
Government Investment in Decarbonising Industry (GIDI) Fund Request for Proposals – Round 2

15 April 2021

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Applicant Briefing Session: 11am, Tuesday 27 April 2021

Deadline for Questions: 4pm, Friday 30 April 2021

Deadline for Proposals: 5pm, Monday 17 May 2021

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SECTION 1: What we are looking for

1.1 Introduction

Process heat accounts for around eight per cent of New Zealand’s greenhouse gas emissions, and with 60 per cent supplied by fossil fuels, decarbonisation remains a key but long-term challenge. The Government Investment in Decarbonising Industry (GIDI) Fund will accelerate energy efficiency and fuel switching in industry to reduce emissions.

The GIDI Fund is appropriated under the COVID-19 Response and Recovery Fund. The near-term opportunities and investment to reduce process heat emissions should also contribute to New Zealand’s COVID-19 economic recovery by stimulating economic growth and supporting employment.

The Energy Efficiency and Conservation Authority (EECA) is administering the GIDI Fund on behalf of the Government and is seeking Proposals for Projects that will deliver outcomes contributing towards both the:

- Decarbonisation of industrial processes and process heat through energy efficiency, the application of innovative technologies, and fuel switching; and
- Economic stimulus of the domestic economy and supporting employment.

Proposals will need to demonstrate impact through co-investment and the acceleration of Project timelines.

1.2 What we are looking for

The purpose of the GIDI Fund is to accelerate emission reductions from process heat used in industry by supporting energy efficiency, and fuel switching Projects (e.g. from fossil fuels like coal to biomass or electricity).

The investment focus for this Funding Round is to ***decarbonise industrial processes and process heat through energy efficiency, technology innovation, and fuel switching.***

Projects will need to represent strong value for money for the government investment and will be considered in line with criteria that has been guided by the following **Investment Principles**:

- **Maximising impact:** Projects should demonstrate a significant contribution to the objectives of process heat decarbonisation and supporting employment and economic activity;
- **Implementation readiness:** Projects must be able to be implemented by the end of October 2023;
- **Leveraging co-funding:** The number of Projects will be maximised by leveraging co-funding opportunities, and existing mechanisms such as Green Investment Finance Limited;
- **‘Additionality’:** Projects will only be funded if they are unlikely to be implemented, or unlikely to be implemented until a much later date, without government support; and
- **Encouraging innovation:** Supporting early adopters of technologies that demonstrate wide replication and emissions reduction potential, but may carry increased technological risk or uncertainty.

Investment will be guided by the above, and specifically, grants will be considered acknowledging the following **Funding Principles**:

- Projects must be at least \$500,000 (total Project cost)

- Funding requests should normally not exceed \$5m per Project
- Funding requests should not normally exceed 50% of the incremental Project cost
- Cumulative Group Projects (including the applicant's Group of Companies) must not exceed 25% of the total Fund (\$17.25m) – NOTE; For the purpose of the Fund, a Group is defined as individual entities consolidated at the controlling shareholder level, including foreign ownership.
- Applications for funding must be for capital Project costs, not for internal staff or operating costs
- Projects are to be delivered by 31 October 2023

Applications that do not meet these funding criteria may be considered at the discretion of the EECA Board and/or Minister of Energy and Resources. In such instances, Applicants will need to provide compelling reasons why their Application should be prioritised.

Contestable Rounds

EECA is seeking Proposals in response to this Round 2 RFP.

There will be a minimum of three independent RFP funding rounds committing up to \$69m of Government capital grants co-funding to successful Projects.

In Round 2, a minimum of \$15m of co-funding will be available for commitment to successful Projects. Approval of total co-funding in excess of \$15m in Round 2 is at the discretion of EECA and the Minister of Energy and Resources.

There is no set maximum number of Funding Rounds, which will run at a rate of 2 to 3 per annum until the Fund is fully committed.

For successful Projects, a Project Funding Agreement would be entered with EECA. The contact template is available with this RFP on EECA's website.

All Projects must be implemented by the end of 31 October 2023 unless otherwise agreed by the Minister of Energy and Resources.

1.3 Type of Projects

What can be funded?

The Fund will provide capital grant co-funding to support investment in energy efficiency, the application of innovative technologies, and fuel switching (i.e. from fossil fuels to renewable fuels) Projects to decarbonise industrial processes and process heat.

As a minimum, the Applicant's response must demonstrate the Project:

- Is to be implemented in New Zealand in the industrial sector;
- Can be implemented by 31 October 2023
- Energy and carbon emissions reduction potential per annum and over the asset life;
- Carbon emissions savings are through the reduction in fossil fuel use for industrial processes and process heat;

- Additionality in terms of both carbon savings and investment, and the funding requested must only be for the additional part or incremental cost of the Project relative to business as usual;
- Utilises commercially available technologies;
- Is supported by a suitable feasibility study or business case outlining why the solution proposed is the best approach;
- Delivery is supported by a comprehensive Project plan with acceptable milestones and achievable timelines;
- Has suitably assessed Project costs including supplier estimates for primary components of the Project; and
- Financial inputs including the assessment of the Project capex and opex over its relevant operational life.

In addition, the following factors are important to us in considering Proposals:

- Projects will be accelerated where possible and delivered in a timely manner to meet the Fund’s economic recovery and employment objectives;
- Applicant’s share of funding is committed to the Project and any outstanding approvals will be attained within 30 days of being notified of government funding approval;
- Any regulatory approvals required have been identified and can be achieved; and
- Clarity about ownership of any assets purchased through the Fund.

Proposals must be for Projects delivered in New Zealand, however Proposals can include the involvement of suppliers based overseas.

Proposals should represent a Project or group of associated carbon reduction Projects at a single site.

What will not be funded?

For clarity, the following activities are outside the scope of the Fund:

- Projects focusing on:
 - residential or commercial buildings and campuses;
 - transport initiatives including decarbonisation of off-road vehicles and marine vessels;
 - waste minimisation;
 - electricity generation;
 - reducing agricultural emissions or embodied carbon;
 - displacing one fossil fuel for another (e.g. coal to natural gas)
- Research and development, and the implementation of technologies that are not commercially available;
- Any activities that would represent an ongoing financial liability for EECA;
- “Business as usual” costs of an organisation such as the costs associated with existing staff; and

- Any activities where a low carbon alternative is cheaper than a carbon consuming option. Refer to Example 3 in Section 1.6 below.

Where Applicants are looking for relevant feedback as to whether their Project idea would potentially fit with the Fund's scope, please email EECA's Point of Contact via GIDIFund@eeca.govt.nz.

1.4 Who can apply?

The Fund is open to all New Zealand-based and NZBN registered private sector businesses, which utilise fossil fuels as the source of energy in their industrial processes and process heat.

For clarity, the following types of organisations are not eligible to submit Proposals:

- State and public sector organisations;
- Local Government organisations including both Local and Regional Authorities; and
- Council Controlled Organisations (CCO's).

1.5 Co-funding

EECA will seek to optimise the level of government co-funding to ensure impact of the GIDI Fund is maximised across a suitably balanced portfolio of Projects with respect to Government investment as \$/tonne CO₂ emissions reduced, and the total investment across all Projects to stimulate domestic economic activity and support local employment.

Applicants are required to outline a level of co-funding in each Proposal. Applicants should only request Government funding of an amount that enables the Project to be implemented or brought forward.

The Government co-funding sought by the Applicant should consider the Funding Principles as outlined in Section 1.2 of this RFP Document.

The co-funding must be cash, and not in-kind (such as existing assets or the provision of already-purchased goods and services). It cannot be used to cover 'business as usual' costs such as ongoing costs of existing operations (however the cost of an external contractor hired to backfill for a staff member assigned to the Project can be included).

All eligible and complete Proposals, regardless of the amount of funding requested, will go through the same assessment process, and if successful, may be offered funding based on recommendations from the Panel.

1.6 Defining the incremental cost of a Project

We are interested to know the difference between the business as usual cost of undertaking your Project (e.g. the current operational case, or the fossil fuelled base case alternative) and the cost to purchase, create or implement the low emission solution.

Applicants are required to provide suitable financial data on the Project implementation and lifetime operational metrics to enable financial assessment of the Proposal and base case.

Calculation of the incremental cost is a requirement of the Response Form and is a key factor in determining the level of EECA funding support for a Project.

Examples of Incremental Project Costs:

The incremental capital cost is the difference between the cost of the low-emission Project you wish to seek GIDI funding for, and the cost of the credible alternative option if GIDI funding is not received.

Example 1

Case: A site expansion requires more steam for processing.

Alternative option: An upgrade that includes a 2 MW LPG boiler. Overall Project cost is \$1.5m.

Preferred Project: An upgrade that includes a 2 MW biomass boiler. Overall Project cost is \$4m.

In this case the incremental capital cost is \$2.5m.

Example 2

Case: A site has a 6 MW coal boiler that provides steam and no longer meets its emission consent and the boiler house requires a seismic upgrade.

Alternative option: Install a new pollution control system and upgrade the boiler house. Overall Project cost is \$2.5m.

Preferred Project: Replace the coal boiler with a new 6 MW biomass boiler. Overall Project cost is \$8m.

In this case the incremental capital cost is \$5.5m.

Example 3

Case: A site needs more 60C hot water for processing.

Alternative option: Install a new 1 MW coal boiler. Overall Project cost is \$1.5m.

Preferred Project: Install a heat recovery system. The overall Project cost is \$0.8m.

In this case the incremental cost is nil as the preferred Project is less expensive than the alternative.

Example 4

Case: A site has a natural gas hot water heating system that requires no capital to continue operating for the foreseeable future.

Alternative option: Continue to operate the natural gas system.

Preferred Project: Install a heat pump that reduces natural gas consumption by 75%. Overall Project cost is \$1m.

In this case the incremental cost is \$1m.

Operating costs

The Project Application also seeks information on the operating costs of the alternative option and preferred Project. This includes fuel cost, staffing costs, and operating and maintenance costs. Non-cash costs (such as depreciation) should not be included.

How will decisions be made?

1.7 How will decisions be made?

- Applicants submit Proposals in response to this RFP.
- An Assessment Panel evaluates eligible Proposals against the defined criteria and makes funding recommendations.
- Based on recommendations from the Assessment Panel, EECA may negotiate aspects of the Project with the Applicant.
- The EECA Group Manager Investment and Engagement will submit The Panel's funding recommendations to the EECA Chief Executive, EECA Board and the Minister of Energy and Resources as required through the approval delegation hierarchy.
- Projects that fall within the Chief Executive's delegation will be approved as soon as any negotiations are satisfactorily concluded.
- The EECA Board and Ministerial approval processes will occur concurrently, once all negotiations related to recommended Proposals in the funding round are concluded.
- EECA and the Successful Applicants execute Project Funding Agreements for the delivery of the Projects.
- Unsuccessful Applicants will be provided a de-brief on the decision relevant to their Application.

1.8 Reporting

EECA will require comprehensive reporting of the Project deliverables and outcomes against those outlined in the Proposal.

Detailed validation of Project costs and confirmation of deliverables will be expected throughout the life of the Project, including confirmation of the total investment of the Project in the New Zealand economy, balance of the Project costs invested with overseas suppliers, and best assessment of the contribution towards supporting local employment.

Confirmation of asset performance including energy and carbon emissions reduction outcomes, will be a contractual requirement up to 12 months after Project completion.

Funding recipients will work with EECA to share their story and results across a variety of media. Case studies of the Projects may also be published on the EECA website.

SECTION 2: Key Information

2.1 Context

This RFP is an invitation to submit a Proposal for funding from the GIDI Fund to decarbonise process heat in Industry.

2.2 Our timeline

Here is our timeline for this RFP. All dates and times are in New Zealand standard time.

Steps in the RFP process	Date
RFP Released and Applications open	Thursday 15 April 2021
Applicant Briefing Session	11am, Tuesday 27 April 2021
Deadline for Questions from Applicants	4pm, Friday 30 April 2021
Deadline for EECA to answer Applicants' questions	4pm, Monday 10 May 2021
Deadline for Proposals	5pm, Monday 17 May 2021
Assessment Panel process (including assessing Proposals and any interviews of Applicants)	By Friday 2 July 2021
Panel recommendations, EECA Board and Minister of Energy and Resources decision process complete	By Tuesday 3 August 2021
Applicants notified of outcome	By Wednesday 4 August 2021

2.3 How to contact us

All enquiries (such as questions on the scope of the Fund or how to complete the Response Form) must be directed to our Point of Contact by the “deadline for questions” above. We will manage all external communications through this Point of Contact.

Our Point of Contact

Name: Nigel Fitzgerald

Role: GIDI Contestible Fund Lead

Email address: GIDIFund@eeca.govt.nz

2.4 Developing and submitting your Proposal

This is an open competitive process. The RFP sets out the step-by-step process and conditions that apply.

Take time to read and understand the RFP. In particular:

- i. Develop a strong understanding of what we are looking for as detailed in Section 1.
- ii. In structuring your Proposal consider how it will be assessed. Section 3 describes our assessment and decision-making approach.

If anything is unclear or you have a question, email our Point of Contact for an explanation. Please do so before the Deadline for Questions.

In submitting your Proposal you must use the Response Form available on the EECA website.

You must also complete and sign the declaration at the end of the Response Form.

Please comply with the file size and file type guidelines specified in the web-based Response Form.

2.5 Applicant Briefing Session

EECA will be holding an Applicant Briefing Session will be held at 11am on Tuesday 27 April, open for any potential applicant to ask questions. This Session will be held virtually on Microsoft Teams. The link to the Session is below:

[Applicant Briefing Session](#)

2.6 Submitting your Proposal

Proposals are to be submitted using the web-based response form in the 'How to Apply' section of the EECA website:

[Apply for the Government Investment in Decarbonising Industry \(GIDI\) Fund | Gen Less](#)

Your submitted Application will be sent to GIDIFund@eecca.govt.nz for review.

A PDF copy of your submitted proposal will be e-mailed to the Chief Executive Officer or Managing Director and the lead applicant (to the email addresses specified in the response form).

Late Proposals may be accepted at the sole discretion of the GIDI Contestable Fund Lead for provable communication issues in submitting Proposals only.

Proposals sent by post, fax or hard copy delivered to our office, will not be accepted.

2.7 Proposal Validity Period

In submitting a Proposal, the Applicant agrees that it be held open by the Applicant for acceptance by EECA for at least six months from the Deadline for Proposals. This is referred to as the Proposal Validity Period.

2.8 Later changes to the RFP or RFP process

If, after publishing the RFP, we need to change anything about the RFP, or RFP process, or want to provide additional information, we will let all potential Applicants know by placing a notice on the GIDI Fund page of the EECA website (where you got this RFP documentation from).

It is your responsibility to check for any updates prior to submitting your Proposal.

SECTION 3: Our Assessment and Decision-Making Approach

3.1 Assessment process

The approach for allocating funding is a contestable process. All eligible Proposals, regardless of dollar value sought, will go through the same assessment process.

Eligible Proposals will be assessed by an Assessment Panel. The indicative assessment process and timetable is shown below:

Date	Action
By 5pm Monday 17 May 2021	Applicants submit Proposals in response to this RFP
By 5pm Wednesday 19 May 2021	EECA emails confirmation of receipt of your Application
By Friday 21 May 2021	EECA administrative review for eligibility and completeness
By Tuesday 3 August 2021	Panel makes recommendations to the EECA Board and Minister of Energy who approve the funding decisions
From Wednesday 4 August 2021	Applicants notified of decisions

3.2 Assessment Panel members

The Assessment Panel comprises the Chair, up to three additional staff members of EECA and two staff members from the Ministry of Business, Innovation and Employment (MBIE).

MBIE will appoint the MBIE staff members and the EECA Chief Executive will appoint the Chair and remaining Panel voting members from EECA staff.

The proposed makeup of the Panel is as follows:

Role	Voting	Member
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Chair of Assessment Panel	1	1 x EECA internal appointment
Business group	1	1 x EECA business subject matter expert
Technical experts	2	2 x EECA technical subject matter experts
MBIE Panel members	2	2 x MBIE appointments
Panel Administration	x	GIDI Contestable Fund Lead (EECA)

3.3 Minimum eligibility conditions

Before a Proposal can be assessed by our Assessment Panel, it must meet all of the following eligibility conditions or it will be eliminated from further consideration.

Ref	Minimum eligibility conditions
1)	The Applicant must be a New Zealand-based and NZBN registered private sector business. Note: State and Public Sector organisations, Local Authorities, and Council controlled organisations are <u>not</u> eligible to access the GIDI Fund.
2)	The Applicant must be able to demonstrate, to the satisfaction of EECA, their commitment to a decarbonisation pathway and have identified a plan to deliver on this pathway, such as EECA's Energy Transition Accelerator programme or a suitable equivalent, and outline how the Project contributes to their or a third party's decarbonising journey.
3)	The Applicant is committed to working safely and ensuring the health and safety of workers and others affected by the Project work, and have appropriate systems and processes to undertake the work safely.
4)	The Applicant is committed to working in a manner that will not damage EECA's reputation.
5)	The Applicant can demonstrate the ability to co-fund the remainder of the total cost of the Project either directly or utilising other funding mechanisms such as Green Investment Finance Limited.
6)	The Application meets the requirements of the Funding Principles (as defined in Section 1.2 of this RFP document).
7)	The Applicant can demonstrate that their internal approvals to undertake the Project (subject to EECA funding) will be complete within one month of approval in order for both parties to execute the funding agreement.

8)	The Project must be delivered in New Zealand. (The Project may utilise overseas suppliers but the resulting asset and decarbonisation outcomes must be New Zealand based).
9)	The Project must generate GHG emissions savings by reducing fossil fuel use for process heat.
10)	The Project must be in the industrial sector (residential, commercial buildings, waste reduction, electricity generation, mobile plant, agricultural emissions, embodied carbon, displacing one fossil fuel for another, and transport Projects are excluded).
11)	The Project must demonstrate its additionality in terms of both carbon reduction and investment. The funding requested must be only for the partial funding of the additional part or incremental cost of the Project relative to the base case scenario (The base case scenario may be the current operational case, or represent an existing Project base case that would be implemented without support from the GIDI Fund)
12)	The Project must be supported by appropriate business cases and/or feasibility studies demonstrating that all relevant options have been assessed properly and explaining why the specific option described in the Application has been selected.
13)	The Project must rely on commercially available and proven technologies (technologies that are not commercially available such as R&D are excluded).
14)	The Project must be implemented in a timeframe allowing all of the funding to be spent by the end of the GIDI Fund period (31 October 2023).
15)	The Applicant must have completed the RFP Response Form in full, including required financial information.

3.4 Assessment criteria

Proposals which meet all minimum eligibility conditions will be evaluated by an Assessment Panel using a weighted criteria evaluation model.

The assessment criteria has been guided by the Investment Principles of the GIDI Fund and are outlined as follows:

Criteria	Weighting	Key question(s)
Value for money carbon abatement	<ul style="list-style-type: none"> 35% 	<ul style="list-style-type: none"> What is the total carbon abatement in terms of tonnes of CO₂ equivalent on a per annum basis and over the life of the Project? What is the value of the Government's co-investment in the Project in terms of \$/t CO₂ reduced?

Criteria	Weighting	Key question(s)
Economic stimulus driving domestic employment	<ul style="list-style-type: none"> • 20% 	<ul style="list-style-type: none"> • What is the total amount of money directly injected into the New Zealand economy from this Project per dollar of public funding? • To what extent does this Project directly support domestic employment in terms of its contribution to New Zealand based full time employee (FTE) equivalent? • What level of the total project cost is invested within New Zealand's economy with New Zealand manufacturers and service providers? • What amount of the total incremental project cost will be directed offshore (e.g. imported equipment and services)? • What regions of New Zealand most benefit from this investment? • What are the details of FTE equivalent generated by the project?
Ability to deliver	<ul style="list-style-type: none"> • 15% 	<ul style="list-style-type: none"> • To what extent does the Applicant have the funding, expertise, resources, relationships and commitment necessary to deliver the initiative? • What is the Applicant's track record of delivering comparable Projects? • Has the Applicant provided a comprehensive Project plan, with acceptable milestones and realistic timelines that will see the Project delivered before 31 October 2023? • Has the Applicant credibly identified Project risks and barriers to success and how they will be addressed?
Speed of Spending	<ul style="list-style-type: none"> • 10% 	<ul style="list-style-type: none"> • How fast will the investment be injected into New Zealand's economy? • Specifically, where have your Project timelines been accelerated, (for example bringing the start date forward significantly i.e. a number of years; or measures to accelerate the Project delivery) as a result of this Government funding support? • What are the Project management strategies and mitigations you will deploy to ensure the Project remains on track and potential delays are mitigated? (Ensure that they are specific to your Project.)

Criteria	Weighting	Key question(s)
Integrated and optimised approach	<ul style="list-style-type: none"> • 10% 	<ul style="list-style-type: none"> • Has the Applicant demonstrated an appropriate level of analysis to determine the best solution has been identified? • Does the Project ensure that demand side opportunities such as energy efficiency or process optimisation, have been taken into account in contributing to carbon abatement outcomes? • What feasibility studies or options analysis have been undertaken to determine the proposed Project is the best solution identified?
Level of innovation and co-benefits	<ul style="list-style-type: none"> • 10% 	<ul style="list-style-type: none"> • How innovative and ambitious is the Project compared to any equivalent business as usual activities the Applicant would normally be undertaking? • What is the replication potential of this Project in terms of market emissions reduction potential? Is the Project applicable to multiple businesses using similar ideas or technologies? • To what extent will this Project assist in the diffusion of this innovation in the wider market? • Are there co-benefits such as support of biomass supply activity, market development, or broader transition effects?

Applicants may be asked to provide supporting evidence to back up statements made in their response to the various questions on the RFP Response Form.

Note: In addition to public benefits, EECA understands Projects may provide private benefits (e.g. reduced costs, marketing opportunities etc.). These private benefits are the reason for the private co-funding requirement and provide the motivation for many Applicants to participate. However, they cannot be used to justify public funding.

3.5 Scoring

The following scoring scale will be used in assessing Proposals. Scores by individual panel members may be modified through the moderation process conducted across the whole Assessment Panel.

Description	Definition	Rating
Excellent	Exceeds the expectations. Exceptional demonstration by the Applicant of the relevant ability, understanding, experience, skills, and resource and quality	9-10

	measures required to deliver the Project. Response identifies factors that will offer potential added value, with evidence.	
Good	Satisfies the expectations with minor additional benefits. Above average demonstration by the Applicant of the relevant ability, understanding, experience, skills, resource and quality measures required to deliver the Project. Response identifies factors that will offer potential added value, with supporting evidence.	7-8
Acceptable	Satisfies the expectations. Demonstration by the Applicant of the relevant ability, understanding, experience, skills, resources and quality measures required to deliver the Project, with supporting evidence.	5-6
Minor reservations	Satisfies the expectations with minor reservations. Some minor reservations about the Applicant's relevant ability, understanding, experience, skills, resources and quality measures required to deliver the Project, with little or no supporting evidence.	3-4
Serious reservations	Satisfies the expectations with major reservations. Considerable reservations about the Applicant's relevant ability, understanding, experience, skills, resources and quality measures required to deliver the Project, with little or no supporting evidence.	1-2
Unacceptable	Does not meet the expectations. Does not comply and/or insufficient information provided to demonstrate that the Applicant has the ability, understanding, experience, skills, resources and quality measures required to deliver the Project, with little or no supporting evidence.	0

3.6 Further analysis of Proposals

In addition to the above assessment, EECA and/or the Assessment Panel may undertake the following processes and due diligence in relation to any Proposal:

- a. Reference check the Applicant organisation(s) and named personnel.
- b. Request clarification of aspects of the Proposal.
- c. Request confirmation of delivery timelines and co-funding commitments.
- d. Interview Applicants.
- e. Conduct internal and/or external due diligence checks.

Responses to EECA requests for the above information should be provided in the time specified and will be taken into account in the assessment process.

3.7 Decision-making

The EECA Chief Executive, EECA Board, and Minister of Energy and Resources are the decision-makers for GIDI Fund in accordance to the approval delegation hierarchy, and respectively have the sole discretion to determine which Projects (if any) will receive co-funding and the value of any co-funding in accordance to their delegation.

Recommendations from the Assessment Panel including any advice on any risks, issues or concerns which arise from the recommendations will be taken into account during the decision-making process.

The EECA Board will be informed of the Projects not recommended for approval by the panel and has the sole discretion to determine which Projects (if any) will receive funding.

If co-funding is declined, the Applicant will be informed, and all declined Applicants will be provided with a debrief.

If co-funding is approved, an offer will be communicated to the Successful Applicant(s).

This completes the decision-making process.

SECTION 4: Funding Sought

4.1 Funding information to be provided by Applicants

Applicants are to provide details of funding sought as part of their Proposal. In submitting the funding request, Applicants must meet the following requirement:

- a. Proposals are to be submitted using the web-based response form in the 'How to Apply' section of the EECA website:
[Apply for the Government Investment in Decarbonising Industry \(GIDI\) Fund | Gen Less](#)
- b. The Response Form is to show a breakdown of all costs associated with the full delivery of the proposed Project over the term of the Project.
- c. Where the Project is an extension of what would have been a business as usual activity, all Project components and costs in excess of the business as usual activity must be provided.
- d. In preparing its Proposal, the Applicant is to consider all risks, contingencies and other circumstances relating to the delivery of the Project and include adequate provision in the Proposal and funding information to manage such risks and contingencies.
- e. The Applicant must document in its Proposal all assumptions and qualifications made about the delivery of the Project, including in the funding information. Any assumption that EECA or a third party will incur any cost related to the delivery of the Project must be stated, and the cost estimated if possible.
- f. Costs should be submitted in NZ\$ and be exclusive of GST.

SECTION 5: General Information

5.1 Commercial-in-Confidence

All information collected and held during the RFP process will be held in the strictest confidence. This information will include:

- The identity of entities engaging with EECA and related parties at any stage prior to their successful funding application decision being communicated to the Applicant.
- Information provided to or by EECA and the Assessment Panel prior to Proposals being submitted.
- Proposals.
- Materials used to comment on and assess Proposals.

It is noted that for the purposes of assessing the effectiveness of the GIDI Fund, EECA may share appropriately anonymised data gathered from the RFP process with relevant third parties.

5.2 Official Information Act

EECA is bound by the Official Information Act 1982 (OIA) and subject to other public law obligations. Accordingly, while the information provided by Applicants is intended to be held in the strictest confidence, the information that EECA holds can be requested by third parties and EECA must provide information as required to do so by law. The OIA does enable EECA to withhold information under certain conditions. Where applicable, EECA will consult with the relevant Applicants and Recipients if it receives an OIA request.

5.3 Publication of decisions

EECA will make public all funding, including who the Recipients are, the amounts of funding provided, and a brief description of each Project. This will be done following either the approval of funding or the signing of a Funding Agreement.

5.4 Due diligence and financial matters

Due diligence

At any stage during the assessment process, EECA may undertake due diligence checks on Applicants as needed to meet government requirements. signing and submitting the Response Form is considered consent to these checks taking place.

GST

All amounts included in Proposals should be GST exclusive. The funding figures cited in any documents are GST exclusive.

Financial Year

The Crown's financial year runs from 1 July to 30 June. Proposals should use this timeframe when providing financial information.

Tax advice

EECA does not provide tax advice. If needed, Applicants should seek advice from tax specialists about how any funding granted may affect their tax positions.

5.5 Declaration

As part of the Fund process, Applicants will be required to sign and submit declarations (part of the Response Form) to confirm that the information they provide is accurate and to acknowledge that they have read and understood this RFP, including its terms, conditions and criteria and the information relating to obligations under the Official Information Act.

SECTION 6: RFP Process, Terms and Conditions

Note to Applicants

- In managing the Fund, EECA will endeavour to act fairly and reasonably in all of its dealings with interested Applicants, and to follow due process which is open and transparent.
- This section contains our RFP Process, Terms and Conditions (“RFP-Terms”) which apply to the Fund.
- Words and phrases that have a special meaning are shown by the use of capitals. A glossary of terms is included in Section 7.
- If you have any questions about the RFP-Terms please email our Point of Contact.

6.1 Preparing a Proposal

Applicants are to use the Response Form provided and include all information requested by EECA in relation to the RFP.

By submitting a Proposal the Applicant accepts that it is bound by these RFP Terms.

Each Applicant will:

- i. Examine the RFP and any documents referenced in the RFP and any other information provided by EECA;
- ii. Consider all risks, contingencies and other circumstances relating to the delivery of its proposed Project and include adequate provision in its Proposal to manage such risks and contingencies;
- iii. Document in its Proposal all assumptions and qualifications made about the delivery of the proposed Project, including any assumption that EECA or a third party will deliver any aspect of the proposed Project or incur any cost related to the delivery of the proposed Project;
- iv. Ensure that pricing information is quoted in NZ\$ exclusive of GST;
- v. If appropriate, obtain independent advice before submitting a Proposal;
- vi. Satisfy itself as to the correctness and sufficiency of its Proposal, including the proposed pricing and the sustainability of the pricing.

6.2 Proposal Validity Period

Proposals are to remain valid and open for acceptance by EECA for the Proposal Validity Period.

6.3 Applicants’ Deadline for Questions

Each Applicant should satisfy itself as to the interpretation of the RFP. If there is any perceived ambiguity or uncertainty in the RFP, Applicants should seek clarification before the Deadline for Questions.

All requests for clarification must be made by email to EECA’s Point of Contact. EECA will endeavour to respond to requests in a timely manner.

If EECA considers a request to be of sufficient importance to all Applicants, it may publish details of the question and answer. In doing so EECA may summarise the question and will not disclose the Applicant's identity. The question and answer will be posted on the EECA website. An Applicant may withdraw a request at any time.

In submitting a request for clarification an Applicant is to indicate, in its request, any information that is commercially sensitive. EECA will not publish such commercially sensitive information. However, EECA may modify a request to eliminate such commercially sensitive information, and publish this and the answer where EECA considers it of general significance to all Applicants. In this case, however, the Applicant will be given an opportunity to withdraw the request or remove the commercially sensitive information.

6.4 Submitting a Proposal

Each Applicant is responsible for ensuring that its Proposal is submitted using the web-based Response Form by **5pm, Monday 17 May 2021**. EECA will acknowledge receipt of each Proposal.

EECA intends to rely on the Applicant's Proposal and all information provided by the Applicant (e.g. correspondence and negotiations). In submitting a Proposal and communicating with EECA each Applicant should check that all information it provides to EECA:

- i. Is true, accurate and complete, and not misleading in any material respect; and
- ii. Does not contain Intellectual Property that will breach a third party's rights.

EECA may invite Applicants to rectify any minor errors or omissions in their Proposals during EECA's administrative review and eligibility check process. Otherwise, any Proposal not meeting all the minimum eligibility conditions will be disqualified from the remainder of the process.

Assessing Proposals

6.5 Assessment Panel

EECA will convene an Assessment Panel comprising members chosen for their relevant expertise and experience. In addition, MBIE will allocate two suitably experienced staff members to the Assessment Panel.

6.6 Third party information

Each Applicant authorises EECA to collect additional information from any relevant third party (such as a referee or a previous or existing client) and to use that information as part of its assessment of the Applicant's Proposal.

Each Applicant is to ensure that all referees listed in support of its Proposal (if provided) agree to provide a reference.

To facilitate discussions between EECA and third parties, each Applicant waives any confidentiality obligations that would otherwise apply to information held by a third party, with the exception of commercially sensitive pricing information.

6.7 Proposal clarification

EECA, or the Assessment Panel, may at any time request from any Applicant clarification of its Proposal as well as additional information about any aspect of its Proposal. EECA is not required to request the same clarification or information from each Applicant.

The Applicant must provide the clarification or additional information in the format requested. Applicants will endeavour to respond to requests in a timely manner. The Assessment Panel may take such clarification or additional information into account in assessing the Proposal.

Where an Applicant fails to respond adequately or within a reasonable time to a request for clarification or additional information, the Assessment Panel may cease assessing the Applicant's Proposal and EECA may eliminate the Proposal from the RFP process.

6.8 Assessment and decision-making

The Assessment Panel will base its assessment on the Proposals submitted in response to the RFP. The Assessment Panel may adjust its assessment of a Proposal following consideration of any clarification or additional information requested.

In deciding which Applicants to recommend funding for, the Assessment Panel will take into account the results of the assessment. The Assessment Panel may also take into account any of the following additional information:

- i. The results from reference checks and any other due diligence;
- ii. Any matter that materially impacts on EECA's trust and confidence in the Applicant;
- iii. Any other relevant information that EECA may have in its possession.

The Assessment Panel will make recommendations for funding of selected Projects to the EECA Board and the Minister of Energy and Resources, who have the sole discretion to determine which Projects (if any) will receive funding from the Fund and the value of any funding.

The EECA Chief Executive, Board and the Minister of Energy and Resources will take into account the recommendations from the Assessment Panel, as well as advice on any risks, issues or concerns which arise from the recommendations of the Assessment Panel.

If the EECA Chief Executive, Board or the Minister of Energy and Resources declines funding, the Applicants will be informed and may be offered a debrief, then the process is complete.

If the funding is approved, the EECA Chief Executive, Board or the Minister of Energy and Resources will make a contingent decision which will be communicated to the Successful Applicants by way of a terms sheet detailing the key terms under which funding would be granted.

6.9 Offers of GIDI Funding

Based on the supplied Terms Sheet, Successful Applicants may be invited to enter into negotiations with a view to entering into a Funding Agreement. Where the outcome is unsatisfactory or unreasonably stalled EECA, may discontinue the negotiations at their discretion.

Each Applicant agrees that any legally binding Funding Agreement entered into between the successful Applicant and EECA will be essentially in the form set out in the Proposed Funding Agreement, which is part of the RFP documentation.

6.10 Applicant's debrief

All Applicants will be provided with a debrief.

The debrief may be provided by letter, email, phone or at a meeting. The debrief will:

- i. Provide the reasons why the Proposal was not successful;
- ii. Explain how the Proposal performed against the minimum eligibility conditions and the assessment criteria;
- iii. Indicate the Proposal's relative strengths and weaknesses;
- iv. Explain, in general terms, the relative advantage/s of the successful Proposal/s;
- v. Seek to address any concerns or questions from the Applicant;
- vi. Seek feedback from the Applicant on the RFP and the RFP process.

6.11 Notification of outcome

At any point, but no later than 30 Business Days after the EECA Board and the Minister of Energy and Resources have made decisions on which Proposals will be offered funding, EECA will inform all unsuccessful Applicants of the outcome regarding their Proposal.

6.12 Issues and complaints

An Applicant may, in good faith, raise with EECA any issue or complaint about the RFP, or the RFP process at any time.

EECA will consider and respond promptly and impartially to the Applicant's issue or complaint.

Both EECA and the Applicant agree to act in good faith and use their best endeavours to resolve any issue or complaint that may arise in relation to the RFP.

The fact that an Applicant has raised an issue or complaint will not be used by EECA to unfairly prejudice the Applicant's ongoing participation in the RFP process, or in any future funding rounds.

Standard RFP conditions

6.13 EECA's Point of Contact

All enquiries regarding the RFP must be directed by email to EECA's Point of Contact. Applicants must not directly or indirectly approach any representative of EECA, or any other person, to solicit information concerning any aspect of the RFP after the Deadline for Proposals date.

Only the Point of Contact, and any authorised person of EECA, are authorised to communicate with Applicants regarding any aspect of the RFP. EECA will not be bound by any statement made by any other person.

EECA may change the Point of Contact at any time. EECA will notify any such change by posting a notice on its website.

Where an Applicant has an existing funding agreement or contract for services with EECA, then business as usual communications, for the purpose of managing delivery of that agreement or contract, will continue using the usual contacts. Applicants must not use business as usual contacts to solicit information or discuss aspects of the RFP once they have submitted a Proposal.

6.14 Conflict of Interest

Each Applicant must complete the Conflict of Interest declaration in the Response Form and must immediately inform EECA should a Conflict of Interest arise during the RFP process. A material Conflict of Interest may result in the Applicant being disqualified from participating further in the RFP.

6.15 Ethics

Applicants must not attempt to influence or provide any form of personal inducement, reward or benefit to any representative of EECA or the Assessment Panel in relation to the RFP.

EECA reserves the right to require additional declarations, or other evidence from an Applicant, or any other person, throughout the RFP process to ensure probity of the RFP process.

6.16 Anti-collusion and bid rigging

Applicants must not engage in collusive, deceptive or improper conduct in the preparation of their Proposals or other submissions or in any discussions or negotiations with EECA. Such behaviour will result in the Applicant being disqualified from participating further in the RFP process.

EECA reserves the right, at its discretion, to report suspected collusive or anti-competitive conduct by Applicants to the appropriate authority and to give that authority all relevant information including any relevant Proposal.

6.17 Confidential Information

EECA and the Applicant will each take reasonable steps to protect Confidential Information and, without limiting any confidentiality undertaking agreed between them, will not disclose Confidential Information to a third party without the other's prior written consent.

EECA and the Applicant may each disclose Confidential Information to any person who is directly involved in the RFP process on its behalf, such as officers, employees, consultants, contractors, professional advisors, Assessment Panel members, partners, principals or directors, but only for the purpose of participating in the RFP.

The Applicant acknowledges that EECA may disclose appropriately anonymised information gathered from Applications (successful or unsuccessful), sharing that data with relevant Crown or non-Crown entities for the sake of measuring the effectiveness of the GIDI Fund.

Applicants acknowledge that EECA is subject to requirements imposed by the Official Information Act 1982 (OIA), the Privacy Act 1993, parliamentary and constitutional convention, and any other obligations imposed by law. EECA will not be in breach of its obligations if Confidential Information is disclosed by EECA to the appropriate authority because of suspected collusive behaviour. Where EECA receives an OIA request that relates to an Applicant's Confidential Information, EECA will consult with the Applicant and may ask the Applicant to explain why the information is considered by the Applicant to be confidential or commercially sensitive.

6.18 Confidentiality of RFP information

For the duration of the RFP, to the date of the announcement of the successful Applicant(s), or the end of the RFP process, the Applicant agrees to keep the RFP strictly confidential and not make any public statement to any third party in relation to any aspect of the RFP, the RFP process or the award of any Funding Agreement without EECA's prior written consent.

An Applicant may disclose RFP information only for the purpose of participating in the RFP. The Applicant must take reasonable steps to ensure that such recipients do not disclose Confidential Information to any other person or use Confidential Information for any purpose other than responding to the RFP.

6.19 Costs of participating in the RFP process

Each Applicant will meet its own costs associated with the preparation and presentation of its Proposal and any negotiations.

6.20 Ownership of documents

The RFP and its contents remain the property of EECA. All Intellectual Property rights in the RFP remain the property of EECA or its licensors. EECA may request the immediate return or destruction of any or all RFP documents and any copies. Applicants must comply with any such request in a timely manner.

All documents forming the Proposal will, when delivered to EECA, become the property of EECA. Proposals will not be returned to Applicants at the end of the RFP process.

Ownership of Intellectual Property rights in the Proposal remain the property of the Applicant or its licensors. However, the Applicant grants to EECA a non-exclusive, non-transferable, perpetual licence to retain, use, copy and disclose information contained in the Proposal for any purpose related to the RFP process.

In addition, the Applicant grants to EECA a non-exclusive, non-transferable, perpetual licence to retain, use copy and disclose anonymised data gathered from the RFP process to third parties for the purposes related to assessing the effectiveness of the GIDI Fund.

6.21 No binding legal relations

Neither the RFP, nor the RFP process, creates a process contract or any legal relationship between EECA and any Applicant, except in respect of:

- i. The Applicant's declaration in its Proposal;
- ii. The Proposal Validity Period;
- iii. The Applicant's statements, representations and/or warranties in its Proposal and in its correspondence and negotiations with EECA;
- iv. The Assessment approach to be used by EECA to assess Proposals as set out in Section 3 and in the RFP-Terms;
- v. The standard RFP conditions set out in paragraphs 6.13 to 6.26;
- vi. Any other matters expressly described as binding obligations in Section 1.

Each exception in paragraph 6.21 is subject only to EECA's reserved rights in paragraph 6.23.

Except for the legal obligations set out in paragraph 6.21 no legal relationship is formed between EECA and any Applicant unless and until a Funding Agreement is entered into between those parties.

6.22 Elimination

EECA may exclude an Applicant from participating in the RFP if EECA has evidence of any of the following, and is considered by EECA to be material to the RFP:

- i. The Applicant has failed to provide all information requested, or in the correct format, or materially breached a term or condition of the RFP;
- ii. The Proposal contains a material error, omission or inaccuracy;
- iii. The Applicant is in bankruptcy, receivership or liquidation;
- iv. The Applicant has made a false declaration;
- v. There is a serious performance issue in a historic or current funding agreement or contract held by the Applicant;
- vi. The Applicant has been convicted of a serious crime or offence;
- vii. There is professional misconduct or an act or omission on the part of the Applicant which adversely reflects on the integrity of the Applicant;
- viii. The Applicant has failed to pay taxes, duties or other levies;

- ix. The Applicant represents a threat to national security or the confidentiality of sensitive government information;
- x. The Applicant is a person or organisation designated as a terrorist by New Zealand Police.

6.23 EECA's additional rights

Despite any other provision in the RFP EECA may, on giving due notice to Applicants:

- i. Amend, suspend, cancel and/or re-issue the RFP, or any part of the RFP;
- ii. Make any material change to the RFP on the condition that Applicants are given a reasonable time within which to respond to the change.

Despite any other provision in the RFP EECA may:

- i. Accept a late Proposal if it is EECA's fault that it is received late;
- ii. In exceptional circumstances, accept a late Proposal where it considers that there is no material prejudice to other Applicants. EECA will not accept a late Proposal if it considers that there is risk of collusion on the part of an Applicant;
- iii. In exceptional circumstances, answer a question submitted after the Deadline for Questions;
- iv. Accept or reject any Proposal, or part of a Proposal;
- v. Accept or reject any non-compliant, non-conforming or alternative Proposal;
- vi. Decide not to enter into a Funding Agreement with any Successful Applicant;
- vii. Liaise or negotiate with any Applicant without disclosing this to any other Applicant;
- viii. Provide or withhold from any Applicant information in relation to any question arising in relation to the RFP. Information will usually only be withheld if it is deemed unnecessary, is commercially sensitive to an Applicant, is inappropriate to supply at the time of the request or cannot be released for legal reasons;
- ix. Amend the Proposed Funding Agreement at any time, including during negotiations with an Applicant;
- x. Waive irregularities or requirements in or during the RFP process where it considers it appropriate and reasonable to do so;
- xi. Decline to consider an Applicant's Proposal, if in EECA's opinion, awarding the funding to the Applicant may affect New Zealand's ability to comply with its international obligations including (and not limited to) treaties and international law.

EECA may request that an Applicant agrees to EECA:

- i. Selecting any individual element/s of the Project that is offered in a Proposal and capable of being delivered separately, unless the Proposal specifically states that the Proposal, or elements of the Proposal, are to be taken collectively;
- ii. Selecting two or more Applicants to deliver a Project as a joint venture or consortium.

6.24 New Zealand law

The laws of New Zealand shall govern the RFP and each Applicant agrees to submit to the exclusive jurisdiction of the New Zealand courts in respect of any dispute concerning the RFP or the RFP process.

6.25 Disclaimer

EECA will not be liable in contract, tort, equity, or in any other way whatsoever for any direct or indirect damage, loss or cost incurred by any Applicant or any other person in respect of the RFP process.

Nothing contained or implied in the RFP, or RFP process, or any other communication by EECA to any Applicant shall be construed as legal, financial or other advice. EECA has endeavoured to ensure the integrity of such information. However, it has not been independently verified and may not be updated.

To the extent that liability cannot be excluded, the maximum aggregate liability of EECA, its agents and advisors is \$1.

6.26 Precedence

Any conflict or inconsistency in the RFP shall be resolved by giving precedence in the following descending order:

- i. Section 1;
- ii. Section 6 (RFP-Terms);
- iii. All other Sections of this RFP document;
- iv. Any additional information or document provided by EECA to Applicants through EECA's Point of Contact.

If there is any conflict or inconsistency between information or documents having the same level of precedence, the later information or document will prevail.

SECTION 7: Glossary of Terms

Term	Description
Applicant	The eligible legal entity (or group of entities), which has submitted or is in the process of submitting a Proposal to the Fund.
Assessment Panel (the Panel)	An advisory panel comprising persons with relevant experience. The Panel assesses Proposals for the Fund investment and makes recommendations to the EECA and the Minister for Energy and Resources on which Proposals should receive funding.
Business Day	Any week day in New Zealand, excluding Saturdays, Sundays, New Zealand (national) public holidays and all days from Boxing Day up to and including the day after New Year's Day.
Confidential Information	Information that: <ul style="list-style-type: none"> a. Is by its nature confidential; b. Is marked by either EECA or an Applicant as 'confidential', 'commercially sensitive', 'sensitive', 'in confidence', 'top secret', 'secret', 'classified' and/or 'restricted'; c. Is provided by EECA, an Applicant, or a third party in confidence; d. EECA or an Applicant knows, or ought to know, is confidential. Confidential information does not cover information that is in the public domain through no fault of either EECA or an Applicant.
Conflict of Interest	A Conflict of Interest arises if an Applicant's personal or business interests or obligations do, could, or be perceived to, conflict with its obligations to EECA under the RFP. It means that the Applicant's independence, objectivity or impartiality can be called into question. A Conflict of Interest may be: <ul style="list-style-type: none"> a. Actual: where the conflict currently exists; b. Potential: where the conflict is about to happen or could happen, or; c. Perceived: where other people may reasonably think that a person is compromised.
Funding Agreement	The written agreement entered into by EECA and each Successful Applicant for the delivery of the Project(s).
Deadline for Proposals	The deadline that Proposals are to be submitted by the Applicant.
GST	The goods and services tax payable in accordance with the New Zealand Goods and Services Tax Act 1985.

Intellectual Property	All intellectual property rights and interests, including copyright, trademarks, designs, patents and other proprietary rights, recognised or protected by law.
Point of Contact	EECA and each Applicant are required to appoint a Point of Contact. This is the channel to be used for all communications during the RFP process. EECA's Point of Contact is identified in Section 2.3. The Applicant's Point of Contact is identified in its Proposal.
Proposal	Description of the Project, developed by an Applicant and submitted in the Response Form to EECA, to be considered for funding.
Project	A description of a Project which the Proposal has been submitted for. This encompasses all activities, steps, tasks or elements for which an Applicant is seeking funding.
Proposal Validity Period	The period of time when a Proposal is held open by the Applicant for acceptance by EECA.
Proposed Funding Agreement	The proposed Funding Agreement terms and conditions published on the EECA website as part of this RFP.
Recipient	The Successful Applicant that enters into a Funding Agreement with EECA.
RFP	Means the Request for Proposals. The RFP comprises this RFP document, the Response Form, the Proposed Funding Agreement and any other information in relation to this RFP provided through EECA's Point of Contact or the EECA website.
Response Form	The form and declaration prescribed by EECA and used by the Applicant to respond to the RFP.
Successful Applicant	An Applicant whose Proposal is recommended by the Assessment Panel and approved either by the Minister of Energy and Resources or EECA conditionally receive funding.