

**TRI-COUNTY ACTION PROGRAM, INC.  
WEATHERIZATION ASSISTANCE PROGRAM  
REQUEST FOR PROPOSALS  
OF  
GENERAL, HVAC & PLUMBING CONTRACTORS  
FOR  
SERVING BENTON, SHERBURNE, AND STEARNS  
COUNTY**

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## **PURPOSE**

The purpose of this Request for Proposals (RFP) is to obtain a sufficient number of proposals from qualified contractors to meet the production goals of the U.S. Department of Energy's (DOE) Weatherization Assistance Program (WAP) that Tri-County Action Program, Inc. (Tri-CAP) administers in Benton, Sherburne and Stearns County.

Contractor's qualifications will be determined by the criteria set forth in the Minimum Contractor Requirements and Selection Criteria sections of this RFP. Selected Contractors will be placed on Tri-CAP's roster and awarded Weatherization jobs according to the Tri-CAP procedures outlined in the Job Awards section of this RFP.

This proposal is in accordance with Tri-CAP Procurement Policy, and Title 2 of the Code of Federal Regulations Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

## **TERM OF CONTRACT AND PAYMENT SCHEDULE**

There will be an initial 2-year agreement period with 1-year extensions available to selected Contractors. Each of these will be priced separately and exercised at Tri-CAP's discretion. Payments for weatherization work performed will be made within 30 days after completion of the work and/or delivery of services, inspection, and acceptance by Tri-CAP.

## **ABOUT TRI-COUNTY ACTION PROGRAM, INC**

Founded in 1964 Tri-County Action Program, Inc. is a 501(c)(3) non-profit organization serving approximately 35,000 low-and moderate-income residents throughout Benton, Sherburne and Stearns County. The vision of Tri-CAP is to provide services and engage residents of our communities to achieve goals of personal economic self-sufficiency. Tri-CAP provide programs in the areas of Quality Housing, Family Stability and Economic Opportunities. Our services include financial capability education, housing assistance, financial counseling, energy assistance, weatherization assistance, free tax preparation, and transportation services just to name a few.

## **WEATHERIZATION PROGRAM SCOPE AND DESCRIPTION**

Tri-CAP administers the U.S. Department of Energy's (DOE) Weatherization Assistance Program (WAP) in Benton, Sherburne, and Stearns County. WAP reduces energy costs for low-income households by increasing the energy efficiency of their homes. WAP prioritizes services to the elderly, people with disabilities, families with children, and homes with a high energy burden. Clients served include both owners and renters who meet income eligibility requirements.

By providing weatherization services, the Weatherization Assistance Program aims to:

- Reduce energy consumption by installing weatherization measures and related repairs which improve the thermal efficiency of the home; and
- Enhance client health and safety by providing adequate ventilation, safely functioning combustion appliances, proper zonal pressures, and smoke/CO detectors.

A certified Energy Auditor conducts a weatherization audit on each household served and derives the scope of work for the job. The work is awarded to Contractors competitively selected to be on Tri-CAP's Weatherization Program Roster through this RFP process and through the award procedures described herein. Contractors complete the work according to specifications described herein. A QCI Certified Inspector will inspect the work and approve it for payment.

## **REQUIRED WEATHERIZATION ACTIVITIES**

Tri-CAP requires that the following list of measures be completed on each home as appropriate and deemed necessary.

For one-to-four-unit site-built homes and mobile homes, the following list of weatherization items will be addressed utilizing the Weatherization Assistant's National Energy Audit Tool ("NEAT") audit and Mobile Home Energy Audit ("MHEA"):

- Health and Safety Measures
- Major Bypasses
- Duct Sealing/Repair/Replacement
- Duct Insulation (in unconditioned areas)
- Attic Insulation
- Knee Wall Insulation
- Wall Insulation
- Infiltration/Exfiltration
- LED Light Bulbs
- Band Joist ("Sill Box") Insulation
- Floor Insulation
- Perimeter Insulation
- Refrigerator Replacement
- Domestic Hot Water Tank (DHW) Replacement
- Furnace Replacement

Health and Safety items may include, but are not limited to: Smoke Detectors, venting of dryers, venting of exhaust fans, chimney liners, installing Carbon Monoxide Detectors, ASHRAE 62.2 ventilation standards, and Lead-Safe Weatherization items.

Optional measures – Furnace Clean and Tune, Clock set-back thermostats and optional measures are not assigned an individual measure Savings to Investment Ratio ("SIR") but are factored into the job's cumulative SIR.

Incidental Repairs – Defined as repairs necessary for the effective performance or preservation of weatherization materials. Incidental repairs are not assigned an individual SIR but are factored into the job's cumulative SIR.

## **MINIMUM CONTRACTOR REQUIREMENTS:**

### **GENERAL PROVISIONS**

Contractors are required to furnish their own tools; provide for storage of materials being used; acquire permits; furnish their own transportation; document current liability, workers' compensation, and auto insurance; and be licensed in the State of Minnesota.

If initially selected and in order to be finalized as a Contractor, the following forms must be completed and submitted by the date prescribed at the time of initial selection: a Confidentiality Statement, Certificates of Insurance with Tri-CAP as additionally insured as described herein, and Request for a Criminal Background Check, Central Registry Clearance and E-Verify forms for the Contractor, subcontractor(s) and crew members.

## LICENSES

Participating contractors are further required to maintain the following licenses from the State of Minnesota:

1. A Builders License, OR
2. A Maintenance and Alteration License AND/OR
3. A Mechanical Contractor License
4. A Plumbing Contractor License

A copy of the current license(s) must be submitted in this bid package. The person/company that is issued the license by the State of Minnesota must be the entity that responds to the RFP.

Additionally, a Contractor selected for Tri-CAP's Weatherization Roster must provide a copy of either an electrician's license, or a subcontractor agreement with a licensed electrician, prior to execution of a contract with Tri-CAP.

## SUBCONTRACTORS

Tri-CAP reserves the right to approve or disapprove any Contractor/Subcontractor relationship. All subcontractors used by the Contractor are bound by the same requirements, standards, licensing, insurance coverage, and all other provisions included herein that govern the Contractor. The Contractor must verify that each subcontractor meets the contractor criteria contained herein. The Contractor is responsible for the performance of any subcontractors, who are held to the same standard of quality performance as the Contractor.

## DEMONSTRATED EXPERIENCE

Contractors must demonstrate successful past completion of work similar to that described in this RFP and the Minnesota Weatherization Field Guide SWS-Aligned Edition. This includes experience in relevant HVAC work, and/or insulating, air sealing, duct sealing, blower door and pressure diagnostic testing, installation and ducting of ventilation fans, and minor structural repairs. Contractors are expected to have the Minnesota Weatherization Field Guide, Standard Work Specifications (SWS)-Aligned Edition (2021 edition) available at [retrofitting-minnesota-sws-aligned-field-guide.pdf \(mn.gov\)](#) digitally available always on worksites.

Contractors must demonstrate that they and their crew members possess the knowledge, skills and abilities identified in the National Renewable Energy Laboratory (NREL) Job Task Analysis (JTAs) for crew leader and retrofit installer to ensure quality work on every weatherization project. The JTAs can be found online at:

- <https://www.nrel.gov/>
- <https://www.nrel.gov/docs/fy19osti/73578.pdf> (Combined JTA for Crew Leader and Retrofit Installer Technician)
- [Weatherization Installer Badges](#) (A flexible, customizable skills verification toolkit for training contractors on the SWS for many of the common job tasks)

Such experience will be verified by either a successful track record of work with the Weatherization Assistance Program or by information the Contractor provides about previously completed jobs and qualifications in the RFP application materials. Tri-CAP may, at its discretion, request to interview the lead applicant and/or visit and inspect one or more of the Contractor's previously completed jobs.

## LEAD-SAFE CERTIFICATION

Participating Contractors are required to be an EPA Lead-Safe Certified Firm or have an application for certification in process. A copy of EPA Certification or evidence of application and payment submission to EPA for Certification must be submitted in this bid package.

## **REQUIRED EQUIPMENT FOR WEATHERIZATION CONTRACTORS**

Selected Contractors must furnish all required tools and equipment to perform necessary weatherization measures and testing, including but not limited to:

- Blower Door Complete
- Insulation Hopper(s) with separate controls for air and material
- Construction Vehicle(s)
- Infrared Camera
- Camera/Tablet to capture photos
- Smoke Pen (test for spillage on water heater/furnace)
- Siding Removal Tool
- Combustion Tester
- Thermometers (test hot water temperature)

## **CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER DISCIPLINARY MATTERS**

The Contractor must certify that they have not been debarred or suspended, or otherwise excluded from or deemed ineligible for participation in federal assistance programs.

## **CRIMINAL BACKGROUND CHECK**

Prior to any individual performing work under this Agreement, Tri-CAP shall conduct or cause to be conducted a national and state sex offender registry check, and a Central Registry (CR) check for each Contractor, Contractor employee, subcontractor, and subcontractor employee.

The Contractor shall require each employee, subcontractor, and subcontractor employee who works under this Agreement to disclose in writing to Tri-CAP, at hire, any criminal convictions (felony or misdemeanor), pending felony charges, or placement on the Central Registry as a perpetrator. The Contractor shall further require each employee, subcontractor, and subcontractor employee who works under this Agreement to notify Tri-CAP immediately, in writing, of any new or additional criminal convictions (felony or misdemeanor), pending felony charges, or placement on the Central Registry as a perpetrator during the term of this Agreement.

The Contractor further certifies that the Contractor shall not submit claims for or assign duties under this Agreement to any employee (current or new), subcontractor, or subcontractor employee based on a determination by Tri-CAP that the results of a positive CR response or reported criminal felony conviction or perpetrator identification make the individual ineligible to provide the services.

## **CONFLICT OF INTEREST**

The Contractor shall notify Tri-CAP if they or any person holding a key or other position with their company or subcontractor(s) company, have a relationship to or with any Tri-CAP personnel that may be considered a conflict of interest. By signing the RFP, the Contractor is stating that no such relationship exists.

## **CAPACITY**

Contractors must have the capacity to maintain production and adequate cash flow while awaiting payment. At a minimum, Contractors should be able to carry a minimum of \$50,000 worth of work with Tri-CAP's Weatherization Program beyond any work for or obligations to other entities.

## **ACCESS TO COMPUTER AND EMAIL**

In the interest of efficiency and expediency, the Tri-CAP Weatherization Program may issue award notifications and other critical communications via email. The Contractor must be able to maintain the capability to receive and respond to emails in a timely manner.

## **INSURANCES**

The Contractor and subcontractor(s) must maintain the insurances identified below and provide proof of coverage to Tri-CAP of the following insurances as part of the RFP documentation.

### **Commercial General Liability Insurance**

Minimum Limits:

\$1,000,000 Each Occurrence Limit  
\$1,000,000 Personal & Advertising Injury Limit  
\$2,000,000 General Aggregate Limit  
\$2,000,000 Products/Completed Operations

The Comprehensive General Liability Insurance policy shall name Tri-CAP, its officers, employees, and agents as additional insured.

### **Automobile Liability Insurance**

Minimum Limits:

\$1,000,000 Per Occurrence

Motor Vehicle Liability Insurance including Minnesota NO-FAULT Coverage for all vehicles, owned and non-owned, leased and hired used in the performance of this contract.

### **Workers' Compensation Insurance**

Minimum Limits:

Coverage of not less than \$1,000,000 for bodily injury caused by accident and \$1,000,000 for bodily injury by disease. Waiver of subrogation, except where waiver is prohibited by law.

### **Umbrella Policy**

Minimum Limits

\$3,000,000

Umbrella coverage in the sum of \$3,000,000 shall be provided and shall apply over all liability policies, without exception, including but not limited to Commercial General Liability, Business Automobile Liability, and Workers' Compensation Insurance & Employers' Liability.

## **INSURANCE INSTRUCTIONS**

All required insurance must protect Tri-CAP from claims that may arise out of, are alleged to arise out of, or result from the Contractor's or a subcontractor's performance; be primary and non-contributing to any comparable liability insurance (including self-insurance) carried by the Tri-CAP; and be provided by a company with an A.M. Best rating of "A-" or better. The Contractor shall waive all rights against Tri-CAP for damages covered by insurance. Failure to maintain the required insurance does not limit this waiver.

The insurance company(s) issuing the policy or policies will have no recourse against Tri-CAP for payment of any premiums or for assessments under any form of policy. The Contractor will assume all deductibles in the above-described insurance policies. All certificates are to provide thirty (30) days' notice of material change or cancellation.

Copies of insurance certificates must be provided with the RFP submission. Certificates of insurance with Tri-CAP as additional insured must be provided prior to execution of a contract if selected for the Roster.

This Section is not intended to and is not to be construed in any manner as waiving, restricting, or limiting the liability of either party for any obligations under this Agreement (including any provisions hereof requiring the Contractor and subcontractor(s) to indemnify, defend and hold harmless Tri-CAP).



## **REQUIRED TRAINING FOR WEATHERIZATION CONTRACTORS**

Due to the technical and changing nature of the Weatherization Assistance Program, a high priority has been placed on the training aspect of the program. Each Contractor is responsible for accurately tracking all staff and subcontractor competencies and certifications and providing updated information to Tri-CAP monthly. Selected Contractors must have completed or will need to complete the following trainings.

### **Weatherization Lead-Safe Work Practices**

All employees and contractors working on pre-1978 homes must receive training to install measures in a lead-safe manner in accordance with the Standard Work Specifications (SWS) and U.S. Environmental Protection Agency (EPA) protocols, and installation must be overseen by an EPA Certified Renovator. To comply with EPA rules, Contractors that employ crews must hold the EPA Lead Renovation, Repair and Painting (LRRP) Certification firm license in addition to requirements for individuals.

Contractors shall have specialized training and testing in Lead-Safe Work Practices (“LSW”). Individual staff members who have received LRRP Certification may substitute that training for LSW training. Individuals who have not attended either LSW or LRRP training will not be permitted to supervise, and/or work on the homes to be weatherized unless they are accompanied by or in the presence of staff who have attended required training and passed a test for certification. All crew members including subcontractors of the Contractor must obtain LSW or LRRP certification.

### **Health & Safety Training (formerly Indoor Air Quality/Mold Training)**

Contractors shall have specialized training in the recognition of conditions that promote mold growth and other Health & Safety issues they may encounter in their weatherization work. New staff is required to attend training within 180 days of the date they are hired. Individuals who have not attended one of these training sessions will not be permitted to inspect, supervise, and/or work on the dwellings to be weatherized unless they are accompanied by or in the presence of staff who have attended the required training.

### **OSHA Training**

Training shall be provided by Occupational Safety and Health Administration qualified instructor. The construction “10-hour Occupational Safety and Health training course” is required. New staff is required to attend training within 180 days of the date they are hired. Contractor crews and subcontractors who have not attained certification will not be permitted to independently supervise, and/or work on the homes to be weatherized unless they are accompanied by or in the presence of staff who have attained the required certification.

### **Mobile Home Weatherization Training**

This required training is to ensure that those employees and Contractors in Minnesota’s Weatherization workforce understand proper duct pan testing and duct sealing. All staff must achieve the Mobile Home certificate of completion during Program Year 2024 (i.e., by June 30, 2024), unless the certificate of completion was achieved in Program Year 2023 or Program Year 2022.

### **Additional Training**

Selected Contractors agree to obtain any additional training required by the U.S. Department of Energy, the Minnesota Department of Health and Human Services, and Tri-CAP during the term of the Contractor Agreement. Contractors will be notified in writing of any additional training and the time period for compliance.

## **SPECIFICATIONS SUMMARY**

Tri-CAP's Weatherization Assistance Program is stringently monitored by the U.S. Department of Energy, and the State of Minnesota Department of Commerce. Compliance with all rules and regulations is required.

Selected Contractors will be responsible for supplying labor and materials in completing all units. The Contractors will have the responsibility to complete these units in a timely manner and in compliance with the specifications detailed within this section and this RFP. Contractors that are selected for the Roster are not eligible to serve as a Quality Control Inspector (QCI) or an Energy Auditor (EA) for Tri-CAP.

All work is to be performed according to the standards set forth by the United States Department of Energy, the US Department of Health & Human Services, Minnesota Department of Commerce Weatherization Policy Manual, Tri-CAP, the National Renewable Energy Laboratory (NREL) Standard Work Specifications (SWS) outlined in the Minnesota Weatherization Field Guide, and all applicable federal, state, county, and local standards, and specifications. All weatherization retrofit installers and crew leaders must possess the knowledge, skills, and abilities in the National Renewable Energy Laboratory (NREL) Job Task Analysis (JTA).

The websites for the MN Weatherization Policy Manual, Minnesota Weatherization Field Guide SWS, National Renewable Energy Laboratory (NREL) JTA's, and SWS are as follows:

- <https://mn.gov/commerce-stat/pdfs/py23-policy-manual-july-2023.pdf>
- <retrofitting-minnesota-sws-aligned-field-guide.pdf> (mn.gov)<https://www.nrel.gov/>
- <https://www.nrel.gov/docs/fy19osti/73578.pdf> (Combined JTA for Crew Leader and Retrofit Installer Technician)
- [Weatherization Installer Badges](#) (A flexible, customizable skills verification toolkit for training contractors on the SWS for many of the common job tasks)

All materials used in the weatherization program must meet the specifications of the various funding authorities. Materials shall be installed in accordance with the specifications and policies outlined in the Minnesota Weatherization Field Guide SWS-Aligned Edition; State and local law; and 10 CFR 440 Appendix A, Standards for Weatherization Material. Bidding Contractors must be able to provide all measures - labor and materials - specified in the Weatherization Measure Unit Price list in accordance with all applicable federal, state, county, and local standards, and specifications.

## **PRICE LISTS**

All prices are for weatherization measures installed according to industry and program standards and include labor, material, permits, job site cleanup, overhead, and all other costs. Prices should reflect all costs associated with the Contractor's delivery, installation, and administration of the Weatherization program. All prices for cellulose insulation materials shall meet federal recycled materials specifications.

The prices submitted should be set at a rate which allows the Contractor to install all measures to meet Federal, State, County and local standards and specifications regardless of the techniques or methods used. A warranty must be provided on materials and labor for a period of twelve (12) months from the date of Tri-CAP's acceptance of the work (i.e., the work has passed inspection).

All prices submitted by awardees of this RFP will be averaged. Contractors submitting RFPs must agree to averaging prices. Each job is a scope of work comprised of the measures and quantities specified by Program staff for a given house. The award amount for each house weatherized will be determined by applying an average price list derived from all qualified Contractors on the Roster to the given job's scope of work.

All weatherization measures not specified on the price list will be negotiated with the Contractor on a job-by-job basis (e.g., time and materials) or prices will be requested through a supplemental bid. Tri-CAP reserves the right to delete any such measure if the price is deemed to be inappropriate. Other materials not included on the price list may be substituted on a case-by-case basis with Tri-CAP's prior approval.

### **JOB AWARDS AND DISTRIBUTION OF WORK**

Program staff will offer projects to Contractors selected to be on the Roster in a manner that equitably distributes available work among Contractors. Contractors must be willing to provide services in the entire service area of Benton, Sherburne, and Stearns County.

Generally, work will be distributed on a per-job basis using several considerations. The first consideration is the sequential order in which the Contractor appears on the Roster. The second consideration is production, which includes the total number of jobs in progress among all Contractors. The third consideration involves Contractor performance. Jobs at any given point in time will be evenly distributed up to the individual Contractor's current capacity and performance abilities in the order the names appear on the Roster.

However, the Program will also consider eligibility criteria and performance evaluations as specified within this RFP to determine whether the Contractor is eligible to receive the job when their name appears on the Roster rotation. If the Contractor is not eligible to receive the job, then eligibility criteria is applied to the next Contractor in order on the Roster and so on until all eligibility criteria are met.

### **JOB AWARD ELIGIBILITY CRITERIA**

Once selected for the Weatherization Contractor Roster, a Contractor must meet the following criteria to be eligible to be awarded a job:

*Work Capacity:* The Contractor must be able to complete the work within the time specified. The Contractor must demonstrate the ability to accept or reject a job within three (3) business days of receipt of preliminary award notice, to begin work within ten (10) business days after receipt of work order, to complete and invoice weatherization projects within twenty (20) business days of completion and to complete any reworks within five (5) business days. If at any time the Contractor has an open job that exceeds twenty (20) business days, no additional work will be issued to that Contractor until that job is completed. Exceptions to the 20-day rule may be granted in cases where the client is not accessible during the work period.

*Job Completion Timeliness:* Tri-CAP tracks each Contractor's record of completing jobs over the preceding three (3) months within the timeline specified at the time of the award. If the Contractor has not completed at least 90% of jobs awarded within the previous three (3) months within the timeline specified, Tri-CAP may award the job to the next Contractor.

*Financial Capacity:* Tri-CAP monitors the dollar amount of work outstanding at any given time with each Contractor. Tri-CAP will not issue a Contractor additional work beyond its financial capacity, until some work currently outstanding is completed, inspected, and paid. If a Contractor has \$50,000 or more work outstanding when a job is issued, Tri-CAP may award the job to the next Contractor.

*Inspection Passage Rate:* Tri-CAP tracks each Contractor's rate of passing final inspections of jobs completed over the preceding 3-month period. If the Contractor has a first QCI inspection rate passage below 90% for jobs completed over the preceding 3-month period, Tri-CAP may choose to temporarily remove the Contractor from the regular Roster rotation, reduce the number of jobs the Contractor can have in progress, assign jobs on a probationary period, or terminate the contract.

*Refusal of Work:* When a Contractor is preliminarily awarded a job, they have the right to refuse the work. However, Tri-CAP assumes that the reason for refusal is that the Contractor does not have the capacity to complete the work within the required timeframe. If a Contractor refuses one job, Tri-CAP may assume that Contractor does not have capacity and may choose not to offer the next job to that Contractor. If a Contractor refuses more than three (3) jobs, Tri-CAP may choose to temporarily remove the Contractor from the regular Roster rotation or elect to terminate the contract.

## **PERFORMANCE EVALUATION**

The Contractor shall complete weatherization work as assigned by Tri-CAP. If work is not satisfactory at the time of first post inspection, the Contractor must make corrections within five (5) business days of notice. If the work completed by the Contractor fails inspection, Tri-CAP may charge a re-inspection fee for each failed inspection. If the work fails again at re-inspection, Tri-CAP reserves the right to call on another Contractor to correct the defects, and not to pay the original Contractor for the measures that did not pass inspection.

## **CONTRACTOR EVALUATION PROCESS**

To maintain the highest quality of work possible, Tri-CAP will implement a contractor evaluation process. The Contractor evaluation will target five (5) key areas of concern: communication, health and safety, compliance, timeliness, and documentation.

### *Benchmark one (1): Communication*

The Contractor will be evaluated based on the quality of their communication with the Agency and clients.

### *Benchmark two (2): Health and Safety*

The Contractor will be evaluated based on their demonstration of lead-safe work practices, maintaining a safe and healthy work environment, and leaving the worksite clean and free of construction debris, waste, and materials.

### *Benchmark three (3): Compliance*

The Contractor will be evaluated based on compliance with all Weatherization Assistance Program requirements, including, but not limited to, current Minnesota Weatherization Field Guide, Standard Work Specification, US Nuclear Regulatory Commission CFR Title 10, and all local, state, and federal ordinances. The Contractor will be evaluated based on quality and completeness of work as specified on the work order.

### *Benchmark four (4): Timeliness*

The Contractor will be evaluated based on their ability to accept or deny a job within three (3) business days of receipt of preliminary award notice, to begin work within ten (10) business days after receipt of work order, to complete and invoice weatherization projects within twenty (20) business days of completion, and to complete any reworks within five (5) business days.

### *Benchmark five (5): Documentation*

The Contractor will be evaluated based on timeliness and completeness of documentation, including, but not limited to, invoices, quality control checklist, Lead-Safe Weatherization documentation, Lead Renovation, Repair, and Painting Rule documentation, and insulation certificates. Insulation certificates

must be provided to the client. Invoices must be accurate and accompanied by appropriate backup documentation and pictures.

*Total Benchmark Evaluation*

The Contractor will be evaluated as either meeting the benchmarks or not meeting the benchmarks. Each Contractor will be evaluated on at least five (5) individual jobs per year. The Contractor will receive the results for each evaluation. Not meeting benchmarks may result in a reduction of jobs issued until the Contractor demonstrates ability to meet benchmarks.

**SUBMISSION OF PROPOSALS**

Request for Proposals must be submitted as defined by this RFP. Bids may be submitted electronically to Doris.washington@tricap.org, mailed or hand delivered. Bids that are mailed or delivered should be addressed as follows:

*TRI-CAP 2024 WEATHERIZATION CONTRACTOR PROPOSAL – YOUR COMPANY NAME*  
Tri-County Action Program, Inc.  
1210 23<sup>rd</sup> Ave SE  
Waite Park, MN 56387

All bids must include the following:

- One (1) completed Proposal with all required attachments

Bids may be mailed or delivered Monday – Friday between 8:00 a.m. – 4:00 p.m. but must arrive by April 29, 2024.

No late bids accepted.

Submission of documents is a conclusive presumption that the Contractor is familiar with the Request for Proposals and understands and agrees to abide by all stipulations and requirements. By submitting the RFP for the Roster, the Contractor accepts all terms and conditions specified herein, as well as all Agency, City, State and Federal regulations and requirements pertaining to the operation of the solicited services.

**MODIFICATION OF RFP**

Tri-CAP reserves the right to introduce additional terms and/or conditions to this RFP as necessary. Any modification to the terms of this RFP shall take place no later than April 17, 2024. Should any changes be made to this RFP, an addendum will be issued and posted on the Tri-CAP website at: tricap.org. It is the responsibility of each bidding Contractor to check the website and verify that he/she has received all addenda prior to submitting a Proposal.

All addenda issued to bidding Contractors prior to date of receipt of Proposals shall become a part of these specifications, and all Proposals are to include the work described in any such addenda.

**PREPARATION COSTS**

The bidding Contractor is responsible for all costs incurred in the preparation and presentation of the RFP Documents. All documents submitted will become the property of Tri-CAP.

## **SIGNATURE**

The RFP Documents must be signed by an authorized officer and/or employee of the bidding company legally permitted to represent the company in contracting. The signature represents a commitment on the part of the company to provide such goods and services offered to Tri-CAP should it be determined that the Contractor meets the qualifications.

## **SELECTION CRITERIA**

A selection Committee comprised of Tri-CAP employees will be convened to review the Proposals and determine the eligibility of the Contractors based upon the criteria stated herein and in the best interest of the Tri-CAP Weatherization Program. Tri-CAP anticipates selecting three (3) to five (5) Contractors as a result of this RFP but reserves the right to select more or fewer Contractors as it serves the best interests of the Agency. Contractors are required to arrange for specialty subcontractors such as plumbers and licensed electricians. The Contractors receiving the highest total scores will be selected as approved Contractors and added to Tri-CAP's Roster.

Contractors will be selected for the Roster using a points system based on qualifications, experience, and certifications. The selection point system shall be based on a total of 100 possible points, as follows:

- **Up to 20 points for previous experience in the Weatherization Assistance Program.**
- **Up to 10 points for relevant work experience**
- **Up to 25 total points for Certifications/Trainings**
  - 5 points for firm EPA LRRP Certification
  - Up to 5 points for EPA LRRP training or LSW Practices training
  - Up to 5 points Health & Safety Training [formerly IAQ/Mold Training]
  - Up to 5 points for OSHA 10-hour training
  - Up to 5 points for Mobile Home Weatherization training
- **Up to 10 total points for minority-owned and/or woman-owned business status**
- **Up to 35 points for Completeness of RFP Submission**
  - Contractors will be evaluated on whether they submitted all required documentation with their RFP Bid Packages

Additional information about the points-based system used to evaluate RFP submissions can be found in the Selection and Scoring Criteria Form attached below.

Tri-CAP reserves the right to interview candidates to gather additional information needed to determine compliance with the minimum qualifications specified in this RFP or to make a selection from the top candidates. Tri-CAP will make no guarantees of work or production and will issue work on an as needed basis to Contractors selected for the Roster.

Tri-CAP reserves the right to add additional Contractors at any time, through the RFP process or by any other means not prohibited, as needed to meet production and/or serve the best interests of the Agency.

## **RIGHT TO REJECT / APPEAL PROCEDURE**

A Contractor must meet all mandatory criteria set forth in this RFP to be eligible to be included on Tri-CAP's Weatherization Program Roster. Proposals that are incomplete or contain significant inconsistencies or inaccuracies may be rejected by Tri-CAP without rating the Contractor on other selection criteria. Tri-CAP reserves the right to reject any or all RFP submissions in whole or in part, to waive any informality, or to accept any Proposal it may deem necessary in the best interest of the Agency.

Each Contractor applying to work with the weatherization program will receive either a selection or non-selection decision letter indicating the reason for non-selection. Contractors that are not selected for the Tri-CAP Roster, who believe that their application was not selected for reasons refutable through documentation, have the right to appeal using the following procedure.

1. Submitting a letter to Tri-CAP's Community Development Director detailing the reason you feel the application was not fairly considered and including any documentation supporting your position. Your appeal must be postmarked within 10 days of the date the decision letter was mailed to you.
2. The Director will review the appeal information and respond in writing.
3. If after receiving the decision from the Director you still do not agree with the decision, you may appeal to the Tri-CAP Executive Director. Appeals to the Executive Director must be in writing and must be made within 10 days of the date the Director's decision letter was mailed to you. The decision reached by the Executive Director represents the final determination to be made by the Agency level, and the Contractor will be notified in writing of this decision. A copy of this decision will be forwarded to the Board of Directors.
4. If you are not satisfied with the decision rendered by the Executive Director, you will be directed and given assistance by staff to contact a representative of the appropriate funding source to appeal the decision rendered at the Agency level. The decision rendered by the funding source is the final step in the appeal procedure.

**LIST OF REQUIRED FORMS TO BE SUBMITTED WITH RFP BIDS**

The Contractor must complete and submit the following list of forms, as part of its RFP Bid Package:

<a href="#"><u>Tri-CAP Weatherization RFP Submission Checklist</u></a> .....	15-16
<a href="#"><u>Tri-CAP Weatherization Program Contractor Application Form</u></a> .....	17-18
<a href="#"><u>Contractor/Crew Member Roster</u></a> .....	19-20
<a href="#"><u>Debarment and Suspension Certification</u></a> .....	21-22



## IMPORTANT DATES & DEADLINES

### **Bid Announcement**

**March 15, 2024**

The bid package will be available online at [tricap.org](http://tricap.org). Prospective Contractors may also arrange to pick up a bid package or have one mailed to them by contacting [Doris Washington](#)

### **Written Questions from Bidders Due**

**April 12, 2024  
at 10:00 a.m.**

Prospective Contractors may submit questions in writing until 10:00 a.m. on April 12, 2024 by emailing them to [Doris Washington](#) or by asking questions in person at the pre-bid conference.

### **Answers to Questions Posted on Agency Website**

**April 17, 2024  
at 10:00 a.m.**

Answers to all questions submitted in writing or at pre-bid conference will be posted on the agency website at [tricap.org](http://tricap.org)

### **RFP Bid Packages Due**

**April 29, 2024  
at 4:00 p.m.**

No late bids accepted. See Submission of Proposals section for detailed instructions.

### **Bids Opened & Reviewed**

**April 30, 2024  
at 10:00 a.m.**

See Selection Criteria section for further details.

### **Initial Selection Notification to Contractors**

**May 1, 2024**

Contractors will be notified by email. Emails to selected Contractors will include instructions and attached forms to be completed prior to the mandatory Orientation session.

### **Mandatory Orientation for Selected Contractors**

**May 15, 2024  
at 10:00 a.m.**

Mandatory Orientation session for selected Contractors will be held at 10:00 a.m. on May 15, 2024 **at 1210 23<sup>rd</sup> Ave S, Waite Park, MN 56387.**

**TRI-COUNTY ACTION PROGRAM, INC.**

**WEATHERIZATION CONTRACTOR RFP INSTRUCTIONS AND SUBMISSION CHECKLIST**

Complete this package and return to Tri-County Action Program, Inc. by 4:00 p.m. on April 29, 2024 for consideration as a Weatherization Contractor. Interested Contractors shall submit one (1) completed proposal and the required documents.

**Company Name:** \_\_\_\_\_

**Contractor RFP Instructions & Submission Checklist**

**REQUIRED LICENSES AND CERTIFICATES**

**License(s) – Attach CURRENT copies of:**

- Builder’s License, OR**
- Maintenance and Alteration License AND/OR**
- Mechanical Contractor License**
- Plumbers Contractor License**

**Insurance – Attach CURRENT certificates of required minimum coverage:**

**Commercial General Liability Insurance**

Minimum Limits:

- \$1,000,000 Each Occurrence Limit
- \$1,000,000 Personal & Advertising Injury Limit
- \$2,000,000 General Aggregate Limit
- \$2,000,000 Products/Completed Operations

**Automobile Liability Insurance**

Minimum Limits:

- \$1,000,000 Each Occurrence

**Workers’ Compensation Insurance**

Minimum Limits:

- \$1,000,000 for bodily injury caused by accident
- \$1,000,000 for bodily injury by disease

**Umbrella Policy**

Minimum Limits:

- \$3,000,000 to apply over all liability policies, including but not limited to Commercial General Liability, Commercial Automobile Liability, and Workers’ Compensation and Employer’s Liability

**TRI-COUNTY ACTION PROGRAM, INC.**

**WEATHERIZATION CONTRACTOR RFP INSTRUCTIONS AND SUBMISSION CHECKLIST**

- EPA Lead-Safe Certified Firm – Attach either:**
- Copy of EPA certification; OR
  - Evidence of application and payment submitted to EPA for Certification

**REQUIRED TRI-CAP RFP DOCUMENTS**

- Tri-CAP Weatherization Program Contractor Application Form**
- Certification Regarding Debarment, Suspension, and Other Disciplinary Matters**
- Contractor/Crew Member Roster**
- Weatherization Unit Price List (Addendum A), to be submitted electronically**

By signing this Contractor RFP bid application, I certify and verify the following:

- I am legally permitted to represent the company in contracting, and that I fully understand and agree to abide by the terms of the RFP.
- I have not been debarred or suspended, or otherwise excluded from or deemed ineligible for participation in federal assistance programs.
- The firm has the financial capacity to manage and perform the work described in the RFP.
- The answers provided in this application are accurate to the best of my knowledge and hereby authorize Tri-CAP to verify all information provided in this RFP.
- Neither I, nor any persons holding a key or other position within the company have any relationship to, or with, any Tri-CAP personnel that would be considered a conflict of interest. I have not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in the preparation and submission of this bid.

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Signature

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Date

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Print Name and Title

**TRI-COUNTY ACTION PROGRAM, INC.  
WEATHERIZATION CONTRACTOR RFP APPLICATION**

**Company Name:** \_\_\_\_\_

**Company Address:**

\_\_\_\_\_ Address City State Zip

**Phone:**

\_\_\_\_\_ Office Cell Fax

**Email:**

\_\_\_\_\_

**Type of Contractor:**

- Weatherization
- HVAC
- Other (Define): \_\_\_\_\_

**Business Structure:**

- Corporation
- Partnership
- Sole Proprietor

**Date Firm Was Established:**

\_\_\_\_\_

**Number of Employees**

**(other than subcontractors):**

\_\_\_\_\_

**Principal Officer(s):**

\_\_\_\_\_

**License/Tax ID #s:**

\_\_\_\_\_ Builder's License # HVAC License # Tax ID #

**Estimated number of jobs your company can complete per week:**

\_\_\_\_\_

**Prior Weatherization Program Experience:**

- Yes  No

**:**  
*If yes, list years:* \_\_\_\_\_

**Lead-Certified Firm:**

- Yes  No

*If yes, include Certificate with RFP Submission*

**Minority Owned Status:**

- Yes  No

**Woman-Owned Status:**

- Yes  No

**Owned Equipment:**

- Blower Door
- Infrared Camera
- Construction Vehicle
- Insulation Hopper
- Alternative Power Source

**TRI-COUNTY ACTION PROGRAM, INC.  
WEATHERIZATION CONTRACTOR RFP APPLICATION**

**Company Name:** \_\_\_\_\_

**Prior Experience and Areas of Expertise**

- |  |  |
|--|--|
| <input type="checkbox"/> Insulation Installation (Attic, Wall, Crawl and/or Sidewall)          | <input type="checkbox"/> ASHRAE Fans                         |
| <input type="checkbox"/> Furnace Repairs/Replacement   | <input type="checkbox"/> Water Heater Repair/Replacement     |
| <input type="checkbox"/> Blower Door Experience  | <input type="checkbox"/> Lead-Safe Work Practices            |
| <input type="checkbox"/> Bypass / Air Sealing  | <input type="checkbox"/> Reading / Understanding Work Orders |
| <input type="checkbox"/> Zone Pressure Diagnostics and/or Combustion Appliance<br>Zone Testing | <input type="checkbox"/> Other (Describe):<br>_____          |

**List your Major Suppliers:** \_\_\_\_\_

**List your insurance Carriers:** \_\_\_\_\_

**List Your Business References:**

Business Name: _____	Business Name: _____
Contact Name: _____	Contact Name: _____
Phone Number: _____	Phone Number: _____

***I authorize the TRI-CAP Weatherization Assistance Program administrators to verify the above information and I certify that the above information is true and complete.***

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**CONTRACTOR / CREW MEMBER ROSTER  
TRI-COUNTY ACTION PROGRAM, INC.  
WEATHERIZATION ASSISTANCE PROGRAM (WAP)**

**COMPANY NAME:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

**CITY / STATE / ZIP:** \_\_\_\_\_

**PHONE:** \_\_\_\_\_

*The following individuals will be performing work on Tri-CAP job sites on behalf of the above listed company. I understand that all crew members who work on these job sites will be required to attend:  
(1) either Lead-Safe Work Practices (LSW) or EPA Lead Renovation, Repair and Painting (LRRP) training;  
(2) Health & Safety training (formerly Indoor Air Quality/Mold training); (3) OSHA 10-hour training (OSHA 30-hour training may substitute); (4) Mobile Home training; and other related trainings as deemed necessary.*

<b>Contractor/Crew Member:</b>	<b>TRAINING (Indicate Yes/No, <u>and</u> Date Received)</b>				
	<b>LSW or EPA LRRP</b>	<b>Health &amp; Safety</b>	<b>OSHA</b>	<b>Mobile Home Training</b>	<b>Certifications List Any Certifications <u>and</u> Date(s) received</b>
	<input type="checkbox"/> Y <input type="checkbox"/> N Date:	<input type="checkbox"/> Y <input type="checkbox"/> N Date:	<input type="checkbox"/> Y <input type="checkbox"/> N Date:	<input type="checkbox"/> Y <input type="checkbox"/> N Date:	
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**CONTRACTOR / CREW MEMBER ROSTER  
TRI-COUNTY ACTION PROGRAM, INC.  
WEATHERIZATION ASSISTANCE PROGRAM (WAP)**

COMPANY NAME: \_\_\_\_\_

**Attach additional sheets as needed.**

	<b>TRAINING</b> (Indicate Yes/No, <u>and</u> Date Received)				
<b>Contractor/Crew Member:</b>	<b>LSW or EPA LRRP</b>	<b>Health &amp; Safety</b>	<b>OSHA</b>	<b>Mobile Home Training</b>	<b>Certifications List</b> Any Certifications <u>and</u> Date(s) received
	<input type="checkbox"/> Y <input type="checkbox"/> N Date:	<input type="checkbox"/> Y <input type="checkbox"/> N Date:	<input type="checkbox"/> Y <input type="checkbox"/> N Date:	<input type="checkbox"/> Y <input type="checkbox"/> N Date:	
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**I AGREE TO NOTIFY TRI-CAP OF ANY CREW PERSON ADDED TO (OR TERMINATED FROM) THE ABOVE LIST PRIOR TO THEIR PERFORMING ANY WORK ON AGENCY WEATHERIZED HOMES.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**TRI-COUNTY ACTION PROGRAM, INC.  
WEATHERIZATION ASSISTANCE PROGRAM (WAP)**

**COMPANY NAME:** \_\_\_\_\_

**Certification Regarding Debarment, Suspension, and Other Responsibility  
Matters Primary Covered Transactions**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 Federal Register (pages 19160-19211).

**(Before Signing Certification, Read Instruction)**

1. The prospective contractor certifies to the best of its knowledge and belief, that it and its principals:
  - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
  - b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - c. Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offense enumerated in paragraph (1)(b) of this certification; and
  - d. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
  
2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**NAME AND TITLE OF AUTHORIZED REPRESENTATIVE**

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



## INSTRUCTIONS FOR CERTIFICATION

1. By signing and submitting this proposal, the prospective contractor is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the MN Department of Labor's (DOLI) determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the DOLI determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the DOLI may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the DOLI if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of charged circumstances.
5. The terms "covered transaction"; "debarred", "suspended", "ineligible", "lower tier covered transaction", "participant", "person", "primary covered transaction", "principal", "proposal", and "voluntarily excluded", as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the DOLI for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the DOLI.
7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-- Lower Tier Covered Transactions", provided by the DOLI, without modification, in all lower tier covered transactions and all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determined the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded From Procurement or Non procurement Programs.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the agency may terminate this transaction for cause or default.