that incorporates the Federal Compliance Requirements is optional but strongly encouraged. Seeking secondary pricing for the below 5 sites, not the whole portfolio.**

**Table 1: Site Information**

Site Name	Site Address	Exhibit Reference	Project Type	System Size (kW DC)*	Secondary Pricing Requested (Y/N)**
Foote Commons	366 W Main St Cheshire, CT 06410	A-1	Rooftop	94.8	Yes
Beachport Senior Housing	50 Rumberg Rd Cheshire, CT 06410	A-2	Carports & Ground Mount	281.1	Yes
Hamden Village	46-80 Clifford St, 102-206 Treadwell St, Hamden, CT 06518	A-3	Rooftop	336.2	Yes
Mount Carmel Village	33 Woodruff St Hamden, CT 06518	A-4	Rooftop	93.1	Yes
Congregate	33 Woodruff St Hamden, CT 06518	A-5	Rooftop	182.3	No
Juniper Hill Village	1 Silo Cir, Storrs, CT 06268	A-6	Rooftop	401.5	No
Parker Place	100 Old Post Rd Tolland, CT 06084	A-7	Rooftop	224.4	Yes
The Monarch	149 Derby Ave, New Haven, CT 06511	A-8	Rooftop	117.7	No
Federation Square	2 Starkel Rd, West Hartford, CT 06117	A-9	Rooftop & Carports	310.2	No
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# Greenhouse Gas Reduction Fund (GGRF)

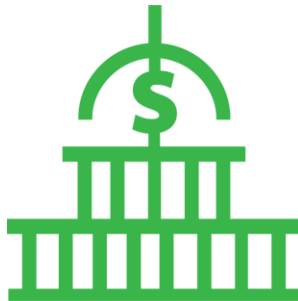


Authorized by the 2022 Inflation Reduction Act

**Over \$100 million in federal GGRF funds  
awarded to Connecticut**

3 Competitions:

- **\$14B National Clean Investment Fund (NCIF)**
- **\$7B Solar for All (SFA)**
- \$6B Clean Communities Investment Accelerator (CCIA)



CT Green Bank providing financing offerings through NCIF and SFA as subrecipients, including through Solar MAP for affordable multifamily housing



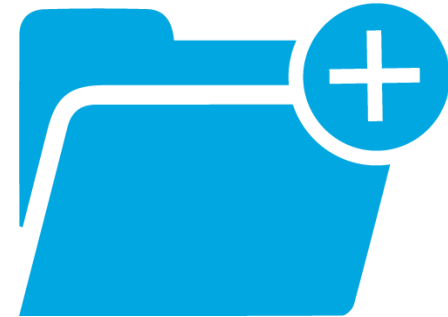
# Key GGRF Compliance Requirements



This presentation covers:

- Davis-Bacon and Related Acts (DBRA)
- Build, America, Buy America (BABA)
- Utilization of Disadvantaged Business Enterprises (DBE)

See the RFP materials in Exhibit G (Federal Compliance Requirements) and Exhibit C (EPC Template Agreement) for more information on all GGRF compliance requirements



*Disclaimer: The information contained in this presentation and the topics discussed today are based on our current knowledge of the program parameters. This presentation should not be taken as legal or regulatory advice and you should consult with your own counsel as appropriate. Thank you for your patience as we digest, translate, and disseminate new information on GGRF compliance requirements as it continues to become available.*



# Davis-Bacon and Related Acts (DBRA)



- First enacted in 1931 for public works projects
- Requires contractors to pay **locally prevailing wages and fringe benefits** to various classes of laborers and mechanics performing work at the site of work on a **weekly basis**
  - Applies to construction, alteration, and repair of a public building or public work financed in whole, or in part, from federal funds
  - **Covers subcontractors** as well
- “Site of work” does not include permanent office locations, plants, etc., which are established independently of the contract
- Wages based on 4 types of construction (Residential, Building, Highway, and Heavy)
  - **AMFH projects fall under Residential** (i.e., projects that consist of single-family homes and apartments up to and including 4 stories)
- Contracts >\$100,000 require contractors to comply with overtime provisions of the Contract Wage Hours & Safety Standards Act (CWHSSA)
- Contractors are prohibited from inducing employees into giving up any part of their compensation

# Federal Wage Determinations



Classification (Residential Construction Type)	Rates	Fringes	County
Electrician	\$45.40	3%+\$33.57	<b>New Haven</b>
Laborer (common or general)	\$17.20	\$1.63	
Laborer (landscape)	\$17.20	\$4.63	
Power Equipment Operator - Backhoe/Excavator 2 cubic yards and over	\$45.71	\$26.80	
Power Equipment Operator - Backhoe/Excavator under 2 cubic yards; Rubber Tire Backhoe/Excavator	\$44.86	\$26.80	
Roofer - Slate and Tile	\$43.00	\$23.30	
Electrician	\$19.99	\$2.00	<b>Tolland</b>
Laborer (common or general)	\$17.20	\$1.63	
Laborer (landscape)	\$17.20	\$4.63	
Power Equipment Operator - Backhoe/Excavator 2 cubic yards and over	\$45.71	\$26.80	
Power Equipment Operator - Backhoe/Excavator under 2 cubic yards; Rubber Tire Backhoe/Excavator	\$44.86	\$26.80	
Roofer - Composition	\$42.50	\$21.59	
Roofer - Slate and Tile	\$43.00	\$21.59	

- U.S. Dept. of Labor wage decisions on [SAM.gov](https://sam.gov) list a minimum basic hourly rate by county & construction type
- Fringe benefits can include vacation and other paid leave, health insurance premiums, retirement contributions, life insurance, and bona fide training
- Fringe benefits may be paid to the worker in cash

# DBRA Contractor Requirements

## Bid Process

- ✓ Respond to solicitations with accuracy
- ✓ **Incorporate required DBRA Terms & Conditions in all subcontracts**
- ✓ If applicable, identify any changes required to the wage determinations in the RFP and work with the Green Bank through the federal conformance process
- ✓ Ensure no subcontract is awarded to a debarred entity (check SAM.gov to confirm)



## Implementation

- ✓ Pay workers covered by DBRA on a **weekly basis** while construction is undergoing
- ✓ Pay workers covered by DBRA fringe benefits “regularly”, and no less than quarterly
- ✓ Submit **weekly certified payroll submissions** to the Green Bank, **including on behalf of subcontractors**
- ✓ **Store payroll submissions** for at least 3 years after the work has been completed
- ✓ Post required DBRA signage

# DBRA Green Bank Requirements



As the Contracting Agency, the Green Bank is required to:

## Solicitation process

- ✓ Incorporate required DBRA Terms and Conditions in the contracts
- ✓ Include correct wage determinations in bid solicitations (Exhibit G)
- ✓ If applicable, work with the contractor(s) to make changes to the wage determinations in the RFP through the federal conformance process
- ✓ Ensure no contract is awarded to a debarred entity



## Implementation

- ✓ Collect and spot-check weekly certified payroll submissions
  - ✓ Green Bank will procure a third-party DBRA compliance solution provider
- ✓ Sort and store payroll submissions
- ✓ May conduct on-site interviews
- ✓ Aggregate contractor payroll submissions to provide regular reporting to EPA
- ✓ Report suspected violations to EPA and DOL

# Build America, Buy America (BABA) Act



- First enacted under the 2021 Infrastructure Investment and Jobs Act
- Builds upon existing domestic sourcing requirements for federally-funded projects to apply to infrastructure projects
- Infrastructure is broadly defined: Any activity related to the construction, alteration, maintenance, or repair of infrastructure
  - Projects that meet the public function test, including public accommodation, are considered infrastructure

Given that the CT Green Bank will own the solar panels in this AMFH portfolio, if GGRF funds are utilized, the project is considered publicly owned and operated, and therefore BABA applies



# Build America, Buy America (BABA) Act



Category	Definition	
<b>Iron and Steel</b>	Items made of at least 50% iron or steel or a combination of both. All manufacturing processes occurred in the U.S. <i>Examples: Manhole covers, nails, bolts, rebar, sheet piling</i>	
<b>Manufactured Products</b>	Items processed into a specific shape or form or combined with other articles, materials, or supplies to create a product with different properties. Must be produced in the U.S. and the cost of the product components that are mined, produced, or manufactured in the U.S. exceeds 55% of the total cost. <i>Examples: Solar panels, electric vehicle charger, heat pump, paint, bricks</i>	
<b>Construction Materials</b>	8 specifically listed materials: <ul style="list-style-type: none"><li>• Non-ferrous metals</li><li>• Plastic &amp; polymer-based products</li><li>• Glass</li><li>• Fiber optic cable</li></ul>	<ul style="list-style-type: none"><li>• Optical fiber</li><li>• Lumber</li><li>• Drywall</li><li>• Engineered wood</li></ul>

*A federal waiver request process is available, however, the ability to obtain a waiver is uncertain*

# BABA Applicability

BABA does not apply to:

## Project types

- Privately-owned single-family residences
- Privately-owned manufacturing or industrial facilities (unless publicly accessible)
- Privately-owned office buildings (unless building is mixed-use with “public function” establishments, e.g., a restaurant)



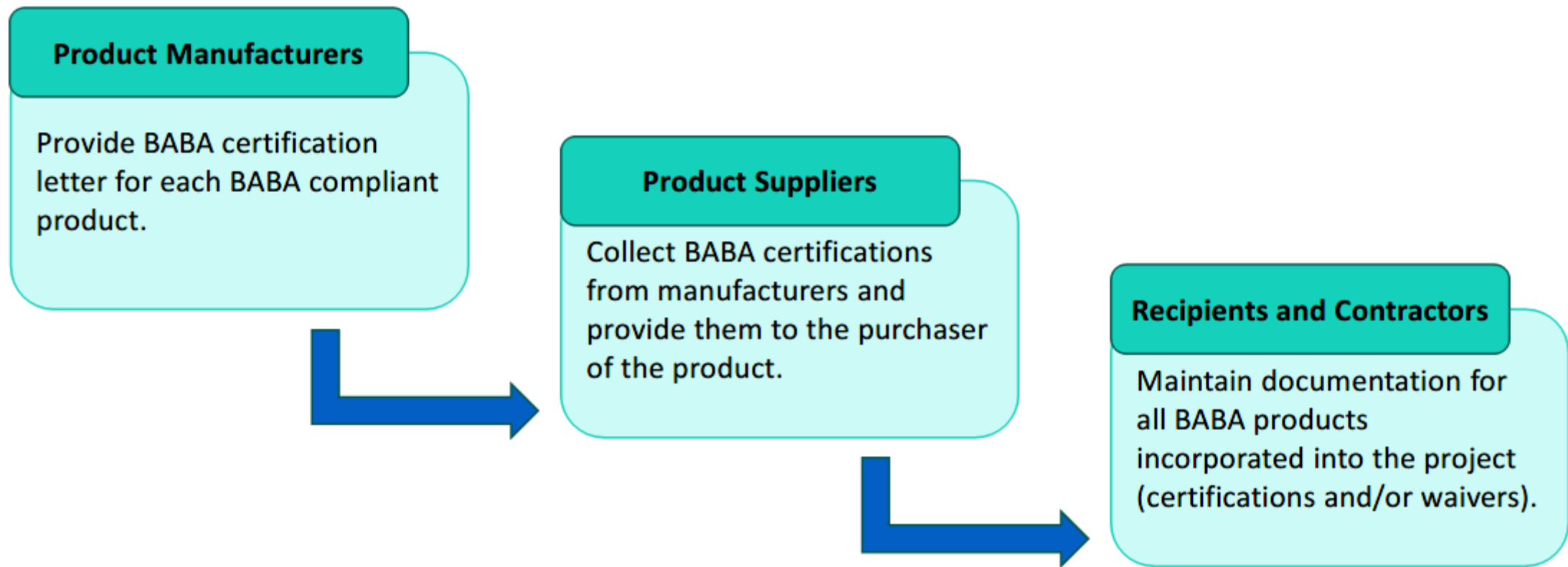
## Materials

- Temporary items removed before project completion
- Services (e.g., planning/design/engineering studies, developing land use and zoning policies)
- Cement and cementitious materials
- Aggregates (e.g., stone, gravel, sand) and aggregate binding agents or additives



# BABA Compliance Requirements

A signed certification letter of BABA-compliant materials is needed prior to installation



# EPA Disadvantaged Business Enterprises (DBE)



To qualify as a DBE, an entity must establish that it is owned and controlled (i.e., at least 51% ownership) by socially and economically disadvantaged individuals who are of good character and citizens of the U.S.

**EPA presumes Asian Americans, Black Americans, Disabled Americans, Hispanic Americans, Native Americans, and Women are socially and economically disadvantaged individuals.**

**For this RFP, contractors can demonstrate DBE eligibility through either:**

- ❖ Minority Business Enterprise (MBE) certification through the Connecticut Dept. of Administrative Services' Supplier Diversity Program
- ❖ Women-Owned Small Business certification through the U.S. Small Business Administration
- ❖ Self-identification (additional documentation may be required)

# DBE Six Good Faith Efforts



1. Ensure DBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local and Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.
2. Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, **whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.**
3. Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.
4. Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
5. Use the services and assistance of the SBA and the Minority Business Development Agency of the Department of Commerce.
6. **If the prime contractor awards subcontracts, require the prime contractor to take the steps 1 through 5.**

# Questions & Answers

## Questions? Use Q&A function

All RFP Proposer questions and requests due next **Tuesday, December 17th**

RFP Submissions due **January 13, 2025**

RFP Materials: <https://www.ctgreenbank.com/about-us/rfps/>

Contact: [RFP@ctgreenbank.com](mailto:RFP@ctgreenbank.com)



# Thank you for attending!

