



Millinocket

Maine's Biggest Small Town

**REQUEST FOR PROPOSALS
For ENERGY PPA**

2020

**ISSUED BY:
MUNICIPAL SUSTAINABILITY SUBCOMMITTEE,
TOWN OF MILLINOCKET**

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Section 1- OVERVIEW

1.1 Project Overview

The Town of Millinocket (the “Town”) is issuing this Request for Proposal (“RFP”) for electricity supply (“Energy”) via a Maine PUC-approved third-party supplier. The Town intends for its full Energy demand to be met via a more cost-effective Supplier. The Proposal must have sufficient capacity to supply the Town’s annual usage of 800,000 kWh - 950,000 kWh.

The Town is requesting proposals that will reduce energy costs, and will strongly consider proposals that include Maine-derived renewable energy. The Town will accept electric delivery as deemed appropriate by Town and described in Section 2.2.

1.2 Town of Millinocket- Municipal Sustainability Subcommittee

The Town Council of Millinocket’s Municipal Sustainability Subcommittee is responsible for investigating a broad range of policy recommendations, cost-saving initiatives, and resiliency-building that can support the long-term viability of the Town and it’s residents.

To further that vision, in 2018 the Municipal Sustainability Subcommittee (“Committee”) has worked with consultants to develop a solar PPA project within its town boundaries, in which the Town would have the option to purchase the solar system in years 7-12. However, with a lack of capacity on the local grid to support solar development, the Committee is seeking alternative options for procuring Energy.

The Town currently purchases its Energy through Versant, the local utility company, and is not in any short-term or long-term agreement with any other supplier. The Town briefly contracted with a third party supplier for a 5- or 6-month term and experienced cost savings. Since the expiration of that agreement, all supply costs and other charges associated with electricity such as capacity, transmission, and ancillary charges are fully passed through to the Town.

The current strategy is for the Town to build price stability by avoiding single point market exposure, i.e., making a fixed price commitment for 100% of energy requirements. The Town will NOT entertain variable pricing Proposals. Special consideration will be given to Energy supplied by renewable energy sources derived in Maine, which may include solar, wind, REC’s, or others, and do NOT include Energy supplied by biomass or biofuel.

1.3 Defined Terms

The following capitalized terms used in this RFP have the following meanings:

- “Town” refers to the Town of Millinocket
- “Town’s Contract Terms” means the Attachment C “City Standard Contract Provisions.”
- “Contract” means the form of agreement between the successful Proposer and the Town.
- “Project Contact” means the person designated in Section 3.1.
- “EOP” means an Economic Opportunity Plan.
- “Committee” means the Municipal Sustainability Subcommittee, which is a subcommittee of the Millinocket Town Council.
- “Evaluation Committee” means the Committee established by the Town to evaluate the Proposals submitted in response to this RFP.
- “Proposal” means the documents submitted in a timely manner to this RFP.
- “Proposer” means a party that submits a proposal in response to this Request for Proposals.
- “RFP” or “Request for Proposals” means this Request for Proposals issued by the Town for this Project to the qualified Respondents, including any addenda.
- “Team Member” means each firm included in the Proposal (including firms that are partners, members of the Proposer, or shareholders in the Proposer).

1.5 General Disclaimer

This RFP does not commit the Town to award a contract or create any obligation on the part of the Town to enter into any contract or to undertake any financial responsibility referred to herein. The Town is not liable for any costs incurred by any Proposer prior to execution of any contract (e.g., in the generation or submission of Proposals, presentations given to Town personnel or its designees, documentation provided to Town personnel or its designees, production of marketing literature, or any other costs incurred while participating in this RFP process).

Section 2- SCOPE OF WORK

2.1 Project Details

This Request for Proposals (RFP) seeks Proposers interested in supplying the Town of Millinocket with Energy under a power purchase agreement (PPA) from a Maine PUC-approved facility/supplier, with a strong preference for Energy derived from renewable sources, as defined in Section 1.2. The Town will consider suppliers that are currently operating and is open to the submission of creative proposals that aggregate multiple projects to provide a more balanced and stable load curve. The Town will not own or manage the supplier/facility, but will commit to a power purchase agreement (PPA) for its output or energy credits. This may include, but is not

limited to, participation in a community solar project, procurement from a third party supplier, or an off-site solar development. Cost savings is the primary motivation for accepting a Proposal.

The Town is well positioned as a consumer of Energy on the ISO New England grid system via Versant Power. Preference will be given to suppliers that are based in Maine.

2.2 Schedule

A general outline of the procurement schedule has been provided below. The Town will make every effort to hold this schedule:

ACTIVITY	RESPONSIBILITY	DATE & TIME
RFP Posted	Town	3/12/2021
Pre-Proposal Meeting	Committee	3/19/2021
Deadline to submit questions via e-mail at s.golieb@millinocket.org	Proposers	4/10/2021
Answers to questions posted on Town's website https://millinocket.org/government/committees-and-boards/	Committee	4/24/2021
Proposal must be received by Committee via email at s.golieb@millinocket.org	Proposers	5/10/2021
Review of Proposals	Committee, Proposers	TBD - 5/2021
Contract Negotiations	Selected Proposer(s)	TBD - 5/2021 - 6/2021
Project Approval and Contract Signing (assuming Town approval)	Town, Selected Proposer(s)	TBD - 6/2021 - 7/2021

Section 3 - PROCUREMENT PROCESS

3.1 Project Contact and Related Committee

The only person who may be contacted regarding this RFP or other aspects of this procurement process (“Project Contact”) is:

Chairman Steven C. Golieb
Millinocket Town Council, Chair of Municipal Sustainability Subcommittee
s.golieb@millinocket.org

3.2 Procurement Phases

Upon completion of the RFP phase, contract negotiations may be initiated. As determined in the sole discretion of the Town, such negotiations may be conducted with all or more than one Proposer simultaneously or with one Proposer initially on the detailed terms and conditions for an agreement.

3.3 Evaluation Committee

Proposals will be evaluated in accordance with the criteria set forth in Section 4.4 as well as any other factors considered relevant to each Proposer’s ability to deliver the Project. The Evaluation Committee will evaluate Proposals. To assist with Project Evaluation the Committee may seek a consultant (or multiple consultants) to assist in evaluating project cost proposals, evaluating risk associated with project development, assisting with contract negotiations or other support the Committee in other services as appropriate to thoroughly evaluate Proposals.

3.4 Question and Answers

All questions concerning this RFP must be submitted in writing via email to the Committee Contact at s.golieb@millinocket.org as described in the Schedule (Section 2.2). The Committee will post written responses to the submitted questions as described in the Schedule (Section 2.2). Oral responses by any Town employee or member of the Committee are not binding and shall not in any way be considered as a commitment by the Town.

3.5 Addenda to RFP

If the Town or Committee deems it necessary to revise any part of this RFP before the proposal response date, the Committee will post changes on the Town’s website. Proposers should check back frequently for new and updated information.

3.6 Communications and Prohibited Contacts

All communications with the Project Contact regarding this RFP or any other aspect of the procurement process shall be in writing. All communication shall be exclusively directed to the Project Contact, unless otherwise directed in writing by such Project Contact. Other than with the written consent of the Project Contact, any person that is employed by or is otherwise associated or affiliated with a Proposer, or any of their affiliated companies, is prohibited from contacting any employee or official of the Town, Committee, or any attorney or consultant of the Town, on any matter having to do with this procurement, unless explicitly authorized by the Town in writing. Failure to comply may result in automatic disqualification.

No oral communication or statement by the Project Contact or other representative of the Committee or Town may in any way modify this RFP or any other aspect of the procurement process. This includes communications and statements that may be made over the telephone or during pre-submittal conferences, interviews, or other meetings attended by the Committee. This RFP or other aspect of the procurement process may be modified only through the issuance by the Committee of a written addendum. All communications and clarifications asked regarding this RFP may be shared by the Committee with all firms qualified to receive this RFP.

3.7 Miscellaneous

Additional conditions that apply to this RFP as well as to the balance of the procurement process include the following:

3.7.1 Public Disclosure and Confidential Information

All Responses, Proposals and other information submitted in response to this RFP are subject to the public disclosure requirements of applicable law, including the Maine Freedom of Access Act. To the extent permitted by applicable law, the Committee will use its best efforts to keep from public access the specific information that is identified by the Proposer as confidential. If a Proposer claims an exception to public disclosure requirements and desires that the Committee keep certain information from public disclosure, then the Proposal must include a notice as the front page in each volume as follows:

“Confidential Information Notice The information on pages _____ of this Proposal, identified by a bold vertical line along the right hand margin, contains information that is excluded from public disclosure under applicable law. Proposer requests that such marked information be utilized by the Committee only for evaluation of this Proposal, but Proposer understands that the Committee is bound by applicable law and that such information may be disclosed in accordance with such law. The legal basis for the claim for protection of the marked information from public disclosure is set forth as follows: [Proposer to provide basis]” Notwithstanding any such notice, however, the Committee may disclose such marked information to individuals participating in the review or evaluation of Proposals, 11 including members of the Evaluation Committee, other Committee or Town employees, and advisors, attorneys, and consultants.

3.7.2 Costs

Any and all costs incurred by any Proposer, or other party in connection with this RFP or other aspect of the procurement process shall be at such party's expense and risk. Committee and Town accepts no liability and will not be responsible under any circumstance for any cost or expense incurred to respond to this RFP or otherwise participate in the procurement process.

3.7.3 Committee Rights

The Committee reserves the right to modify this selection process, which may be exercised in its sole discretion at any time during the procurement process:

- (a) to cancel this RFP or the procurement process, with or without the substitution of another pre-qualification or procurement process;
- (b) to waive any informality, defect, non-responsiveness, or deviation in a Proposal, or other submission, that is not material;
- (c) to require one or more Proposers to supplement or clarify its Proposal or to provide additional information after the submission of Proposals;
- (d) to take any action affecting the RFP, or the procurement process that would be in the best interests of the Town;
- (e) to conduct investigations and make inquiries concerning any aspect of any Proposal; (f) to reject any or all Proposals;
- (g) to advance multiple proposals toward a Contract;
- (h) to reject a Proposer or firm that has been delinquent or unfaithful in the performance of any contract with or obligation to the Committee, or Town is financially or technically incapable, or is otherwise not responsible;
- (i) to supplement or amend this RFP; and/or
- (j) to make judgments about the contents of any Proposal with respect to the requirements and criteria set forth in this RFP.

Section 4- SUBMITTAL REQUIREMENTS

4.1 General Instructions

An electronic copy of the complete Proposal must be submitted no later than the date and time set forth in Section 2.2. Any Proposal received after the Submission Deadline will not be considered.

4.2 Submission Deadline

Proposals must be received no later than 5:00 P.M. on March 1st, 2021. Proposals should be electronically emailed to s.golieb@millinocket.org and be no larger than 10MB to ensure delivery.

In addition to the official electronic delivery of the Proposal, the Committee requests that the Proposers provide two (2) double sided and bound copies of the Proposal within one week of the submission deadline. These hard copies should be mailed to:

Town Manager
ATTN: Sustainability Subcommittee
197 Penobscot Ave
Millinocket, Maine 04462

4.3 Required Content

4.3.1 Substantive Content of Proposals

Proposers are encouraged to be concise and to respond as directly as possible to the requirements set forth in this RFP.

The requirements set forth in this Section represent the minimum content required and, unless expressly stated otherwise, are not intended to limit substantive content. It is the Proposer's responsibility to include information in the Proposal that meets the minimum content requirements and any additional information that further demonstrates relevant experience and capabilities. The proposal should address each goal and describe how the project(s) will assist the Committee to achieve the goals, or provide a viable alternative.

Proposers must include:

(a) Cover Letter The cover letter shall be signed by an authorized representative of the company(s). The letter shall indicate that the Proposal shall be valid for a period of at least 180 days. The letter shall also include a brief narrative description of the company and its service offerings. It shall also identify the contact person for contractual negotiations, administration, and for arranging any future communication.

(b) Introduction and Executive Summary Summarize the major factors or features of the Proposal, including any conclusions, assumptions, and generalized recommendations the Proposer desires to make. It should be designed specifically for use by individuals that may not have a technical background. It should provide an overview of the energy source(s), pricing proposal, the project timeline, and include a summary of the firm's experience with similar projects, and have a maximum length of four (4) pages.

(c) Technical Submittal Provide a set of information in accordance with the bullet points below and Attachment A, the Project Term Sheet.

- 1.0 Supply Description and Timeline
 - 1.A Provide a high level overview of the supply, and if applicable the Plant, in which the following must be included:
 - - Plant (project) name.

- - Nameplate capacity (in MW) of entire Plant. If the Plant has phases, provide the capacity of the phase you propose for the COP.
 - - Brief description of the technology to be used (e.g., “2 MW wind turbines manufactured by XX” or “ground-mounted single-axis tracking PV manufactured by YY”).
 - 1.B Provide location of the Supplier and/or Plant. The Plant must be in the ISO New England territory with a strong preference for a supplier and/or Plant located as close to Millinocket as possible. The Committee will consider Plants that are currently operating. In addition, provide the following:
 - - Longitude and latitude of the Plant site, and the name of the nearest city or town.
 - 1.C Development status of the Plant - If applicable, a narrative description of the status of the Plant’s development, including an anticipated schedule of any major agreements, studies, or permits (including land use permits and interconnection) needed or already in place. Include a description of Proposer’s control of the Plant’s site (own vs. lease). If the site is leased, describe the remaining term of the lease(s) and any material conditions related to the lease(s). The Proposer should clarify their intent for ownership of the Plant and state any intentions to sell the Plant following construction or thereafter for the lifetime of the agreement.
 - 1.D Schedule and Commercial Date - Provide a summary schedule for the Supplier and/or Plant and Contract signing. Any Contract will require Town Council approval and the Supplier/Plant must provide a commercial operation date (or start of electricity delivery if the project is already in operation) as described in Section 2.2. Provide an expected commercial operation date, with an outline of potential delays and risks attributable to permitting, interconnection, inspections, or other requirements. If applicable, proposers should provide plans for how Federal Investment Tax Credit deadlines impact Committee, pricing and project development.
 - 1.E Renewable attributes - Provide a summary of renewable energy attributes attributable to the Energy/Plant. The Committee must obtain detailed information of the source of energy associated with the Committees purchase of Energy from the Supplier/Plant.
 - 1.F Expected Output - Provide a summary electricity generation profile of the Plant in both data and graphs. The Plant must have sufficient capacity to supply the Town roughly 800,000 - 950,000 kWh of Energy annually. The Proposal must specify expected output. The Proposer may provide options for a Supply/Plant and Contract with a guaranteed minimum output. In addition, provide the following, if applicable:
 - - Expected annual generation (in MWh) for the first full year of operation.
 - - Expected generation profile for the Plant
- 2.0 Organization Chart and Project Team Members
 - Submit an organizational chart that clearly identifies the roles and relationships of all key team members.

- 2.A Organization Chart - Submit an organizational chart that clearly identifies the roles and relationships of all key team members and current planned subcontractors. Demonstrate, with narrative and references that team has satisfactorily completed similar supply/Plants in the past. Notify the Committee and explain claims of any kind which may be pending against such work.
 - 2.B Team Member Qualifications - Describe the relevant experience, qualifications and educational background of up to ten (10) individual team members assigned to this project. Demonstrate, with narrative and references that team members and personnel have satisfactorily performed similar work in the past.
 - 2.C Project Work Plan and Milestones - Describe your proposed management plan for building the Plant (if applicable).
 - 2.D Safety Report - If applicable, submit a record of your firm's relevant experience related to safety during construction and operations.
 - 2.E Annual Report - Submit a copy of your firm's most recent annual report
 - 2.F Project History And Client References - Provide at least 3 (three) and no more than 5 (five) client references. Each client reference shall include the following information: Name and Location, Types of Agreement; Size, Output and Capacity Factor, Total Project Dollar Amount (installed project costs or PPA terms), Construction Start and End Dates (if applicable), Personnel associated with this project and their specific roles and responsibilities. (limit to those proposed for this project) Current name, title, telephone and email addresses of an representative with whom your firm did business on the project
 - 2.G Subcontractor Qualifications - If applicable, provide background information for each of the identified subcontractors who will be involved on this project during construction or operation.
- 3.0 Contract and Term Sheet
 - 3.A Transaction characteristics - The Committee desires that its procurement of Energy have the characteristics outlined previously in this RFP. The Proposal must explicitly state that Proposer understand and agree to the characteristics described in this section and provide additional Plant details where requested in the Term Sheet.
- 4.0 Financial and Business Experience Summary
 - 4.A Description of Proposer - Provide Proposer's corporate name and address as well as the name, title, email address, and phone number for the primary point of contact for the Proposal.
 - 4.B Description of Financial Terms - Please provide the following: - Proposed Pricing (including an escalator, if any) and options - Proposed Settlement location (if applicable) - Proposed Contract duration - Congestion study illustrating potential for basis risk under various scenarios performed by a reputable consultant satisfactory to Committee. Fully functional financial model

- 4.C Descriptions of Proposer's financial strength and capabilities - Provide a narrative description of the sources of financing for the Energy and/or development of the Plant, and identification of the entity that will be the Energy/Plant's controlling owner. Additionally, provide the following: - The total number of similar Energy projects placed in service or offered by Proposer, including the capacity, location, and type. - Proposer's financial capacity to secure equity for the project and manage all elements of the project development (including construction, if applicable). - Provide Proposer's credit rating from each rating agency if available.
- 4.D Disclosure of Conflicts, Claims or other Matters - Disclose any work for another entity which may impair the ability to perform the scope and responsibilities under this RFP. Disclose any outstanding claims or other matters which may impair the ability to perform, whether financial or otherwise.
- 5.0 Alternative Proposals - Proposers may provide alternative solutions to reach the project goals as outlined in Section 2.2 including options that reach commercial operation at a later date or that provide Energy to the Town through other means. Any alternative proposal must include a full description of the solution (as outlined in the technical solution section above) to be considered by the Committee.

(d) Form of Contract and Requested Exceptions to Contract Terms - A completed Contract may need to meet the Town's policies and standards and obtain approval from the Town Council, in coordination with the Town's legal counsel. Requested exceptions to the Town's policies and standards will be approved only when the Town determines in its sole discretion that a Requested Exception makes business sense, does not pose unacceptable risk to the Town, and is in the best interest of the Town. By submitting its proposal, the Proposer agrees to accept all Contract Terms to which it does not expressly seek a Requested Exception in its proposal.

4.4 Selection Criteria

Selection will be based on the following criteria, reviewed in an evaluation process conducted by the Committee. These criteria are listed in no particular order.

- (a) Strength of the technical submittal of the Proposal
- (b) Strength of the financial offer in the Proposal
- (c) Financial strength of Proposer
- (d) Prior experience with projects and demonstration of completed similar projects
- (e) Industry position, longevity, and recognition
- (d) Proposal's ability to meet the Project Objectives as outlined in section 2.2
- (e) Customer references
- (f) Overall project team credentials and staffing
- (g) Best value based on review of cost proposal for proposed solution and strengths, weaknesses, opportunities, and threats
- (h) Local/regional presence