



October 17, 2023


BRRFP23-1 Step One Proposers' Webinar

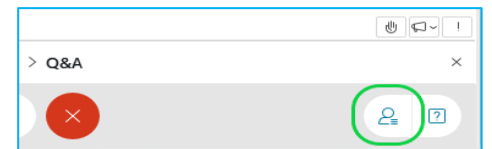


NYSERDA

Participation for Members of the Public

- > Members of the public are muted upon entry.
- > Questions and comments may be submitted in writing through the Q&A feature at any time during the event.
- > Questions will be recorded, if not answered during the webinar responses will be posted to the webpage below.
- > Chat is disabled.
- > Today's materials will be posted to NYSERDA's website: www.nyserda.ny.gov/Build-Ready-RFP
- > If technical problems arise, please contact Sal.Graven@nyserda.ny.gov

You'll see  as your microphone is muted.



Agenda

Today's Presenters:

- Georges Sassine, Vice President, Large-Scale Renewables
- Gillian Black, Build-Ready Program Director
- Emily Chessin, Build-Ready Program Manager
- Bram Peterson, Large-Scale Renewables Program Manager
- Nathaniel Chumley, Associate Counsel

Agenda:

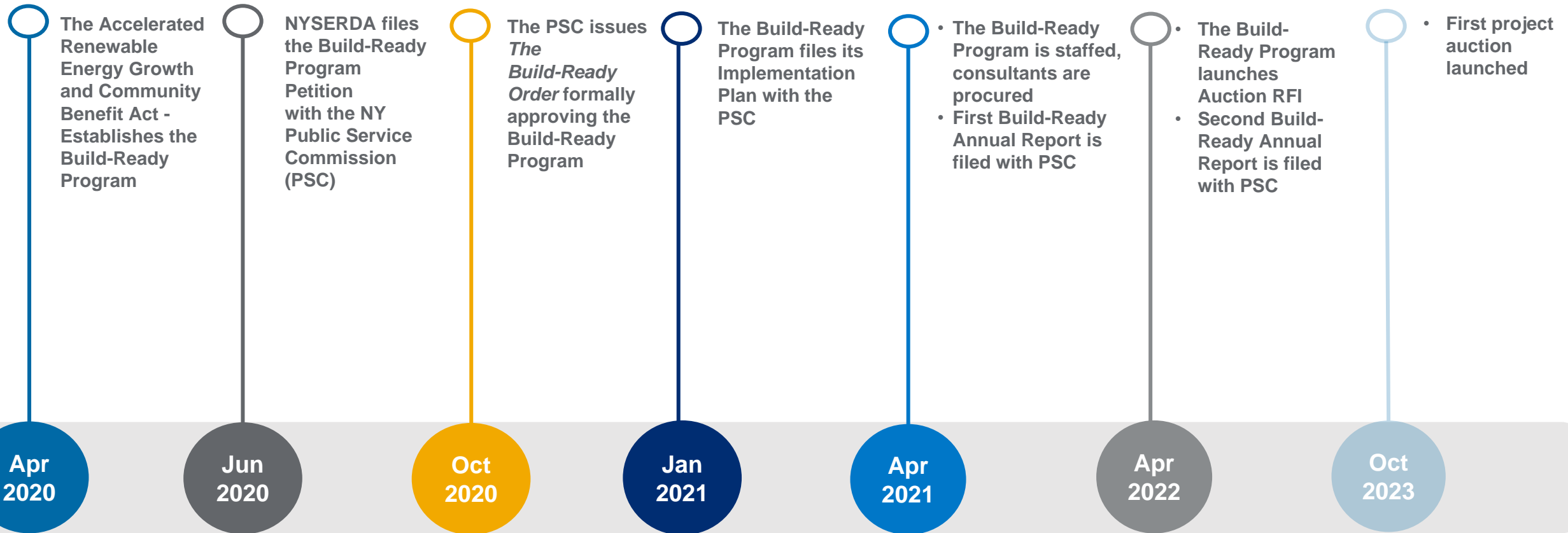
- Welcome
- Build-Ready Program Background
- Benson Mines Project Information
- RFP Summary, Step One Eligibility Application & Submission Overview, Next Steps/Key Dates
- Step Two Overview & Next Steps/Key Dates

Vice President's Remarks

Build-Ready Program Background

Build-Ready Program Milestones

Delivering Community Benefits by Turning Difficult Sites into "Build-Ready" Renewable Energy Projects to be Competitively Auctioned and Transferred to the Private Sector for Final Development, Construction, & Operation



Purpose of Build-Ready Auction

1. To competitively select an Awardee to transfer the membership interests in the project company that holds the assets (which consist of certain development rights) of the BR Facility via a Membership Interest Purchase Agreement (MIPA)
2. To competitively procure Tier 1 RECs from the Awardee and enter into a 20-year agreement to purchase Tier 1 RECs generated by the BR Facility.

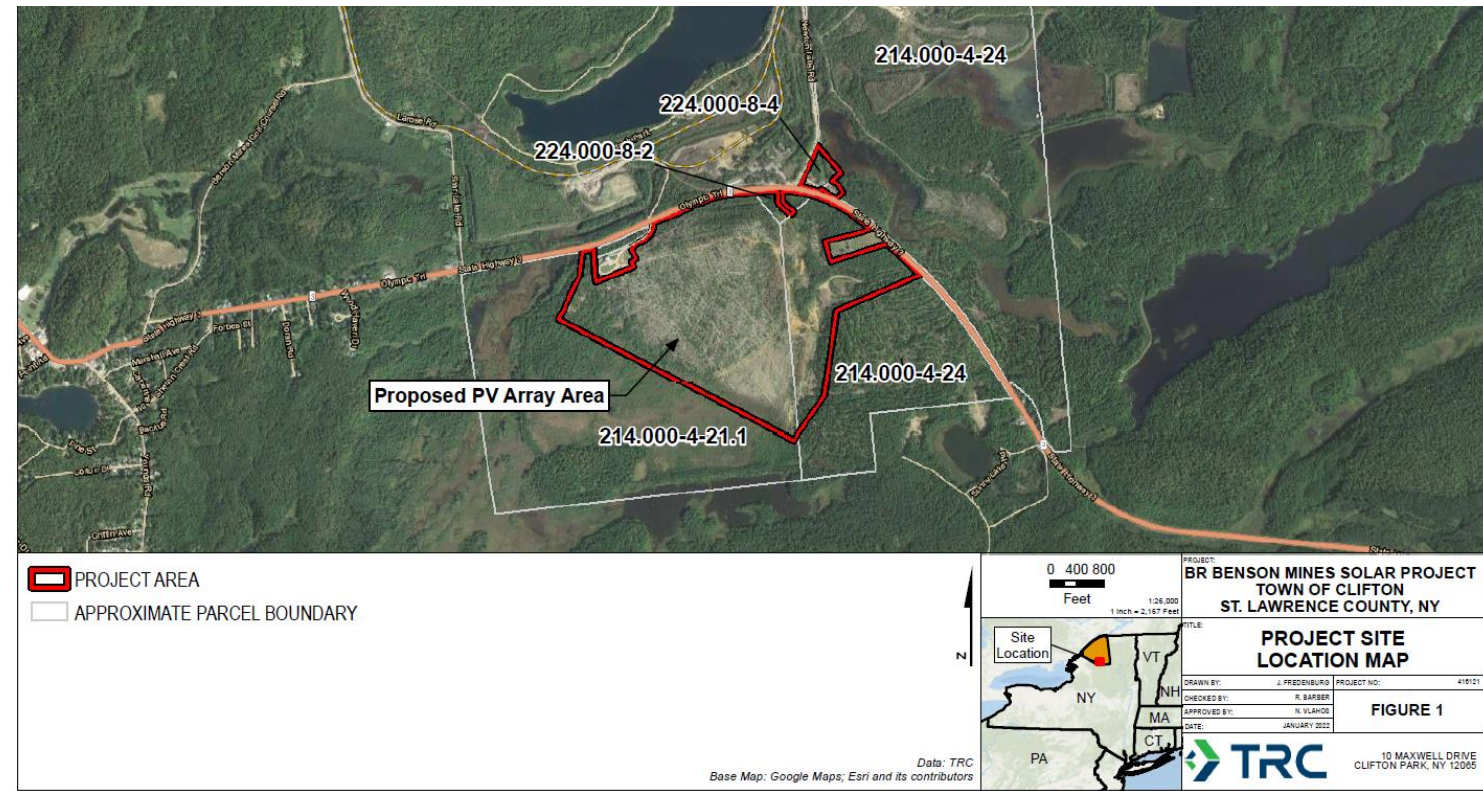
Build-Ready RFP/Auction Overview

1. **Preparing a Project for Auction – Request for Information (RFI):** Share project(s) information and gather feedback
2. **Competitive Auction – Request for Proposals (RFP):** Seeking Proposers to provide the full suite of services to complete remaining development steps, design, secure financing for, construct, and own and operate the BR Facility. Teaming or joint-venturing is permitted to provide the full suite of services. Two-step process:
 - i. **Step One Eligibility Application:** Prospective proposers must provide evidence they meet minimum eligibility qualifications
 - ii. **Step Two Bid Proposal:** A competitive Bid Proposal, including a Bid Price, that NYSERDA will examine and evaluate based on non-price and price factors
3. **Award, Contracting & Project Transfer**
4. **Post-Transfer Project Monitoring and Reporting**

Benson Mines Project (BR Facility) Information

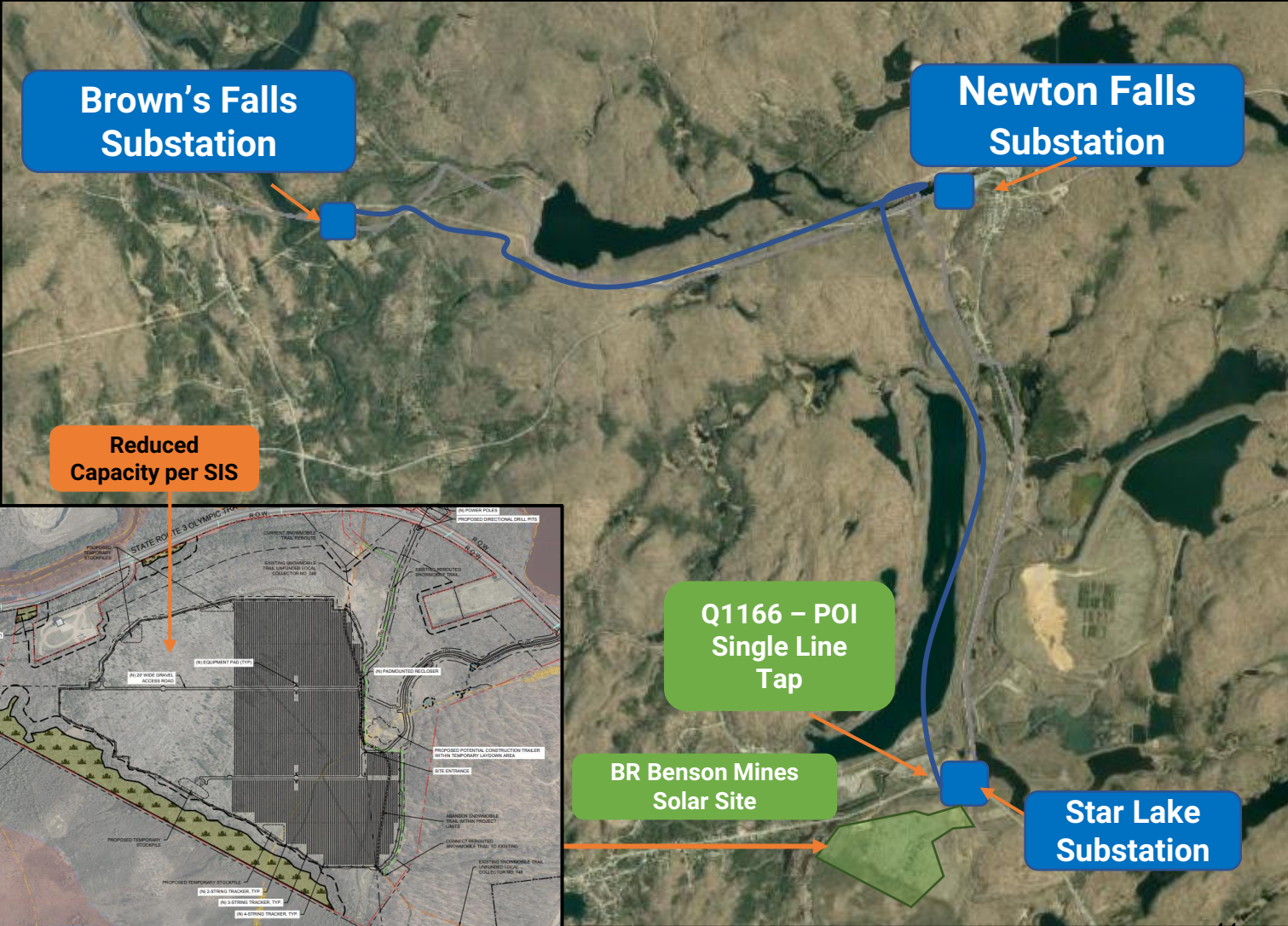
BR Facility Information: BR Benson Mines Solar PV Project

- **Technology:** Solar PV
- **Project Size:** 12 MW AC
- **Location:** Benson Mines Inc., Town of Clifton, St. Lawrence County
- **Build-Ready Site Type:** Tailings pile of former mine
- **Project Corporate Organization:** BR Project 1 LLC
- **Real Property:** Lease Option Agreement w/ Benson Mines Inc. Awardee to finalize lease premises.
- **Wetland and Waterbody Resources:** Wetland and waterbody delineation surveys and jurisdictional determinations completed.
- **Permitting:** APA Solar Generation Facility Permit for 20 MWac solar PV facility, but being auctioned at 12 MWac; local site plan approval from Town of Clifton Site Plan Review and Board and St. Lawrence County Planning Board.



BR Facility Information: BR Benson Mines Solar PV Project Continued

- **Interconnection Status:** Q#1166, interconnecting to the Brown's Falls to Newton Falls #22 34.5kV sub-transmission line, in National Grid's service territory.
 - *SIS finalized July 2023.* SIS identified non-local upgrades requiring the BR Facility to enter Class Year process. Completed NYISO's modification process and adjusted project size to 12 MWac - will only require local upgrades.
 - *Entering NYISO Facilities Study.*
 - Awardee flexibility to *increase project size up to 20 MWac.*
- **Payment-in-lieu of Taxes (PILOT):** 20 Year PILOT Agreement with St. Lawrence County IDA (SLCIDA). Approved by SLCIDA Board, SLCIDA in discussion with applicable taxing jurisdictions.
- **Host Community Engagement:** Clifton-Fine Solar Community Improvement Fund managed and administer by SLCIDA – initial allocation of \$200,000 paid by Awardee to SLCIDA



BR Facility Completed and Remaining Development Milestones

Milestone	Completed	Remaining	Responsibility
Project Corporate Organization	<ul style="list-style-type: none"> BR Project 1 LLC formed January 2022 	<ul style="list-style-type: none"> Transfer of remaining assets from NYSERDA to BR Project 1 LLC 	<ul style="list-style-type: none"> NYSERDA
		<ul style="list-style-type: none"> Entity Classification Election under IRS Form 8832 for the Project Company 	<ul style="list-style-type: none"> Awardee
Real Property	<ul style="list-style-type: none"> Lease Option Agreement with Benson Mines Inc. Title Commitment 	<ul style="list-style-type: none"> Exercise Option and begin Lease 	<ul style="list-style-type: none"> Awardee
Site Mapping	<ul style="list-style-type: none"> Project Study Map 12 MW Site Layout Map APA Subdivision Map Alta Survey Study Area 	<ul style="list-style-type: none"> Finalize Alta survey 	<ul style="list-style-type: none"> Awardee
Design	<ul style="list-style-type: none"> Geotechnical Investigation Reports Phase 1 ESA Wetland Delineation Decommissioning Plan Energy Production Estimate Report (PVSyst) & P50 Energy Estimate IFP Set and Drawings IFP CAD Stormwater Pollution Prevention Plan (SWPP), HydroCAD File 	<ul style="list-style-type: none"> Finalized design to meet Bid Proposal submission 	<ul style="list-style-type: none"> Awardee

BR Facility Completed and Remaining Development Milestones

Milestone	Completed	Remaining	Responsibility
Permitting	<ul style="list-style-type: none"> • Federal determinations: USFWS, USACE, FAA • State: APA permit, NYSDEC, NYSNHP, NYSOPRHP, NYSDOT Permit 32 & 33 (In Progress) • Local: Town of Clifton Site Plan, St. Lawrence County 	<ul style="list-style-type: none"> • State: SPEDS General Permit for Stormwater Discharges from Construction, • NYSDOT - Permit 23 and 33 • Local: Town of Clifton Building Permit 	<ul style="list-style-type: none"> • Awardee
Interconnection	<ul style="list-style-type: none"> • SIS (Completed) • Facilities Study (In Progress) 	<ul style="list-style-type: none"> • Expedited Deliverability Study • Interconnection Agreement 	<ul style="list-style-type: none"> • NYSERDA • Awardee
PILOT	<ul style="list-style-type: none"> • PILOT approval by SLCIDA 	<ul style="list-style-type: none"> • Taxing jurisdictions agreement to terms • PILOT Agreement execution 	<ul style="list-style-type: none"> • NYSERDA • Awardee
Host Community Benefit	<ul style="list-style-type: none"> • Clifton-Fine Solar Community Improvement Fund 	<ul style="list-style-type: none"> • \$200,000 payment to capitalize fund 	<ul style="list-style-type: none"> • Awardee

Solicitation Summary and Schedule

BRRFP23-1 Schedule

Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul
RFP Issued Oct. 2	Step One Eligibility Application Open Applications Due Dec. 7	NoQ Issued Jan. 11 '24	Step Two Bid Proposal Open Bids Due Mar. 14 '24		Bid Evaluation & Specialist Review Mar. – May '24			Award & Contract Execution Q2-Q3 '24	

BRRFP23-1 Multi-Step Process

Step One Eligibility Application	Step Two Bid Proposal
<p>Deadline: Thurs., December 7, 2023 by 3:00 p.m.</p>	<p>Deadline: Thurs., March 14, 2024 by 3:00 p.m.</p>
<p>Requirements for Submission:</p> <ul style="list-style-type: none"> • Step One Eligibility Application Form (Appendix 1) • Step One Application Narrative <ul style="list-style-type: none"> • Project Team Description and Structure • Key Personnel and Other Personnel • Previous Project Experience and References • Financial Qualifications • Step One Proposer Certification Form (Appendix 2) • Non-Disclosure Agreement (Appendix 3) • Executive Order No. 16 certification form • Executive Order No. 192 certification form • Consult the Step One Eligibility Application Checklist (Appendix 4) • Mark-up of Agreements (Optional) 	<p>Requirements for Submission:</p> <ul style="list-style-type: none"> • Step Two Bid Proposal Form (Appendix 5) • Updates to Proposer Qualifications (if applicable) • Step Two Bid Proposal Narrative: <ul style="list-style-type: none"> • Project Execution Plan <ul style="list-style-type: none"> • Preliminary EPC Plan • Energy Production Estimate and Bid Quantity • Project Schedule • Project Budget and Cost Assumptions • Financing Plan • Labor Plan • Community Engagement Plan • Operations and Maintenance Plan • Decommissioning Plan • New or Additional Incremental Economic Benefits • Project Bid Fee • Bid Price • Step Two Proposer Certification Form • Mark-up of Agreements (Optional)

Step One Requirements

Project Team Description and Structure

- > Step One Application Narrative
 - Narrative description of the Project Team, including the Proposer and any subcontractors. Joint ventures (JV) or teaming arrangements with subcontractors is permitted – draft teaming agreement or similar is required.
 - Organizational Chart that shows relationship among Project Team (and teaming arrangement, if applicable) entities that would design, secure financing for, construct, own and operate the BR Facility
- > Step One Eligibility Application Form (Appendix 1) Part I – Project Team worksheet

Minimum Eligibility Qualification: Proposer must provide the requested information in the Step One Eligibility Application Form and in the accompanying narrative. The Project Team must include entities that will:

- i. Design and engineer;
- ii. Secure financing for;
- iii. Procure major equipment (e.g., main power transformers, PV modules, inverters, racking);
- iv. Construct;
- v. Own and operate the BR Facility;

As evidenced by the Step One Narrative (including Organizational Chart), Step One Eligibility Application Form and draft copy of proposed teaming agreement, joint venture agreement, or similar arrangement.

Step One Eligibility Applications that do not include all five roles will be deemed ineligible.

User Guide

Step One Application Form Snapshot

Step One Eligibility Application Form

NYSERDA RFP No. BRRFP23-1

User Guide

This Excel template is protected except for the data entry cells, which are shaded in light green. Directions appear in popup boxes when the cursor is on certain data entry cells. The template performs some validation checks. Required data entries are indicated by red font in a column to the right of the data entry cells.

Project Team Description and Structure

Step One Application Form Snapshot

Step One Eligibility Application Form
NYSERDA RFP No. BRRFP23-1
Part I - Project Team Information

Proposer Name

Address

Website

BR Facility Role(s)

Design Secure Financing For Construct Own and Operate

Authorized Representative

Name

Title

Telephone No.

Email

Other Project Team Entities (if applicable)

Name of Firm

Key Contact (name, email, phone)

Address

Website

BR Facility Role(s)

Design Secure Financing For Construct Own and Operate

Key Personnel (Required) and Other Personnel (Optional)

- > Step One Application Narrative
 - Identify Project Manager, Design and Engineering Team Lead and Construction Team Lead
 - Resumes and qualifications
 - Management Chart that illustrates relationships among personnel
 - Documentation of New York State licenses
- > Step One Eligibility Form Part II – Key & Other Personnel worksheet

Minimum Eligibility Qualification: Each of the designated Key Personnel (Project Manager, Design Team Lead and Construction Team Lead) **must have at least two years of experience developing 2 MWac or larger solar PV projects during the last five years**, as evidenced by the Step One Eligibility Application Form.

Design Team Lead must be a licensed Professional Engineer and must either be (i.) licensed in the State of New York or (ii) eligible for licensure in the State of New York within twelve months of the Bid Proposal due date.

Key Personnel and Other Personnel

Step One Application Form Snapshot

Step One Eligibility Application Form

NYSERDA RFP No. BRRFP23-1

Part II - Key Personnel

Proposer _____

Project Manager

Name	
Employer	
Licensed Professional Engineer	
License Number and State	
Education	
Total years of Project Manager experience	
Total years of experience in solar PV within the last 5 years	

Project Manager Project Experience

Project Name	Location				Nameplate Capacity (MWac)	Project Role
	City/Town	County	State/Province	Country		

Previous Project Experience and References

> Step One Eligibility Form Part III – Project Experience worksheet

Minimum Eligibility Qualification: Proposers must demonstrate that the Project Team has experience in designing, securing financing for, constructing, and operating at least one solar PV projects of at least 2 MWac.

Previous Project Experience and References

Step One Application Form Snapshot

Step One Eligibility Application Form
 NYSERDA RFP No. BRRFP23-1
 Part III - Project Experience and References

Proposer _____

Entry ID	Project Name	Location				Land Use Characteristics Prior to Development	Nameplate Capacity (MWac)	Nameplate Capacity (MWdc)
		City/Town	County	State/Province	Country			
1								
2								
3								
4								

Financial Qualifications

> Step One Application Narrative

- Letter from commercial bank or other financial institution confirming that it is prepared to issue a letter of credit for contract security of \$1,500,000
- Letter from commercial bank or other financial institution confirming that it is prepared to issue a performance bond or other guarantee of \$30,000,000
- Audited and unaudited financial statements
- Credit ratings (if available)

Minimum Eligibility Qualification: Proposers must provide the required letters from a commercial bank or other financial institution demonstrating the ability to be issued a letter of credit in the full required amount of contract security and for the full required amount of the performance bond.

Proposers must provide the required information regarding financial statements and for rated debt, or state that the Proposer is unrated.

Additional Requirements & Optional Submission

> Required

- [Step One Proposer Certification Form \(Appendix 2\)](#)
 - Accredited Investor Certification
 - SEIA's Forced Labor Prevention Certification
 - MyNYISO Certification for Project Team Members
 - Conflicts of Interest Certification
 - Anti-Collusion Certification
 - State Finance Law Sections 139-j & 139-k Adherence
 - No Defaults Certification
- [Non-Disclosure Agreement \(Appendix 3\)](#) – required to access BR Facility data room
- [Executive Order No. 16 certification](#)
- [Executive Order No. 192 certification](#)

> Optional

- Mark-up of Agreements – no later than Step Two Bid Proposal Due Date

Step One Evaluation

Eligibility Evaluation

- > Completeness check that all required information has been provided
 - Proposers will have a brief, one-time opportunity to cure identified deficiencies
- > Review Minimum Eligibility Qualifications on a pass/fail basis
- > Notice of Qualification issued to Proposers that meet all Minimum Eligibility Qualifications by January 11, 2024.
 - Access to BR Facility data room
 - Access to Step Two Bid Proposal submission process
- > Proposers that do not meet all Minimum Eligibility Qualifications will be informed of ineligibility and have the right to request a debrief.
- > Step Two Proposers' Webinar, accessible only to eligible proposers, tentatively scheduled for January 23, 2024.

Step One Eligibility Application

Submission Overview

Step One: Creating a NYSERDA Portal Account

Application Submission

- [Apply Online](#)
- [Application Instructions and Portal Training Guide \[PDF\]](#)

Use this page to apply for the following funding opportunity: **Buld-Ready Project Auction Request for Proposals**. If this is not the opportunity you are applying for then please visit our [Current Funding Opportunities](#) page and select the appropriate funding opportunity.

Returning Users: The Username for the proposal submission system is your email address followed by “.nyserda”. For example, jsmith@abc.com.nyserda . You must include the “.nyserda” or you will not be able to login to the system.

Login to NYSERDA Portal

Username

Password

LOGIN

Not registered? [Create an account](#)

[Forgot Password?](#)

- > Only one NYSERDA Portal account may be used to complete a Step One (and Step Two) application.
- > For parties that have used the NYSERDA Portal in the past for other programs, the same login information can be used for this application.

Step One: Starting an Application

Build-Ready Project Auction Request for Proposals

Our records indicate that you have one or more existing records that for this solicitation. Before you proceed, please indicate whether you would like to make changes to an existing record or create a new submission.

Concept Paper - Would you like to make changes to an existing record?

Action	Primary Contact	Proposal Title	Round	Proposal Budget	Status	Next Step
Edit	<i>*Proposer information will populate here*</i>				Unsubmitted	

OR

[CREATE A NEW SUBMISSION](#)

- > Upon sign in, started applications will be visible with identifying information displayed.
- > Please use the “Create a New Submission” button if an application needs to be restarted.
- > One an application is submitted, Proposers can sign into the Portal to confirm the Status has been updated to “Submitted”.

Step One: Adding Proposer Contact Information

Build-Ready Project Auction Request for Proposals



Proposer Contact Information (Step 1 of 5)

Add a contact for each person involved in the proposed project and identify their role. At a minimum, you must have a Primary Contact and an Authorized Signatory identified. Click "ADD A CONTACT" to enter each person's information.

[+ ADD A CONTACT](#)

Action	Name	Email	Phone	Organization Name	Primary
Edit Clone	<i>*Contact information will populate here*</i>				Yes

PREVIOUS

CONTINUE

> Please ensure the Primary Contact and Authorized Representative are both listed in this section and the Step One Application Form (Appendix 2).

Step One: Adding Proposer Contact Information

Build-Ready Project Auction Request for Proposals

Concept Paper Information (Step 2 of 5)



Proposed Information

Concept Paper Title *

Proposed Concept Paper Category *

Proposer Company Information *

Concept Paper Description *

"[Proposer Name] Benson Mines Solar Application"

One to two sentence summaries of the Proposer (Company) and any key partners and/or joint venture/teaming arrangements associated with the application.

PREVIOUS

Step One: Uploading Documents

Build-Ready Project Auction Request for Proposals



Concept Paper Documents (Step 3 of 5)

The following documents listed below under the 'Required' and 'Optional' section must be uploaded as outlined within this [solicitation](#).
Please note: You can only upload one attachment per submission field, unless otherwise noted. If there are multiple parts to your Concept Paper or Proposal, the files must be combined and uploaded as one file.

If you are required to attach an Executive Order 16 Application Form, [click here](#) to download a copy to fill out.

Required Documents

Document Name	Recent Uploaded Document	Upload History	Status	Add / Update Document ?
Appendix 1. Step One Eligibility Application Form				<input type="button" value="Choose File"/> No file chosen
Appendix 2. Step One Proposer Certification Form				<input type="button" value="Choose File"/> No file chosen
Appendix 3. Non-Disclosure Agreement(s)				<input type="button" value="Choose File"/> No file chosen
Step One Eligibility Application Form Narrative				<input type="button" value="Choose File"/> No file chosen
Executive Order No. 16 Certification				<input type="button" value="Choose File"/> No file chosen
Executive Order No. 192 Certification				<input type="button" value="Choose File"/> No file chosen

Optional Documents

Document Name	Add / Update Document ?	Recent Uploaded Document	Upload History	Status
Redline of contract draft(s) and agreements (NOTE: Please upload any file if not providing redlines to proceed to the next step.)	<input type="button" value="Choose File"/>			No file chosen

PREVIOUS

SAVE

CONTINUE

Step One Narrative will be the primary document submitted with the Step One Application, and should include all requested items to demonstrate eligibility, including the description of the Project Team, Key Personnel, and requested Financial Qualification documents.

Step One: Authorized Signature and Certification

Build-Ready Project Auction Request for Proposals



Authorized Signature and Certification (Step 4 of 5)

IMPORTANT! Review the details of your submission below. Check the attestation box, then press continue to move the final page where you will press submit. Failure to complete all steps of process, prior to 3:00 p.m. ET on the due date, means your submission will not be received or reviewed.

- The undersigned: (1) recognizes that this questionnaire is submitted for the express purpose of assisting NYSERDA in making responsibility determinations regarding award or approval of a contract or subcontract and that NYSERDA will rely on information disclosed in the questionnaire in making responsibility determinations; (2) acknowledges that NYSERDA, in its discretion, by means which it may choose, may verify the truth and accuracy of all statements made herein; and (3) acknowledges that intentional submission of false or misleading information may result in criminal penalties under State and/or Federal Law, as well as a finding of non-responsibility, contract suspension or contract termination.

The undersigned certifies that they:

- are knowledgeable about the Proposing Entity's business and operations;
- have read and understand all of the questions contained in the questionnaire;
- have not altered the content of the questionnaire in any manner;
- have reviewed and/or supplied full and complete responses to each question;
- to the best of their knowledge, information and belief, confirms that the Proposing Entity's responses are true, accurate and complete, including all attachments, if applicable;
- understand that NYSERDA will rely on the information disclosed in the questionnaire when entering into a contract with the Proposing Entity; and
- is under an obligation to update the information provided herein to include any material changes to the Proposing Entity's responses at the time of bid/proposal submission through the contract award notification, and may be required to update the information at NYSERDA's request prior to the award and/or approval of a contract, or during the term of the contract.

> Please take screenshots of this summary page for your records if seeking to keep track of what information and documents were submitted with the Step One Eligibility Application.

PREVIOUS

PRINT

CONTINUE

Next Steps and Key Dates

Step One Key Dates

Date	Event
October 2, 2023	Solicitation Launch and Step One Eligibility Application opened
October 17, 2023	Step One Proposer's Webinar
October 23, 2023	Responses to Step One Webinar questions posted
October 27, 2023	Deadline for submission of Step One questions
November 9, 2023	Responses to written questions posted
November 20, 2023	RFP Addendum Deadline (if issued)
December 7, 2023	Deadline – Step One Eligibility Application
January 11, 2024	NYSERDA responds with Notice of Qualification Determinations

Step Two Requirements

BRRFP23-1 Multi-Step Process

Step One Eligibility Application	Step Two Bid Proposal
<p>Deadline: Thurs., December 7, 2023 by 3:00 p.m.</p>	<p>Deadline: Thurs., March 14, 2024 by 3:00 p.m.</p>
<p>Requirements for Submission:</p> <ul style="list-style-type: none"> • Step One Eligibility Application Form (Appendix 1) • Step One Application Narrative <ul style="list-style-type: none"> • Project Team Description and Structure • Key Personnel and Other Personnel • Previous Project Experience and References • Financial Qualifications • Step One Proposer Certification Form (Appendix 2) • Non-Disclosure Agreement (Appendix 3) • Executive Order No. 16 certification form • Executive Order No. 192 certification form • Consult the Step One Eligibility Application Checklist (Appendix 4) • Mark-up of Agreements (Optional) 	<p>Requirements for Submission:</p> <ul style="list-style-type: none"> • Step Two Bid Proposal Form (Appendix 5) • Updates to Proposer Qualifications (if applicable) • Step Two Bid Proposal Narrative: <ul style="list-style-type: none"> • Project Execution Plan <ul style="list-style-type: none"> • Preliminary EPC Plan • Energy Production Estimate and Bid Quantity • Project Schedule • Project Budget and Cost Assumptions • Financing Plan • Labor Plan • Community Engagement Plan • Operations and Maintenance Plan • Decommissioning Plan • New or Additional Incremental Economic Benefits • Project Bid Fee • Bid Price • Step Two Proposer Certification Form • Mark-up of Agreements (Optional)

Proposer Qualifications

- > Information provided in the Step One Eligibility Application will be used to evaluate Proposer Qualifications:
 - Project Team Description and Structure
 - Key Personnel and Other Personnel
 - Previous Project Experience and References
- > If a Proposer receives a Notice of Qualification and subsequently needs to revise the identified Key Personnel or project experience and references, the Proposer must notify NYSERDA and receive written authorization to make the change, subject to NYSERDA's reasonable consent, prior to submitting the Step Two Bid Proposal.
- > NYSERDA will pre-populate the Step Two Bid Proposal Form with the information provided in the Step One Eligibility Application Form so that Proposers can make any approved changes.

Project Execution Plan

- > Bid Proposals must include a step-by-step plan and schedule to complete the remaining project development requirements, including final design, securing financing for, construction, ownership and operation and eventually decommissioning of the BR Facility.
- > The Project Execution Plan must include:
 - Preliminary Engineering, Procurement, and Construction Plan
 - Energy Production Estimate and Bid Quantity
 - Project Schedule
 - Project Budget and Cost Assumptions
 - Financing Plan
 - Labor Plan
 - Community Engagement Plan
 - Operations and Maintenance Plan
 - Decommissioning Plan

New or Additional Incremental Economic Benefits

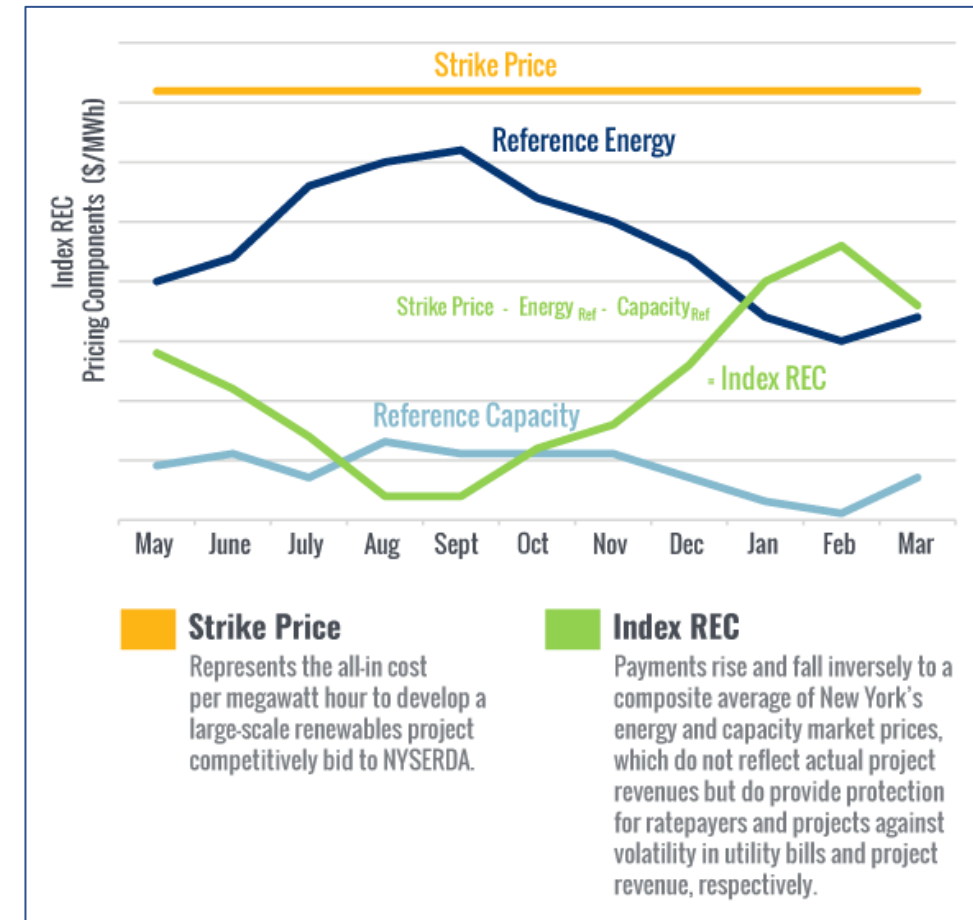
- > Proposers can identify new or additional Incremental Economic Benefits that will accrue to New York State because of the development, construction/modification, and operation of the BR Facility beyond what the Build-Ready team has already secured.
- > Incremental Economic Benefits are those that: (i.) will accrue after the Award Notification Date because of an award under this RFP, and (ii.) would not have accrued but for the award of a contract under this RFP.
- > There are two categories of Incremental Economic Benefits that Bid Proposals will be evaluated as defined below and in greater detail in the RFP.
 1. **Long-Term Economic Benefits** to New York State (Category 1) are those lasting longer than three years and are evaluated based on total eligible dollars normalized by Anticipated Nameplate Capacity; and
 2. **Short-Term Economic Benefits** to New York State (Category 2) are those lasting less than three years and are evaluated based on total eligible dollars normalized by Anticipated Nameplate Capacity.

New or Additional Incremental Economic Benefits

- > The Incremental Economic Benefits the Build-Ready team secured for the BR Facility are considered Category 1 claims and will be included in the awarded REC Agreement as part of the total Expected Dollars/MW.
- > Only those Incremental Economic Benefits falling within short-term and long-term economic benefits will be considered for evaluation.
- > In no instance will NYSERDA consider any indirect benefits or those created by any “multiplier effect” or other attribution method under which the creation of peripheral spending and jobs might be credited to direct capital infused into the economy.
- > Proposers are strongly encouraged to consider what additional Incremental Economic Benefits can be provided through **contracting with MWBEs and SDVOBs, and bringing benefits to [New York Disadvantaged Communities](#)**, such as sourcing of laborers, workers, mechanics, and operations and maintenance workers from Disadvantaged Communities throughout New York State.

Bid Price

- > Proposers must submit their Bid Price in the Step Two Bid Proposal Form (Appendix 5). The Bid Price must conform to either the Index REC or Fixed REC pricing structure.
- > Proposers must submit a non-inflation adjusted Bid Price and an inflation adjusted Bid Price.
- > Bid prices for each Bid Proposal are all-inclusive for all components of the BR Facility.
- > For both forms of pricing, only level nominal dollar pricing will be accepted.
- > All Proposals will include a Contract Tenor of twenty years.
- > Except as provided for in Article V of the REC Agreement and as allowed under the Interconnection Cost Adjustment, NYSERDA cannot adjust the binding Fixed or Index REC Bid Price submitted by the awarded Proposer.



Inflation Risk Adjustment

- > Proposers must also submit an inflation adjusted Bid Price.
- > If selected, the Index REC Strike Price or Fixed REC Price will be adjusted to account for inflation between the Bid Proposal Submission Deadline and the commencement of Construction Activities related to the BR Facility.
- > This adjustment, governed by Section 5.04 and Exhibit L of the REC Agreement, will be based on the Producer Price All Commodities Index (PPI).

Interconnection Cost Adjustment

- > Upon substantial completion of the interconnection facilities and when the final Interconnection Cost Allocation is known, the Fixed REC Price or Index REC Strike Price contracted with the Awardee will be adjusted to account for the change, if any, between the final **Interconnection Cost Allocation** and the **Interconnection Cost Allocation Baseline**.
- > See next slide for Definitions.
- > If the final Interconnection Cost Allocation is greater than the Interconnection Cost Allocation Baseline, the Index REC Strike Price or Fixed REC Price will be increased to allow the BR Facility to recover 100% of the incremental cost over the Contract Tenor.
- > If the final Interconnection Cost Allocation is less than the Interconnection Cost Allocation Baseline, the Index REC Strike Price or Fixed REC Price will be reduced in a manner to share the savings between the Awardee and NYSERDA.
- > See Section 5.03 and Exhibit M of the REC Agreement for the method of calculating this adjustment.

Interconnection Cost Adjustment - Definitions

- **Interconnection Cost Allocation Baseline:** the interconnection cost as estimated by the SIS and provided by NYSERDA to Proposers in Appendix 5. Step Two Bid Proposal Form – prior to the Step Two Bid Proposal submission deadline.
- **Interconnection Cost Allocation:** the aggregate of all Mandatory Interconnection Costs and all Approved Discretionary Interconnection Costs.
 - Mandatory Interconnection Costs: all interconnection costs actually paid by Awardee with respect to the BR Facility (either directly or through reimbursement to a Connecting Transmission Owner) for interconnection upgrades required under the Interconnection Agreement
 - Approved Discretionary Interconnection Costs: All costs actually paid by Awardee with respect to the BR Facility for interconnection upgrades associated with the Anticipated Nameplate Capacity that are **not required under the Interconnection Agreement** but may be undertaken in Awardee's discretion, **provided** that such costs are approved by NYSERDA for inclusion within the Interconnection Cost Allocation.

Project Bid Fee

- > Each Step Two Bid Proposal must include a Project Bid Fee:
 - \$100,000, consisting of a \$10,000 non-refundable proposal fee, and a \$90,000 bid deposit
 - Bid deposit credited toward the Awardee's payment of the MIPA purchase price, or, for Proposers that are not the Awardee, refunded within 180 days of the Award Notification Date.
- > Full Project Bid Fee submission instructions will be provided in the data room for Step Two.
- > Proposers must indicate that they have submitted the Project Bid Fee with their Step Two Bid Proposal and attach proof of the provision of the Project Bid Fee, such as a receipt or transfer confirmation.

MIPA Purchase Price

- > NYSERDA has set the Purchase Price for the membership interests in BR Project 1 LLC at three million four thousand dollars (\$3,400,000.00 USD).
- > The Purchase Price corresponds to NYSERDA's costs of developing the BR Facility through the date of purchase under the MIPA.
- > The Awardee will not have an opportunity to negotiate the Purchase Price.
- > The Awardee will have the opportunity to mark up the MIPA (more on next slide)
- > The Purchase Price will be due in full on the Closing Date of the transaction.

Mark-Up of Agreements

- > Proposers may redline in track-changes the REC Agreement and MIPA Agreement drafts.
- > Proposers may also include an attached memorandum to identify any terms and conditions that the Proposer wishes to clarify or negotiate.
- > Proposers can submit comments and mark-ups at any point in time, **but no later than the Step Two Bid Proposal due date**. If a Proposer does not have any requested changes to the agreements, **the Authorized Representative must attest to the fact that they have reviewed the agreements and do not have any mark-ups or comments as part of the Step Two Proposer Certification Form (Appendix 6)**. The Awardee will once again have an opportunity to negotiate terms of the REC Agreement and MIPA after an award decision has been made by NYSERDA.
- > The indication by a Proposer that it wishes to negotiate the terms of one or both of the Agreements will have no impact on the Step One Eligibility Application or the scoring of the Step Two Bid Proposal.
- > Once selected for an award, the Awardee must negotiate a final version of the REC Agreement and MIPA with NYSERDA. As a reminder, except as provided for in Article V of the REC Agreement and as allowed under the Interconnection Cost Adjustment described in Section 3.1.5.3, NYSERDA cannot adjust the binding Fixed or Index REC Bid Price or other settlement-related terms submitted by Proposers following the notification of an award, either upon award or during the Contract Tenor.

Step Two Proposer Certification Form

- > Authorized Representative listed in the Step Two Data Form and the NYSERDA Portal must complete and submit the Step Two Proposer Certification Form (BRRFP23-1 Appendix 6). The form certifies that:
 - All statements submitted by the Proposer are true and accurate
 - The Proposer agrees to provide any information requested by NYSERDA to confirm or clarify information in the Bid Proposal
 - The Proposer understands that NYSERDA, PSC, or an authorized agent may audit any Proposer to verify information submitted
 - The Proposer must notify NYSERDA promptly of any material changes to Bid Proposal after submission
 - NYSERDA will require final verification of information before first payment is made under a contract awarded with NYSERDA
 - Proposers' failure to provide information as requested by NYSERDA may disqualify the Bid Proposal from consideration
 - The Proposer certifies they are not requesting any changes to the REC Agreement or MIPA outside of redline comments, if submitted
 - The Proposer understands the requirements related to Buy-America and US Iron and Steel and certifies the Bid Proposal complies with the requirement
 - E.O. No 16 remains true and accurate from Step One submission
 - The Proposers Step Two Bid Proposal was arrived at independently without collusion, constitutes a firm and binding offer for a period of at least 180 days from the date that the Step Two Bid Proposals are due

Step Two Evaluation

Bid Proposal Evaluation

- > NYSERDA will examine each Step Two Bid Proposal for completeness and to confirm that all Step One Minimum Eligibility Requirements are still met.
- > NYSERDA may permit Proposers to cure deficiencies in Step Two Bid Proposal packages, however packages that are incomplete or non-responsive to cure requests, may be rejected.
- > Step Two Bid Proposals that are determined to be complete, eligible and include a viable BR Facility project execution plan will be evaluated and scored based on:
 1. Bid Price: the Fixed REC Bid Price or Index REC Bid Price, weighted at 55% of the overall score,
 2. Non-Price Factors: Incremental Economic Benefits to New York State, Proposer Qualifications, Project Execution Plan, a combined weight equaling 45% of the overall score sub-divided as follows:
 - i. Incremental Economic Benefits to New York State (15%)
 - ii. Proposer Qualifications (10%)
 - iii. Project Execution Plan (20%)

Next Steps and Key Dates

Step Two Key Dates

Date	Milestone
Thursday, January 11, 2024	NYSERDA responds with Notice of Qualifications and opens Step Two Bid Proposal and Data Room
Tuesday, January 23, 2024	Step Two Proposers' Webinar
Tuesday, February 6, 2024	Responses to Step Two Webinar Questions Posted to Data Room
Tuesday, February 13, 2024	Deadline for Submission of Step Two Questions
Tuesday, February 20, 2024	Responses to Step Two Questions Posted to the Data Room
Thursday, February 22, 2024	RFP Addendum Deadline (if issued)
Thursday, March 7, 2024	Deadline for Bid Fee Submission
Thursday, March 14, 2024	Deadline for Step Two Bid Proposal Submission
Q2 2024	NYSERDA notifies Proposer receiving Award
Q3 2024	Agreements Executed (within 180 days of Award Notification Date)

Questions

Please send requests/inquiries to the email below and via the Q&A and Messages features of the solicitation website once active.

Proposers and non-Proposers may send questions to:
build-readyauction@nyserda.ny.gov.

All RFP information available at:
<https://www.nyserda.ny.gov/build-ready-RFP>