



Competitive Tier 2 (T2RFP22-1) Responses to Submitted Questions

8/26/2022

Category	Q.	Question	Response
RFP	1	How does this solicitation differ from previous NYSERDA Tier 2 solicitations?	<p>The structure of the 2022 Tier 2 Competitive solicitation is in most respects the same as the 2021 Tier 2 Competitive Solicitation. Certain updates have been made to the 2022 solicitation – for example, Attachment C regarding Executive Order 16 and Attachment D regarding Vendor Responsibility were not included in the 2021 solicitation. The standard form agreement was also updated to reflect evolving legal requirements and the latest practices across NYSERDA’s Large-Scale Renewables program.</p> <p>The Maximum Acceptable Bid Price and Target Volume are set separately for each Tier 2 Competitive Solicitation. To preserve the competitiveness of the solicitation, both the Maximum Acceptable Bid Price and the Target Volume will remain confidential. Accordingly, we are not at liberty to disclose whether or not these values have changed compared with the prior Tier 2 Competitive Solicitation.</p>
RFP	2	What is the justification for requiring information on dam safety? How is NYSERDA using such information in its evaluation of bids?	<p>This information is used to ensure that NYSERDA does not provide funding to any hydro facilities that have safety issues that are not being addressed responsibly. This requirement is not part of bid evaluation, which is based only on bid price. Instead, review of dam safety inspection information will inform NYSERDA’s determination as to whether the facility is eligible for funding.</p>
RECs	3	Are RECs transferred automatically in NYGATS if RECs are awarded? Are there operational instructions for transfer / info if awarded?	<p>Yes, a forward transfer in NYGATS will be set up such that RECs are automatically transferred to NYSERDA. Instructions will be provided by NYSERDA to awarded Proposers.</p>
Agreement	4	If there is no penalty for underperformance, can a successful bidder forfeit the contract in subsequent years at the owners’ discretion?	<p>The Agreement can be terminated if agreed upon mutually by the Seller and NYSERDA. Please see section 14.01 of the Agreement for details on termination.</p>
Eligibility	5	In addition to facilities that are exempt from FERC regulations (either FERC exempt or not FERC licensed), there are facilities under state DEC oversight. Are such facilities eligible?	<p>The Tier 2 RFP includes a statement requiring all hydroelectric bid facilities to have an active FERC license. For clarity, this requirement does not apply to facilities that do not fall under FERC jurisdiction and therefore do not need a FERC license to operate. In Attachment B, please indicate this by selecting, “The Bid Facility does not have an active FERC license or exemption.”</p>