



**State of Rhode Island  
Department of Administration / Division of Purchases  
One Capitol Hill, Providence, Rhode Island 02908-5855  
Tel: (401) 574-8100 Fax: (401) 574-8387**

**Solicitation Information  
October 7, 2015**

**ADDENDUM # 3**

**RFP # 7549904**

**TITLE: Electricity Supply**

**SUBMISSION DEADLINE: October 13, 2015 at 11:30 AM (Local Time)**

**Notice to Vendors:**

**Attached includes:**

- Questions with responses, no further questions will be answered
- Additional solicitation updates
- Sample Annual Renewable Report

**Tom Bovis  
Interdepartmental Project Manager**

*Interested parties should monitor this website, on a regular basis, for any additional information that may be posted.*

**RFP # 7549904 (Questions)**

**TITLE: Electricity Supply**

- **In section 3.3 of the RFP, adding accounts is mentioned. Please confirm that the price at which they will be added will be mutually agreed upon.**

Section 6.0, Adding Facilities to this Contract states that the “two parties shall mutually agree as to whether to extend the full terms and conditions of this contract to such facility. Adding a facility(ies) shall be accomplished by the bilateral modification of this contract.” The modification will be at a price mutually agreed upon by the parties.

- **At the current moment there is no extra charge from the utility for the consolidated billing option. If in the future, the utility imposes extra fees on the suppliers for consolidated billing, can we pass cost through to the state?**

Yes, this charge would be considered a regulatory change and the cost would be passed through as per Section 6.0, Regulatory Change.

- **What is the status of JH1’s comment on page 2 regarding MBE?**

The State’s Minority Business Enterprise (MBE) requirement will not apply to this procurement.

- **Please provide LOA for all accounts in the G32 rate class so we can obtain interval data.**

A blank LOA has been posted on EnerNOC’s Procurement Website (<https://www.wesplatform.com/webportal/AnnouncementView.aspx?id=9088&upload=1>) created for this procurement.

- **Page 23 mentions locking in capacity. Capacity can only be locked in along with energy, not on its own. Please advise.**

The last sentence in Section 7.0, Pricing, Pricing Definitions, #3, has been deleted.

- **How do you plan on addressing Winter Reliability charges? Usually suppliers are able to pass through.**

Yes, this charge would be considered a regulatory change and the cost would be passed through as per Section 6.0, Regulatory Change.

- **Some pages say award by 230pm, some by 3pm. Please advise when the award will be made.**

Contract award will be made by 2:30 PM on the day of the pricing event.

- **If a bidder is only bidding on the firm fixed price events and intends on going with Section 6.0, Payment and Billing option (a) Single Bill Option Through LDU, does that bidder still need to sample block and index invoice with its technical response?**

No, the bidder does not need to provide a sample block and index invoice.

#### **Other Changes to the RFP:**

- Section 2.0, Procurement Schedule – The time listed for Contract Award(s) should be 2:30 PM ET.
- Section 3.3, Background on State/Local Accounts – The section referenced in the last sentence should be Section 7.0, Adding Facilities to this Contract.
- Section 3.4, Electricity Supply Requirements – The section referenced in the second paragraph should be Section 7.0, Adding Facilities to this Contract.
- Section 3.5, Term of Requirement – The section referenced in the last sentence should be Section 7.0, Adding Facilities to this Contract.
- Section 3.7, Behind the Meter Generation – The section referenced in the last paragraph should be Section 7.0, Adding Facilities to this Contract.
- Section 7.0, Pricing, Pricing Group 1 - Block and Index Pricing – The section referenced in number 3 should be Section 7.0, Adding Facilities to this Contract.

- Section 7.0, Pricing, Pricing Definitions – The last sentence in number 3 (“The State, at its option, may fix capacity prices for some or all of the contract term via bilateral contract modification.”) should be deleted.
- Section 1.0, General Instructions and Notifications to Vendors – The comment associated with #14 should be deleted.
- Section 6.0, Specifications, Contract Administration – The comment associated with the telephone number should be deleted.
- Section 6.0, Specifications, Reporting Requirements – The comments associated with reporting requirements should be deleted.
- Section 1.0, General Instructions and Notifications to Vendors – Number 14 regarding the State’s Minority Business Enterprise (MBE) requirement should be deleted in its entirety.
- Section 2.0, Procurement Schedule – The “MBE Plan” should be deleted from the event titled Contractor Required Documents.
- Section 6.0, Specifications, Renewable Power for Facilities in this Contract – The text in this section is replaced by the following text:

The power content for all Pricing Groups shall contain delivered renewable power or RECs equivalent to the percentages specified in Exhibit 2 of the total usage as specified in Exhibit 1 of the solicitation. The renewable power/REC content requirements are in addition to any renewable power required to comply with the State’s renewable portfolio standard (RPS) during the term of any resultant contract(s). There are no geographic restrictions related to the RECs provided to meet this requirement.

For the purposes of this contract, renewable power shall meet the requirements of “new renewable energy resources” as defined in R.I. Gen. Laws §39-26-2(15)<sup>1</sup> and consist of one or more eligible resource types as defined in R.I. Gen. Laws §39-26-5<sup>2</sup>

Per these statutes, “new renewable energy resources” are defined as “generation units using eligible renewable energy resources and first going into commercial operation after December 31, 1997; or the incremental output of generation units using eligible renewable energy

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<sup>1</sup> <http://webserver.rilin.state.ri.us/Statutes/TITLE39/39-26/39-26-2.HTM>

<sup>2</sup> <http://webserver.rilin.state.ri.us/Statutes/TITLE39/39-26/39-26-5.HTM>

resources that have demonstrably increased generation in excess of ten percent (10%) using eligible renewable energy resources through capital investments made after December 31, 1997; but in no case involve any new impoundment or diversion of water with an average salinity of twenty (20) parts per thousand or less.”

Furthermore, eligible renewable energy resources are defined by statute as:

- Direct solar radiation;
- The wind;
- Movement or the latent heat of the ocean;
- The heat of the earth;
- Small hydro facilities;
- Biomass facilities using eligible biomass fuels and maintaining compliance with current air permits; eligible biomass fuels may be co-fired with fossil fuels, provided that only the renewable energy fraction of production from multi-fuel facilities shall be considered eligible;
- Fuel cells using the renewable resources referenced above in this section; and
- Waste-to-energy combustion of any sort or manner shall in no instance be considered eligible except for fuels identified in § 39-26-2(6).

The following are examples of third party verification that the State requires: Environmental Resources Trust; Green-e; Independent Auditors Report; TerraChoice; and State/Regional Verification Methods Approved by a State Governmental Entity/Public Utilities Commission/Regional Power Pool (i.e. Texas REC system administered by ERCOT, the PJM Generation Attribute Tracking System of the PJM Environmental Information Services, Inc., or the New England Power Pool (NEPOOL) Generation Information System (GIS). The State will also consider for approval other third party verification methods/entities.

### Renewable Power Vintage

To qualify as eligible renewable power (delivered renewable power or renewable power certificates) under this contract, the renewable power must be generated during the State's applicable fiscal year calendar which is July 1 through June 31 for each year of the contract and the six (6) months immediately preceding that time period and the three (3) months immediately following that time period.

### Annual Renewable Report

To verify compliance, the State requires Contractors to provide an annual report (see the sample Annual Renewable Report provided on the Procurement Website) verified and certified by an independent third party auditor. The annual reporting period shall be July 1 through June 30. The annual report shall, at minimum, contain the following elements:

- (a) An affidavit attesting to the product content for the annual reporting period that:
  - 1) Indicates the source of new renewable power, zip code of the source and the EGRID subregion for the new source; and
  - 2) Indicates the source of non-new renewable power, zip code of the source and the EGRID subregion for the source.
- (b) An affidavit indicating that:
  - 1) The offeror has not sold the renewable power more than once (as either a renewable power product or as an REC product), and in the case of a reseller that purchases a wholesale product for retail sale, reasonable measures are taken to ensure that suppliers also do not sell renewable power more than once;
  - 2) All environmental attributes, including any attendant emission credits which are specifically owned by or to which the renewable power generator is otherwise entitled convey to the purchaser (i.e. Government);

- 3) The offeror has not sold any emission allowances/credits, or other environmental attributes which are specifically owned by or to which the renewable power generator is otherwise entitled to convey associated with renewable power; and
  - 4) The renewable power that is used to fulfill the requirements of this solicitation is also not being used to meet any federal, state, or local renewable energy requirement, renewable energy procurement, renewable portfolio standard, or other renewable energy mandate.
- (c) Air emission documentation provided to requisite state environmental protection division and/or the U.S. Environmental Protection Agency.

The Annual Renewable Report shall be submitted to both the CO and COR at the addresses specified in Section 6.0, Contract Administration no later July 31 each year and shall contain the associated attestations and declarations. The independent third party auditor shall be submitted in the Contractor's proposal and approved by the Government at the time of contract award. The State reserves the right to adjust reporting requirements during the term of the supply contract.

**ANNUAL RENEWABLE REPORT  
ATTESTATION FROM RENEWABLE ENERGY SUPPLIER**

I, (print name and title) \_\_\_\_\_, declare under penalty of perjury, on behalf of (name of renewable power/REC provider) \_\_\_\_\_, that

- 1) All the renewable power/RECs sold under this State contract were generated by eligible renewable energy generators as defined by this Contract;
- 2) All the renewable attributes, including any emissions reduction credits or emissions allowances which are specifically owned by or to which the renewable power/REC generator is otherwise entitled to convey, represented by the renewable power/RECs purchased under this State Contract were transferred to the State or otherwise retired;
- 3) The renewable attributes represented by the renewable power/RECs were not sold, marketed or otherwise claimed by a third party; and
- 4) The renewable attributes comply with the vintage requirements contained in Section 6.0, Specifications of the contract.

Name of renewable power/REC product:

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

I further declare that statements listed above are true and correct, that the renewable power/RECs claimed for the product were sold once and only once, and that the electrical energy that was generated with the renewable power/RECs claimed was not sold, marketed or otherwise represented as renewable energy and was not used to meet any federal, state or local renewable energy requirement, renewable energy procurement, renewable portfolio standard, or other renewable energy mandate. As an authorized agent of the aforementioned Company, I have authority to submit this report on the company's behalf.

\_\_\_\_\_  
Signature  
Renewable Power/REC Provider

\_\_\_\_\_  
Date

# GENERATOR REGISTRATION FORM AND ATTESTATION

## Facility Information

Name of Facility: \_\_\_\_\_

Address of Facility: \_\_\_\_\_

Facility ID Number<sup>1</sup>: \_\_\_\_\_ EIA or QF? (circle one)

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

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Fuel Type	Capacity* (MW)	MWh/RECs Sold	Date Facility First Operational	Period of Delivery (Q#/yy or mm/yy)**
Biomass _____ <i>(indicate fuel type)</i>				
Geothermal				
Landfill Gas/ Digester Gas				
Wind				
Solar electric				
Hydroelectric				
Ocean				
Waste-to-Energy				

\* For facilities which have added new renewable capacity, please indicate the amount and operational date of the new capacity and the existing capacity.

\*\* List as separate line items MWh for each month or quarter.

<sup>1</sup> Please enter Energy Information Administration (EIA) identification number for the generating facility. If the facility does not have an EIA number, please enter the utility-assigned Qualifying Facility (QF) identification number.

**Declaration:**

I, (print name and title) \_\_\_\_\_,  
declare under the penalty of perjury, that the information provided on this form is true and correct to the  
best of my knowledge.

Further, I declare that the (indicate) \_\_\_ renewable megawatt hours/ \_\_\_ renewable attributes listed above  
were sold exclusively to (name of renewable power/REC provider)  
\_\_\_\_\_. Further, I declare that 1) all the renewable attributes,  
including any emissions reduction credits or emissions allowances which are specifically owned by or to  
which the renewable power/REC generator is otherwise entitled to convey, represented by the renewable  
electricity generation listed below were transferred to the renewable power/REC provider above, 2) to the  
best of my knowledge, the renewable attributes were not sold, marketed or otherwise claimed by a third  
party; 3) the renewable attributes were sold once and only once; 4) the electrical energy that was generated  
with the attributes was not used on-site for generation; and 5) the electrical energy that was generated with  
the attributes was not separately sold, marketed or otherwise represented as renewable energy and was not  
used to meet any federal, state or local renewable energy requirement, renewable energy procurement,  
renewable portfolio standard, or other renewable energy mandate.

Further, I declare that the facilities that generated all of the (indicate) \_\_\_ renewable kilowatt hours/ \_\_\_  
renewable attributes sold to (name of renewable power/REC supplier) are listed above by fuel type.

As an authorized agent of (generating company name) \_\_\_\_\_,

I attest that the above statements are true and correct.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**This form is used by the State to verify the accuracy of claims made by retail marketers.**

## RENEWABLE POWER/RENEWABLE ENERGY CERTIFICATE NOTIFICATION

**(Contractor Name)** certifies that Renewable Power/Renewable Energy Certificates in the amounts described below, associated with power generation from the Renewable Resource(s) listed below, have been provided to the State in accordance with the terms of Contract No. GS-00P-13-BSD-0969 for the period **(Insert Dates)**. The Renewable Power/Renewable Energy Certificate(s) provided to the State include emissions, and other environmental characteristics associated with renewable resources. The Renewable Energy Certificate(s) do not include energy, capacity, or other attributes of electrical power. **(Contractor Name)** represents and warrants that the environmental attributes, including any attendant emission credits which are specifically owned by or to which the renewable power/REC generator is otherwise entitled to convey, that are the subject of this Notification have not been sold, reserved, or conveyed to any party other than the State and that the electric power generated in association with this/these Renewable Power/Renewable Energy Certificate(s) has not been represented to retain or possess such attributes. The Renewable Power/Renewable Energy Certificate(s) that are the subject of this Notification are based upon the generation of electricity from **(Insert type of Renewable Resource(s))** at **(Insert Source Facility Location(s))**. The total amount of Renewable Power/Renewable Energy Certificates covered by this Notification is: **(Insert Quantity conveyed in MWhs)**.

**Insert company name, representative name, signature (typed/printed) and date**