



Solicitation Information
April 17, 2018

RFP# 7592681

TITLE:
RULES AND REGULATIONS ADMINISTRATION-
RENEWABLE ENERGY STANDARDS
PUBLIC UTILITIES COMMISSION

Submission Deadline: Friday May 18, 2019 at 11:00 AM (Local Time)

PRE-BID/ PROPOSAL CONFERENCE: NO

Questions concerning this solicitation must be received by the Division of Purchases at thomas.bovis@purchasing.ri.gov no later than **4/30/2018 at 4 PM (LT)** Questions should be submitted in a *Microsoft Word attachment*. Please reference the RFP# on all correspondence. Questions received, if any, with responses will be posted on the Internet as an addendum to this solicitation. It is the responsibility of all interested parties to download this information.

SURETY REQUIRED: NO

BOND REQUIRED: NO

Thomas Bovis
Interdepartmental Project Manager

Applicants must register on-line at the State Purchasing Website at www.purchasing.ri.gov

Note to Applicants:

Offers received without the entire completed three-page RIVIP Generated Bidder Certification Form attached may result in disqualification.

THIS PAGE IS NOT A BIDDER CERTIFICATION FORM

TABLE OF CONTENTS

Section 1 –Introduction.....	2
Section 2- Background and Purpose.....	6
Section 3- Scope of Work.....	7
Section 4 -Technical Proposal.....	9
Section 5 -Cost Proposal.....	10
Section 6- Evaluation and Selection.....	10
Section 7 -Proposal Submission.....	11

SECTION 1: INTRODUCTION

The Rhode Island Department of Administration/Division of Purchases, on behalf of the Rhode Island Public Utilities Commission (“RIPUC” or “Commission”) is soliciting proposals from qualified firms, to provide consultation services to administer the Rules and Regulations of the RIPUC governing the implementation of Rhode Island’s Renewable Energy Standard, in accordance with the terms of this Request for Proposals and the State’s General Conditions of Purchase, which may be obtained at the Rhode Island Division of Purchases Home Page by Internet at www.purchasing.ri.us.

The initial contract period will begin approximately July 1, 2018 for one year. Contracts may be renewed for up to two additional 12-month periods based on vendor performance and the availability of funds.

This is a Request for Proposals, not an Invitation for Bid. Responses will be evaluated on the basis of the relative merits of the proposal, in addition to price; there will be no public opening and reading of responses received by the Division of Purchases pursuant to this Request, other than to name those offerors who have submitted proposals.

INSTRUCTIONS AND NOTIFICATIONS TO OFFERORS:

1. Potential vendors are advised to review all sections of this RFP carefully and to follow instructions completely, as failure to make a complete submission as described elsewhere herein may result in rejection of the proposal.
2. Alternative approaches and/or methodologies to accomplish the desired or intended results of this procurement are solicited. However, proposals which depart from or materially alter the terms, requirements, or scope of work defined by this RFP will be rejected as being non-responsive.
3. All costs associated with developing or submitting a proposal in response to this RFP, or to provide oral or written clarification of its content shall be borne by the vendor. The State assumes no responsibility for these costs.
4. Proposals are considered to be irrevocable for a period of not less than 60 days following the opening date, and may not be withdrawn, except with the express written permission of the State Purchasing Agent.
5. All pricing submitted will be considered to be firm and fixed unless otherwise indicated herein.
6. Proposals misdirected to other state locations, or which are otherwise not present in the Division at the time of opening for any cause will be determined to be late and will not be considered. For the purposes of this requirement, the official time and date shall be that of the time clock in the reception area of the Division.
7. It is intended that an award pursuant to this RFP will be made to a prime vendor, or prime vendors in the various categories, who will assume responsibility for all aspects of the work. Joint venture and cooperative proposals will not be considered. Subcontracts are

permitted, provided that their use is clearly indicated in the vendor's proposal and the subcontractor(s) to be used is identified in the proposal.

8. All proposals should include the vendor's FEIN or Social Security number as evidenced by a W9, downloadable from the Division's website at www.purchasing.ri.gov.
9. The purchase of services under an award made pursuant to this RFP will be contingent on the availability of funds.
10. Vendors are advised that all materials submitted to the State for consideration in response to this RFP will be considered to be Public Records as defined in Title 38, Chapter 2 of the General Laws of Rhode Island, without exception, and will be released for inspection immediately upon request once an award has been made.
11. Interested parties are instructed to peruse the Division of Purchases website on a regular basis, as additional information relating to this solicitation may be released in the form of an addendum to this RFP.
12. In accordance with Title 7, Chapter 1.2 of the General Laws of Rhode Island, no foreign corporation, a corporation without a Rhode Island business address, shall have the right to transact business in the State until it shall have procured a Certificate of Authority to do so from the Rhode Island Secretary of State (401-222-3040). This is a requirement only of the successful vendor(s).
13. The vendor should be aware of the State's Minority Business Enterprise (MBE) requirements, which address the State's goal of ten percent (10%) participation by MBE's in all State procurements. For further information visit the website www.mbe.ri.gov
14. This is a Request for Proposal (RFP), not an Invitation for Bid. In addition to price, responses will be evaluated based on a variety of criteria including, but not limited to, cost and qualifications.
15. There will be no public opening and reading of responses received pursuant to this RFP, other than to name those vendors who have submitted responses.
16. The State has a goal of ten percent (10%) participation by MBE's in all State procurements. For further information, visit the website www.mbe.ri.gov. To speak with an MBE officer, call (401) 574-8253.

Equal Employment Opportunity (RIGL 28-5.1)

§ 28-5.1-1 Declaration of policy. – (a) Equal opportunity and affirmative action toward its achievement is the policy of all units of Rhode Island state government, including all public and quasi-public agencies, commissions, boards and authorities, and in the classified, unclassified, and non-classified services of state employment. This policy applies in all areas where the state dollar is spent, in employment, public service, grants and financial assistance, and in state licensing and regulation. For further information, contact the Rhode Island Equal Employment Opportunity Office, at 222-3090.

17. Interested parties are instructed to peruse the Division of Purchases' website on a regular basis, as additional information relating to this solicitation may be released in the form of an addendum to this RFP.

INSURANCE REQUIREMENTS

Vendors shall procure at their expense and maintain all insurance required in form and terms acceptable to State for the duration of the contract or as otherwise specified. Vendor shall provide State with replacement Certificate(s) and endorsements upon expiration, renewal, expiration or cancellation of the policies during the term of the contract, unless a longer period is specified. All certificates and endorsements shall reference the solicitation.

- A. **Commercial General Liability Insurance:** Commercial General Liability Insurance covering bodily injury broad form property damage, personal and advertising injury, independent contractors, products completed operations, and contractual coverage. Coverage shall be written on an occurrence basis and shall extend to an agent, independent contractor, temporary worker and a leased worker. A combined single limit of \$1,000,000 per occurrence and aggregate is required.
- B. **Auto Liability Insurance:** Auto Liability Insurance covering all owned, non-owned, or hired vehicles. A combined single limit per occurrence of \$1,000,000 will be obtained.
- C. **Workers Compensation:** Workers Compensation coverage in compliance with the workers' compensation laws of the State. Coverage shall include Employers Liability Insurance with minimum limits of \$500,000 each accident, \$500,000 disease or policy limit, \$500,000 each employee.
- D. **Alternative Employer Endorsement** shall be required for both the workers compensation and employers liability policy.
- E. **Professional Liability Insurance:** Coverage to include Errors or Omissions, Product Failure, Security Failure, Professional Liability and Personal Injury. Contractor will obtain Professional Liability Insurance with minimum limits of \$1,000,000 per occurrence and aggregate.
- F. The State will be defended, indemnified and held harmless to the full extent of any coverage actually secured by the Contractor in excess of the minimum requirements set forth above. The duty to indemnify the State under this agreement shall not be limited by the insurance required in this section or in any way limit the Contractor's liability.
- G. The Commercial General Liability Insurance, Auto Liability Insurance and the Professional Liability Insurance shall include the State, agencies, officers and employees as Additional Insured but only with respect to the Contractor's activities under the contract.

The insurance required through a policy or endorsement shall include:

- A waiver of subrogation waving any right to recovery the insurance company may have against the State, it agencies, officers and employees.

- A provision that Contractor's insurance coverage shall be primary to any insurance, self-insurance or self-insured retention maintained by the State, its agencies, officers and employees. Any insurance, self-insurance or self-insured retention maintained by the State, its agencies, officers and employees shall be in excess of the Contractor's insurance and shall not contribute.
- There shall be no cancellation, material change, potential exhaustion of aggregate limits or non-renewal without 30 days written notice from the Contractor or its insurer(s) to the Department of Administration, Division of Information Technology and to the Purchasing Agent. Any failure to comply with the reporting provisions of this clause shall be grounds for immediate termination of this contract.
- Insurance coverage required under the contract shall be obtained from insurance companies acceptable to the Purchasing Agent.
- The Contractor shall pay all deductibles, self-insured retentions and/or self-insurance included hereunder.
- The Contractor shall disclose to the State the amount of any deductible, self-insured retention and/or self-insurance. The State reserves the right to reject any such insurance as not complying based on the amount of the deductible, self-insured retention and/or self-insurance.
- The Purchasing Agent reserves the right to consider and accept alternative forms and plans of insurance or to require additional or more extensive coverage for any individual requirement.

SECTION 2: BACKGROUND

In 2004, Rhode Island's Renewable Energy Standard Act ("RES"), R.I Gen. Laws § 39-26-1-10, became law. The RES requires that an annually increasing proportion of the electricity consumed in the state be generated by facilities using renewable fuels, as that term is defined in the law. In 2005, the RIPUC adopted regulations designed to implement the RES. Those regulations were amended in 2007 and refiled in 2014. A copy of the regulations can be accessed at: http://www.ripuc.org/rulesregs/commrules/RES_Rules.pdf. Additional information regarding the RI RES can be accessed at: <http://www.ripuc.org/utilityinfo/res.html>

Through this solicitation, the RIPUC seeks a firm, individual or organization with expertise in the field of renewable energy to administer the rules implementing the RES.

Nature of Services Requested

The firm, individual, or organization selected will demonstrate sufficient knowledge, experience and resources to serve as a Renewable Energy Supply Administration and Oversight Consultant. The firm, individual or organization will demonstrate the ability to work with various RIPUC staff and provide insight and recommendations on regional renewable energy standards (also known as renewable portfolio standards) as well as Rhode Island-specific certification and compliance issues.

The approximate number of applications received for the past three years is as follows:

2018 – 15 (as of March 2018)
2017 – 57;
2016 – 23
2015 – 7

The approximate number of currently eligible biomass/biogas plants with quarterly fuel filing requirements is 32.

The approximate number of certified units in adjacent control areas is 29.

The approximate number of units certified as partially new and partially existing is 16.

The number of Obligated Entities in Compliance Year 2016 was 28.

SECTION 3: SCOPE OF WORK

The firm, individual or organization selected will review applications received from generators for eligibility, must monitor approved generators for continuing eligibility, must review reports from the generators and must make recommendations and periodically report to the RIPUC.

The successful bidder will be required to:

1. Review Applications for Eligibility and Report to the Commission.

Review applications for certification and for prospective reviews from new and existing generators and from aggregations of generators and make recommendations to the Commission as to approval

and as to any conditions of that approval. Review includes conducting inquiries and discovery to obtain the necessary information with copies to the RIPUC.

2. Monitor the on-going eligibility of renewable energy generators and the production of such generating units, as follows:

Investigate generator eligibility issues including changes in status. Recommend to the Commission whether such changes result in a Material Change affecting eligibility and/or whether certification should be suspended or revoked. Report to the Commission on false reporting or the non-reporting of required information.

For Eligible Biomass Plants, review Fuel Use Plans and recommend to the RIPUC whether such plan can be reasonably expected to ensure that the fuel meets the qualifications set forth in the Rules and Regulation and the Act. Investigate fuel use at Eligible Biomass Plants, report to the RIPUC on Compliance, and recommend sanctions if necessary.

Review the quarterly reports from Renewable Energy Resources that combust fuel to generate electricity on the fuel stream used for the quarter. Report and make recommendations to the RIPUC.

Annually, track attestations, verify bilateral contracts, and verify any other information required under the RIPUC RES Rules in order to establish eligibility of resources located in a control area adjacent to NEPOOL. Report the status of attestations to the RIPUC.

Review previously approved facilities to ensure continued eligibility and compliance with RIPUC orders, including continued verification that resources are generating Rhode-Island-eligible Renewable Energy Certificates in the Existing vs. New Percentage Allocations for which resources were certified. Report variances to the RIPUC.

- 3. Review demonstrations of compliance including compliance reports from Obligated Entities for compliance with the Rules and Regulations and the Act and for accuracy and report to the RIPUC on findings and recommendations. Such demonstrations of compliance would include:**
 - Standard Compliance
 - Banked Compliance
 - Alternative Compliance
 - Annual Compliance Filing
 - Assist RIPUC drafting of the Annual Report to the General Assembly. RIPUC staff will be responsible for drafting and editing the report; the successful bidder will assist with data collection and organization, respond to RIPUC staff inquiry as necessary; and will peer-review the report. Links to previous Annual Reports can be found here: <http://www.ripuc.org/utilityinfo/res.html>.
- 4. Remain conversant with current GIS rules.**
- 5. Have a general knowledge of Renewable Portfolio Standards in other New England States and adjacent control areas.**
- 6. Draft or revise application forms and compliance forms as needed**

Standards

The firm or individual selected must have engineering experience related to large and small generators of electricity, particularly related to the operating characteristics and fuel requirements (when applicable) for renewable generations sources. A successful candidate must have knowledge and experience with the NEPOOL Generation Information System (GIS), the ability to review, research, and confirm information using GIS, ISO, EPA and other national reports and databases, and must have the ability to be unbiased and consistent in the conduct of investigations and reviews.

SECTION 4: TECHNICAL PROPOSAL

Information requested from proposers:

1. State the location of the principal office from which the work is to be performed and the number and composition of professional staff.
2. Describe the local office's experience with renewable energy generation.
3. Identify the professional staff that will work on the engagement and summarize their relevant experience. Please disclose any subcontractors or other experts and consultants you would use for support, including a summary of their relevant experience.
4. Provide references to other municipalities or state agencies by whom you have been engaged to consult and the area of consultation/expertise.
5. Delineate experience with NEPOOL GIS and/or similar systems in other control areas, and with rules and regulations for Renewable Portfolio Standards programs in other states or jurisdictions.
6. Disclose any known threatened or pending litigation that may affect the firm's independence with respect to the RIPUC or the State of Rhode Island.

Narrative and format: The separate technical proposal should address specifically each of the required elements:

1. **Staff Qualifications** – Identify the professional staff that will work on the engagement and summarize their relevant experience. **Please disclose any subcontractors or other experts and consultants you would use for support, including a summary of their relevant experience.**
2. **Capability, Capacity, and Qualifications of the Offeror** - State the location of the principal office from which the work is to be performed and the number and composition of professional staff. Describe the local office's experience with renewable energy generation. Provide references to other municipalities or state agencies by which you have been engaged to consult and the area of consultation/expertise.

3. Work plan - Delineate experience with NEPOOL GIS and/or similar systems in other control areas, and with rules and regulations for Renewable Portfolio Standards programs in other states or jurisdictions. Describe how the firm would design and implement the requirements of the Scope of Work above.
4. Review and Reporting Describe how the firm would perform reviews, and include a detailed internal timeline designed to allow the RIPUC to meet the statutory deadlines.

SECTION 5: COST PROPOSAL

The contract resulting from this solicitation will be a lump-sum fixed fee price. The Cost Proposal, shall be stated as one value for the annual cost of the contract and shall be inclusive of all costs and expenses. Detail the number of hours offered and the total annual contract cost. Detail the hourly rate for proposed staff and expected percentage of time each staff member will spend on various tasks. Cost proposals shall be submitted in a separate sealed envelope; see instructions below.

SECTION 6: EVALUATION AND SELECTION

The firm will be selected by the State/RIPUC based on the relevant qualifications and experience of the proposing firm, individual or organization. Proposals found to be technically or substantially non-responsive at any point in the evaluation process will be rejected and not considered further. The State/RIPUC reserves the right to reject any and all proposals submitted, to request any additional information from any and all proposers, and to negotiate separately with any and all proposers and to act in its best interest.

Proposals will be reviewed by a Technical Review Committee comprised of staff from state agencies. To advance to the Cost Evaluation phase, the Technical Proposal must receive a minimum of 55 (78.6%) out of a maximum of 70 technical points. Any technical proposals scoring less than 60 points will not have the cost component opened and evaluated. The proposal will be dropped from further consideration

Proposals scoring 55 technical points or higher will be evaluated for cost and assigned up to a maximum of 30 points in the cost category, bringing the potential maximum score to 100 points.

The State reserves the exclusive right to select the individual(s) or firm (vendor) that it deems to be in its best interest to accomplish the project as specified herein; and conversely, reserves the right not to fund any proposal(s).

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

Criteria	Possible Points
Staff Qualifications	10 Points
Capability, Capacity, and Qualifications of the Offeror	25 Points
Quality of the Work plan	25 Points
Review and Reporting	10 Points
Total Possible Technical Points	70 Points
Cost calculated as lowest responsive cost proposal divided by (this cost proposal) times 30 points *	30 Points
Total Possible Points	100 Points

*The Low bidder will receive one hundred percent (100%) of the available points for cost. All other bidders will be awarded cost points based upon the following formula: (low bid / vendors bid) * available points

Points will be assigned based on the offeror's clear demonstration of his/her abilities to complete the work, apply appropriate methods to complete the work, create innovative solutions and quality of past performance in similar projects.

Applicants may be required to submit additional written information or be asked to make an oral presentation before the technical review committee to clarify statements made in their proposal.

SECTION 7: PROPOSAL SUBMISSION

Offerors are encouraged to submit written questions to the Division of Purchases. **No other contact with State parties will be permitted.** Interested offerors may submit proposals to provide the services covered by this Request on or before the date and time listed on the cover page of this solicitation. Responses received after this date and time, as registered by the official time clock in the reception area of the Division of Purchases will not be considered.

Responses (**an original plus four (4) copies**) should be mailed or hand-delivered in a sealed envelope marked with the **RFP number** to:

RI Dept. of Administration
Division of Purchases, 2nd floor
One Capitol Hill
Providence, RI 02908-5855

NOTE: Proposals received after the above-referenced due date and time will not be considered. Proposals misdirected to other State locations or those not presented to the Division of Purchases by the scheduled due date and time will be determined to be late and will not be considered. Proposals faxed, or emailed, to the Division of Purchases will not be considered. The official time clock is in the reception area of the Division of Purchases.

RESPONSE CONTENTS

Responses shall include the following:

1. One completed and signed three-page R.I.V.I.P generated bidder certification cover sheet (included in the original copy only) downloaded from the RI Division of Purchases Internet home page at www.purchasing.ri.gov.
2. One completed and signed W-9 (included in the original copy only) downloaded from the RI Division of Purchases Internet home page at www.purchasing.ri.gov.
3. **A separate Technical Proposal** describing the qualifications and background of the applicant and experience with and for similar projects, and all information described earlier in this solicitation. The Technical Proposal is limited to six (6) pages (this excludes any appendices) . As appropriate, resumes of key staff that will provide services covered by this request.
4. **A separate, signed and sealed Cost Proposal for a lump-sum fixed fee price.** The Cost Proposal, shall be stated as one value for the annual cost of the contract and shall be inclusive of all costs and expenses. Detail the number of hours offered and the total annual contract cost. Cost proposals shall be submitted in a separate sealed envelope, clearly

marked “Cost Proposal” with the RFP number.

5. In addition to the multiple hard copies of proposals required, Respondents are requested to provide their proposal in **electronic format (CD-Rom, disc, or flash drive)**. Microsoft Word / Excel OR PDF format is preferable. Only 1 electronic copy is requested and it should be placed in the proposal marked “original”.

CONCLUDING STATEMENTS

Notwithstanding the above, the State reserves the right not to award this contract or to award on the basis of cost alone, to accept or reject any or all proposals, and to award in its best interest.

Proposals found to be technically or substantially non-responsive at any point in the evaluation process will be rejected and not considered further.

The State may, at its sole option, elect to require presentation(s) by offerors clearly in consideration for award.

The State’s General Conditions of Purchase contain the specific contract terms, stipulations and affirmations to be utilized for the contract awarded to the RFP. The State’s General Conditions of Purchases/General Terms and Conditions can be found at the following URL:
<https://www.purchasing.ri.gov/RIVIP/publicdocuments/ATTA.pdf>