



NYSERDA

RESRFP18-1

Proposers' Webinar

May 2, 2018

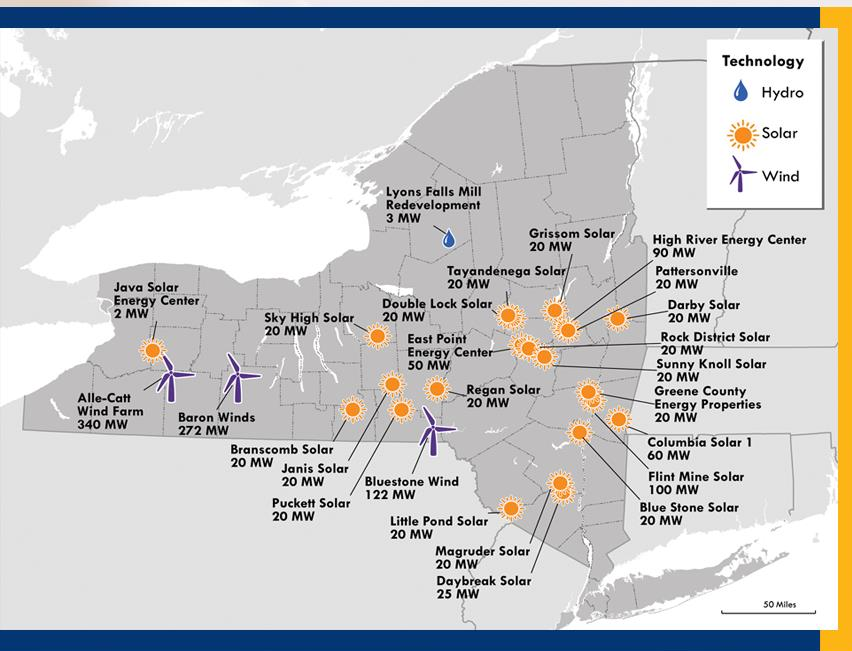
Agenda

- Background
- RESRFP18-1 Overview
 - Step One Resource Eligibility Determination
 - Step Two Application for Qualification
 - Notice of Qualification
 - Step Three Bid Proposal
 - Awards
 - Contractual Requirements
 - Submitting a Step Two Application for Qualification
- Q & A

Background

Doreen Harris

2017 Solicitation Awards



\$1.4 billion

single largest commitment to renewable energy by a state in the U.S.

26

large-scale renewable energy projects across New York

- > 22 solar farms
- > 3 wind farms; one features energy storage
- > 1 hydroelectric facilities

Generate enough energy to power **more than 430,000 homes**

Reduce carbon emissions by **1.6 million metric tons**, equivalent to taking nearly **340,000 cars off the road**

Create **over 3,000** short- and long-term **well-paying jobs**

RESRFP18-1

Doreen Harris

April 25, 2018: 2018 Solicitation Is Issued

Press Release available from: www.governor.ny.gov



Governor Cuomo Announces New Solicitation for Large Scale Renewable Energy Projects to Develop Clean Energy and Combat Climate Change

ENERGY

SHARE   

Expected to Spur Up to \$1.5 Billion in Private Investment, Up to 20 Large Scale Renewable Projects Creating More Than 1000 Good-Paying Jobs

Projects Accelerate Progress Toward Governor Cuomo's Mandate for 50 Percent of State's Electricity to Come from Renewable Sources by 2030

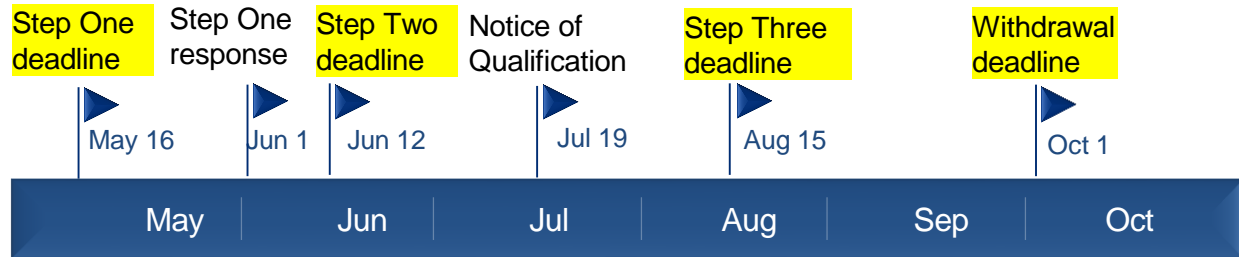


NYSERDA

RESRFP18-1 Process Overview

- Step One Resource Eligibility Determination
 - Resource Eligibility Determination (NYGATS SoQ or PSoQ)
- Step Two Application for Qualification
 - Documentation of project maturity/developer experience
 - Bid deposit
- Notice of Qualification
- Step Three Bid Proposal
 - Bid Quantity, Bid Price, and Contract Tenor
 - Economic Benefits, Project Viability, Operational Flexibility
 - Additional documentation
- Awards

2018 RES Procurement Timeline



Proposer's Webinar

May 2

Step One Resource Eligibility Determination

May 16 – June 1

Step Two Application for Qualification Open

Apr 30 – Jun 12

Step Three Bid Proposal Open

Jul 19 – Aug 15

Evaluation

Aug 15 – Oct

Withdrawal Deadline

October 1

Award Notification

October

NYSERDA Solicitation RESRFP18-1

- 1.5 million Renewable Energy Certificates (REC only)
- New York RES Tier 1 Eligible
- Commercial Operation Date on or after January 1, 2015
- Delivery requirement
- 20 year maximum term
- Commercial Operation Milestone Date
 - November 30, 2020
 - Extension available to November 30, 2022

New RES Provisions in 2018

- **Economic Benefits**: Workers associated with the construction of any awarded facility will be paid the applicable prevailing wage; prevailing wage schedules are set by the [NYS Department of Labor](#).
- **Site Character**: All Proposers may opt to claim points for projects that avoid overlap with lands of agricultural importance to New York State. Wind and solar Proposers claiming points must also construct projects in accordance with [NYS Department of Agriculture and Markets](#) Construction Standards.
- **Transparency and Community Outreach**: Proposers are required to demonstrate community engagement and commencement of the permitting processes. Communities hosting awarded projects will be aware of the development process. Proposers will prepare a Bid Facility overview for NYSERDA's public release.
- **Energy Storage**: More points are available for proposals that cost-effectively pair renewable energy with energy storage to help meet Governor Cuomo's commitment to deploying 1,500 MW of energy storage by 2025.

Step One Resource Eligibility Determination

Marci Brunner

Step One Resource Eligibility Determination – Tier 1 Certification

The [Order Adopting a Clean Energy Standard](#) established Renewable Energy Standard eligibility requirements.

Prior to participating in RESRFP18-1:

- Operating facilities will apply for a Statement of Qualification (SoQ)
- Facilities that are not yet operational will apply for a Provisional Statement of Qualification (PSoQ)
- Proposers with an existing PSoQ should review details – contact res@nyserda.ny.gov to initiate changes if necessary

Tier 1 eligible generation sources:

- Biogas
- Biomass
- Liquid Biofuels
- Fuel Cell
- Hydroelectric
- Solar
- Tidal/Ocean
- Wind

Step One Resource Eligibility Determination

Tier 1 Certification

Please visit NYSERDA's Eligibility and Certification websites for more information:

- <https://www.nyserra.ny.gov/All-Programs/Programs/Clean-Energy-Standard/Renewable-Generators-and-Developers/RES-Tier-One-Eligibility/Eligibility>
- <https://www.nyserra.ny.gov/All-Programs/Programs/Clean-Energy-Standard/Renewable-Generators-and-Developers/RES-Tier-One-Eligibility/Certification>

Please visit the link below to register and apply for Tier 1 eligibility:

<https://www.nyserra.ny.gov/NYGATS>

Date	Event
May 16	Deadline - Step One Resource Eligibility Determination submission
June 1	NYSERDA responds with Resource Eligibility Determination

Distributed Energy Resource Eligibility

Summary Table of Distributed Energy Resource Categories and Treatment of Generation Attributes

		DER Category	Options	Is the project allowed to bid into RES Tier 1 Solicitations conducted by NYSERDA if otherwise eligible?	Will NYGATS create a transferable Certificate in the account of the generator?	Will NYGATS create a non-transferable Certificate in the account of the customer (indicates retirement by customer)?	Do the attributes of the generation count towards the interconnecting LSE's RES Compliance Mandate?	Do the attributes of the generation count towards the Statewide 50% by 2030 renewable resources goal?
Pre-existing NEM Tariffs	Net Energy Metering	All Projects (Prior to Cut-Off)	RES Tier 1 (if eligible and awarded a contract by NYSERDA)*	Yes	Yes**	No	No	Yes
			Customer Retention	No	No	Yes	No	Yes
VDER Phase One Tariffs	Phase One NEM	On Site Mass Market Projects and Small Wind Remote Net Metering Projects On-Site Large Projects	None	No	No	Yes	No	Yes
		Community Distributed Generation Projects	Interconnecting-LSE-Option Customer-Retention Option	No No	No No	No Yes	Yes No	Yes Yes
	Value Stack	On-Site Mass Market Projects and Small Wind (by opt-on, no longer net metering) Community Distributed Generation Projects (no longer net metering) Remote Customer Projects(no longer net metering) On-Site Large Projects (no longer net metering)	Interconnecting-LSE-Option	No	No	No	Yes	Yes
		Customer-Retention Option	No	No	Yes	No	Yes	

Adapted from DPS Order on the Value of Distributed Energy Resources, Appendix B

* All pre-existing NEM projects that are eligible to bid into RES Tier 1 solicitations are subject to a previous RPS Main Tier contract rule that prohibited simultaneous collections of both New York RPS incentive payments and production-based incentives from any other state or local source, including CST, NY-Sun, and CEF program incentives.

** The Certificates will be transferable to NYSERDA pursuant to contract who may then transfer them to Load Serving Entities.

Step Two Application for Qualification

Abbey DeRocker

Step Two Application for Qualification

A complete application package is an online submission that consists of:

- Step Two Application for Qualification Form (Attachment B)
- Threshold Eligibility supporting evidence documentation for:
 - Site Control*
 - Interconnection
 - Permitting*
 - Project Development*
 - Resource Assessment
- Step Two Narrative Overview
- Proof of Bid Deposit



Renewable Energy Standard Step Two Application for Qualification

Step Two Application for Qualification packages ("Application") must be completed, signed, and received by NYSERDA by 11:59 p.m. ET on Tuesday, June 12, 2018 via the Salesforce application. NYSERDA staff will be available to support Proposer's inquiries through 5:00 p.m. on Tuesday, June 12, 2018. Instructions for submitting electronically are provided by Attachment A—Instructions for Electronic Submission of the Application for Qualification to this RFP.

It is recommended that Proposers set aside ample time, well in advance of the deadline, to gather the required information and documentation and to understand the requirements to complete the Step Two Application for Qualification. Please review the RESRFP18-1 Summary and associated instructions, including Attachment A for requirements prior to completing this Application. Capitalized terms and abbreviations used in this Application are defined in Article I of Attachment H, RES Standard Form Agreement.

Attachment C - Summary Description of Control Status by Parcel									
Generator Site Control									
No Control	0.00	Executed Binding Option	0.00						
Letter of Intent	0.00	Assessment	0.00						
Exclusivity Agreement	0.00	Executed Lease	0.00						
		Ownership	0.00						
		Total Controlled Acreage	0.00						
Percent of Total Generator Site Controlled:			0.00%						
Owner Name	Tax ID Number	County	Map Reference	Acres	Control Status				
State of New York	100-00-1	Albany		20.00	Executed Lease				

Attachment F - List of Project Development Experience														
Project Name	Location (Street Address)	City	County	State/Province	Zip Code	Technology	Nameplate Capacity (MW)	Interconnection Jurisdiction	Energy Storage Capacity (MW) if co-located with Energy Storage	Status (Operating/Under Construction)	Commercial Operation Date (if applicable)	Associated Site (ACI)	Relevant External Information (websites)	Relevant Entities Involved (Principal, Project Sponsor, Parent Company, etc.)
Sample Wind Project	17 Columbia Circle	Albany	Albany	NY	12209	Wind	10	Small-FERC	0	Operating	Site	20	nysersda.ny.gov	Parent Company

* Please use templates provided as attachments to NYSERDA's RFP

If the proposed bid facility is in operation, Proposers need only submit those items underlined.

Step Two Application for Qualification Form (Attachment B)

For Proposers including Energy Storage:

Complete two separate Step Two Applications for Qualification, one with and one without Energy Storage.

Proposers will provide a narrative of:

- 1) Bid Facility, Site, and Generating Equipment
- 2) Interconnection Description
- 3) Financing Plan Description
- 4) Project Schedule

Step Two - Operational Projects Required Attachments

Proposers will complete an online form consisting of Attachment B. Threshold Eligibility Application Form. Proposers will attach to the form:

- Resource Assessment – technology-specific
- Proof of Bid Deposit

Required Bid Deposit amounts are as follows:

Nameplate Capacity:	Bid Deposit Required:
Less than 5.00 MW	\$5,000
5.00 – 19.99 MW:	\$20,000
20.00 – 49.99 MW:	\$50,000
50.00 MW or more:	\$100,000

- *Proposers may withdraw from RESRFP18-1 on or before October 1, 2018 and the Bid Deposit will be returned.*
- *Bid Deposits will only be retained in the event a Bid Facility is awarded and the Proposer fails to execute a RES Standard Form Agreement.*

Step Two - Provisionally Certified Required Attachments

Proposers will complete an online form consisting of Attachment B. Threshold Eligibility Application Form. Proposers will attach to the form supporting documentation for:

- Site Control
 - Map of site layout
 - Summary description of control status (Attachment C)
 - If available, one-line diagram or SHP file
- Interconnection – determined by facility size and location
- Permitting – as applicable by Bid Facility size, location, and technology
 - If applicable, EAF Form or Attachment D
 - List of Required Permits (Attachment E)
- Project Development
 - List of Project Development Experience (Attachment F)
- Resource Assessment – technology specific
- Project Financing Plan
 - List of Project Financing Experience (Attachment G)
- Proof of Bid Deposit
 - Receipt or copy of wire transfer

NB: If the Bid Facility has exceeded the minimum requirement in any category, please submit evidence of most mature project progress

Notice of Qualification

Notice of Qualification – Invitation to Submit a Step Three Bid Proposal

NYSERDA will provide to Proposer:

- Instructions on how to submit a complete Step Three Bid Proposal
- Maximum Contract Tenor

For all Bid Facilities in Commercial Operation as of the RFP Release Date, the Maximum Contract Tenor applicable to the project's bid will be calculated as the lesser of:

(1) 20 years (240 months) minus the number of years (months) between the year (month) of Commercial Operation and the RFP Release Date, or

(2) The Bid Facility's Useful Life minus the number of years (months) between the year (month) of Commercial Operation and the RFP Release Date (rounded to the nearest full year).

Step Three Bid Proposal

Step Three Bid Proposal

A complete proposal package is an online submission that consists of:

- Bid Facility Overview
- Bid Quantity, Bid Price, and Contract Tenor
- Incremental Economic Benefits Claims
- Project Viability Claims
 - If applicable, provide additional documentation to demonstrate the current level of progress in any of the first five Project Viability Categories beyond the documentation provided in Step Two;
 - Site Character (additional detail next slide)
 - If elected, instructions on how to pledge additional Contract Security
- Operational Flexibility and Peak Coincidence Claims
 - If applicable, a hourly production profile for Load Matching consistent with the Resource Assessment
 - If applicable, Energy Storage
- Community Outreach Plan
- Public Release of Bid Facility Information Form

Project Viability sub-categories:

- 1) Site Control
- 2) Interconnection
- 3) Permitting
- 4) Project Development
- 5) Resource Assessment
- 6) Site Character
- 7) Additional Contract Security

** If the proposed bid facility is in operation, Proposers need only submit those items underlined.*

Step Three Bid Proposal - Project Viability - Site Character

Proposers have the option to claim up to 1.5 Site Character points by attesting that:

- 1) The permanent generation, interconnection and, if applicable, Energy Storage footprint (Permanent Physical Footprint) associated with the Bid Facility will avoid land identified by the United States Department of Agriculture (USDA) as prime farmland and prime farmland if drained (“Prime Farmland”), and
- 2) The permanent generation, interconnection and, if applicable, Energy Storage footprint (Permanent Physical Footprint) associated with the Bid Facility will avoid parcels with an agricultural assessment at the time of Step Three Bid Proposal submittal.

In addition, Wind and Solar Facilities must also agree to construct the Bid Facility in accordance with NYS DAM Construction Standards (Exhibit E to Attachment I).

NYSERDA has provided an interactive web-based map and downloadable SHP files for reference, available here: <https://www.nyserdera.ny.gov/RESRFP18-1-Resources>



RESRFP18-1 Solicitation Resources

2018 Solicitation Resources

Proposers should use these resources to inform their decisions prior to submitting a Step Two Application for Qualification and/or a Step Three Bid Proposal to RESRFP18-1.

Site Character and Agricultural Resources

Proposers should use the Site Character Map to inform any attestations made in the Step Three Bid Proposal relating to the subcategory: Project Viability-Site Character. All areas of the map displayed as dark red and green are designated as USDA Prime Farmland. To aid proposers in considering the bid facility's potential location, tax parcel data has also been provided for counties with data that is available for public distribution.

- [2018 RESRFP18-1 Project Viability, Site Character Map](#) 

Further information on **USDA Prime Farmland**, organized by region:

- [Capital Region](#) [ZIP]
- [Central New York](#) [ZIP]
- [Finger Lakes \(East\)](#) [ZIP]
- [Finger Lakes \(West\)](#) [ZIP]
- [Long Island](#) [ZIP]
- [Mid-Hudson](#) [ZIP]



Step Three Bid Proposal – Operational Flexibility

Proposers have the option to claim up to six (6) Operational Flexibility points by including Energy Storage with their Bid Proposal.

A Bid Facility paired with Energy Storage will be eligible for an award if the Energy Storage system is either:

- 1) co-located with the generation behind a single wholesale or retail meter in the NYCA, or
- 2) co-located with the generation behind a separate wholesale or retail meter in the NYCA, or
- 3) located in a separate location from the generation inside the NYCA.

Energy Storage must have a minimum Energy Storage capability, in megawatt hours, determined by the Bid Facility's Nameplate Capacity.

Step Three Bid Proposal - Community Outreach Plan

Proposers must provide a complete description and overview of a Bid Facility's (and if applicable, Energy Storage) public outreach plan

- Describe localized support and opposition
- Explain outreach activities, status to date, and future plans
- Include an overview of local ordinances, zoning prohibitions, moratoria that may limit the project's size, location, schedule, or other impact
- Include letters of support or agreements with host communities
- Align response with Attachment E. List of Required Permits

Bid Facility Name:		NYGATS ID:									
RESRFP18-1 Attachment E - List of Required Permits											
Instructions: For Wind, Solar, Hydroelectric, Ocean/Tidal, and Fuel Cell Bid Facilities, list all applicable permits, licenses, or equivalent needed for the Bid Facility, and if applicable, Energy Storage. If a Biomass or Biogas Bid Facility, populate the Biomass and Biogas Permit List tab.											
Permit Name	Agency/Authority	Jurisdiction (Town, State, Federal)	Status	Description	Contact and Mailing Address or Physical Location						
<i>Commercial-New Construction/Additions</i>	<i>Dept. of Buildings & Regulatory Compliance</i>	<i>City of Albany</i>	<i>Undrafted</i>	<i>e.g., Permit to allow installation of on-site substation for Bid Facility. Construction permit for Energy Storage.</i>	<i>First Name</i>	<i>Last Name</i>	<i>Title</i>	<i>email</i>	<i>phone number</i>	<i>Address 1</i>	<i>Address 2</i>


Attachment I. Public Release of Bid Facility Information

Proposers are required to submit a completed Public Release of Bid Facility Information form with their Step Three Bid Proposals

- NYSERDA will post all Attachment I Forms publicly on the RES website shortly after August 15, 2018
- Information must be consistent with and not conflict with other information provided in the Step Three Bid Proposal
- No information provided will be redacted by NYSERDA

REQUEST FOR PROPOSAL RESRFP18-1

Renewable Energy Standard Program
Purchase of Renewable Energy Credits


NYSERDA

Attachment I. Public Release of Bid Facility Information

Project Name:	
Proposer:	
Technology:	
Proposed Nameplate Capacity (Megawatts):	
Location (Town/City and County):	
NYISO Interconnection Queue Number (if applicable):	
NYS PSC Article 10 Case Number (if applicable):	
General Description of Project:	

Bid Proposal Evaluation

RESRFP18-1 Evaluation Methodology

Price Component:

- 70% Bid Price
- Lowest bid receives 70 points; remainder of acceptable bids are awarded in proportion relative to the lowest bid price
 - Ranking and weighting on an NPV basis over contract duration (up to 20 years)
- DISCo Rate of 6.40% established by the Department of Public Service Office of Accounting, Audits and Finance
- NYSERDA will employ a confidential Maximum Acceptable Bid Price Evaluation Metric

Non-price Components:

- 10% Economic Benefits
- 10% Project Viability
- 10% Operational Flexibility and Peak Coincidence

Non-price Components
evaluated by the TEP

Evaluation: Economic Benefits – 10% Weight

Category	Points
A) Long-term jobs	3.0
B) Payments/benefits to NYS and municipalities	2.7
C) Royalties/payments for fuel and resource access	2.3
D) In-state purchases or consumption of goods and short-term employment	2.0

- If applicable, Proposers will submit their estimates of economic benefits with their Step Three Bid Proposal and verify actual spend after 3 years of delivery
- Bidders must submit a third-party audit of the claims three years after the start of contract delivery. NYSERDA will provide Bidder with Audit Protocol in the Notice of Qualification

Evaluation: Project Viability – 10% Weight

Category	Subcategory	Category Points
Site Control	Generator	1.5
	Interconnection Right of Way	0.5
Interconnection Progress		2.0
Permitting Progress		1.5
Project Development		1.0
Resource Assessment		1.0
Site Character		1.5
Contract Security above the minimum		1.0

Evaluation: Operational Flexibility & Peak Coincidence – 10% Weight

Category	Scoring Approach	Category Points
Load Matching	<p>Bid Facilities in Zones G through K receive 100% category points</p> <p>Bid Facilities in A through F will receive a score in proportion to its capacity factor during the lowest 10% of historic annual load hours for Zones A through F in aggregate</p>	4
Energy Storage (if applicable)	Storage Capacity (MWh); Minimum amount is required relative to renewable capacity	6

Awards

Peter Keane

Award Recommendation

- Ranking
- Initial award group
- NYSERDA reserves the right to employ a waitlist

- DPS and NYSERDA may employ a Portfolio Risk Assessment, consisting of one or more tests:
 - Diversity of resources
 - Diversity of owners
 - Developer experience

Contracting

Peter Keane

NYSERDA RES Standard Form Agreement

- RES Standard Form Agreement - Attachment H of RFP
 - Exhibit A – NYSERDA Standard Terms and Conditions
 - Exhibit B – Letter of Credit
 - Exhibit C – NYSERDA Prompt Payment Policy
 - Exhibit D – Requirements for Biomass Fueled Bid Facilities
 - [September 2017 Biomass Power Guide](#)
 - Exhibit E – Department of Agriculture and Markets Construction Standards

Contractual Requirements

Actual Eligible Production: The amount, in MWh, of the electric energy produced by the Bid Facility/Upgrade during any period within a Contract Year, measured at the Injection Point.

Bid Quantity Percentage: [The percentage of the Bid Facility's Actual Eligible Production that will be committed to performance under this Agreement. The Bid Quantity Percentage must be at least 30% and may not exceed 100% of the Expected Annual Eligible Production and will be applied to Actual Eligible Production in any period during the Contract Delivery Term to establish compliance with contract requirements.] For all transactions contemplated and consummated under this Agreement the Bid Quantity Percentage shall be ____%.

Bid Price: A single fixed production payment, expressed in \$/MWh, applicable to each Tier-1 Renewable Energy Certificate offered as performance throughout the Contract Delivery Term. Subject to Article V, for all transactions contemplated and consummated under this Agreement the Bid Price shall be \$ _____.

Contractual Requirements

NYGATS Forward Certificate Transfer: A Forward Certificate Transfer is an automated monthly transfer of Certificates over the duration of the Contract Delivery Term. The Seller will continue to be responsible for providing the Static Data and Dynamic Data required of Projects, notwithstanding the Forward Certificate Transfer.

Bid Quantity: [The amount, in MWh, of Tier-1 Renewable Energy Certificates the Bid Facility expects to proffer as performance under this Agreement during each Contract Year during the Contract Delivery Term. The Bid Quantity must be the same for each Contract Year throughout the Contract Delivery Term, subject to adjustments pursuant to Article IV (Payment) and Article V (Adjustments). This number will equal the Expected Annual Eligible Production multiplied by the Bid Quantity Percentage.] Subject to Article V, for all transactions contemplated and consummated under this Agreement the Bid Quantity shall be _____ MWh.

Bid Capacity: Bid Capacity shall equal the Bid Quantity Percentage multiplied by the Nameplate Capacity of the Bid Facility. [In the case of Upgrades, the Bid Capacity shall equal the Bid Quantity divided by the Expected Average Annual Production, multiplied by the Nameplate Capacity.] The Bid Capacity under this Agreement shall be ___ MW.

Contractual Requirements

Section 6.06. Site Control. Unless otherwise agreed to by NYSERDA in writing, within one hundred and eighty (180) days of the Award Notification Date, Seller shall provide documentation demonstrating rights-of-way or full control of the acreage needed for any interconnection facilities, and, should the Bid Facility site acreage exceed fifteen (15) acres, within one hundred and eighty days of the Award Notification Date, documentation demonstrating full control of the Bid Facility site acreage.

Commercial Operation: A state of operational readiness under which (i) generating capacity is available and physically producing electric energy and associated Tier-1 Renewable Energy Certificates, and (ii) all rights, abilities, permits and approvals to schedule and deliver energy to the Injection Point have been obtained.

Commercial Operation Milestone Date: The Commercial Operation Milestone Date shall be November 30, 2020. The Commercial Operation Milestone Date may be extended (see Article II, Purchase and Sale of Rights to Tier-1 Renewable Energy Certificate, Section 2.07 and Article XV, Contract Security).

Contractual Requirements

Contract Delivery Term: The period of performance under this Agreement. The Contract Delivery Term will commence on the first day of the month after the Bid Facility commences Commercial Operation. [For Bid Facilities in Commercial Operation as of the Award Notification Date, unless otherwise agreed to in writing by NYSERDA, the Contract Delivery Term shall commence on the first day of the month after the Effective Date of this Agreement. The Contract Delivery Term shall extend for the term of the Contract Tenor.]

Contractual Requirements

Article XV. Contract Security

Amount	Due Date	Arial
\$9.00 * Annual Bid Quantity	Within 30 days of October Award	November 30, 2020
\$6.00 * Annual Bid Quantity	November 30, 2019	November 30, 2020
Extension of Commercial Operation Milestone Date		
\$2.00 * Annual Bid Quantity	October 30, 2020	May 31, 2021
\$2.00 * Annual Bid Quantity	April 30, 2021	November 30, 2021
\$2.00 * Annual Bid Quantity	October 29, 2021 [^]	May 31, 2022
\$2.00 * Annual Bid Quantity	April 29, 2022 [^]	November 20, 2022

[^]Section 15.03 Executed Interconnection Agreement. Seller may provide an executed Interconnection Agreement in lieu of additional Contract Security

Contractual Requirements

Section 15.06. Refund of Security

Amounts provided by Seller as Contract Security will be refunded to Seller by NYSERDA as follows:

- (a) In their entirety, upon the achievement by the Bid Facility of an SoQ (Operational Certification) if the Installed Bid Capacity is equal to or greater than the Bid Capacity.

- (b) At a prorated amount, upon the achievement by the Bid Facility of an SoQ (Operational Certification), if the Installed Bid Capacity is less than the Bid Capacity. Such amount that will be refunded, expressed as a percentage of the total Contract Security, will be equal to the Installed Bid Capacity divided by the Bid Capacity.

Contractual Requirements

Delivery Point: For Bid Facilities located within the New York Control Area, the generator bus or location where (a) the administrator of the wholesale power market, (b) the operator of the transmission/distribution utility, public authority or municipal electric company, or (c) in the case of customer-sited generation, the dedicated generation meter at which a third party, measures, or otherwise determines, energy production from the Bid Facility. For Bid Facilities located outside of the New York Control Area, the generator bus or location where the NYISO measures energy delivery from the Bid Facility into the New York market.

Injection Point: For Bid Facilities located within the New York Control Area, the Injection Point shall be the Delivery Point. For Bid Facilities located outside of the New York Control Area, Injection Point shall be the generator bus or location where the administrator of the local control area measures energy delivery from the Bid Facility into the local market.

Contractual Requirements

Section 3.02. External Bid Facilities. The electricity associated with the Tier-1 Renewable Energy Certificates for Bid Facilities in control areas adjacent to the New York Control Area shall be scheduled, transmitted, delivered to and settled in the NYISO energy market in each hour, and be accompanied with documentation of a unit-specific contract path between the Injection Point in the control area of origin to the Delivery Point in New York that includes the provision of transmission or transmission rights for delivering the generation via the NYISO using the North American Electric Reliability Corporation (NERC) tag fields Sending and Receiving Control Areas (CA) and Purchasing/Selling Entity (PSE) Name and Number. Compliance with this Delivery Requirement shall be verified by NYGATS which shall require an attestation from the importer that the information contained in the NYISO schedule is accurate and that the electricity associated with the import is being delivered solely from the selected resource. Seller shall provide, at NYSERDA's request, the NERC tag information from the OATI (Open Access Technology International) System or the NY JESS Contract ID from the Joint Energy Scheduling System (JESS) listing the External Bid Facility name as the Source for the scheduled and transmitted electricity from the External Bid Facility into the NYISO. The Tier-1 Renewable Energy Certificates must follow the NYGATS Operating Rules for Unit-Specific Imports of Energy and Attributes under the Energy Scheduled and Delivered methodology. The number of Unit-Specific Import Certificates that will be created will be the lesser of the hourly energy schedule of the import, or the hourly meter reading of the Bid Facility.

Contractual Requirements

Expected Total Dollars: The total dollar amount of Incremental Economic Benefits, as presented in the Bid Proposal and accepted by NYSERDA, expected to accrue to New York as a result of the development, construction, modification, and operation of the Bid Facility from the Award Notification Date through the end of the first three (3) Contract Years. The Expected Total Dollars under this Agreement shall be \$_____.

Verified Total Dollars: The total dollar amount of Incremental Economic Benefits verified by NYSERDA to have accrued to New York as a result of the development, construction, modification, and operation of the [Bid Facility/Upgrade] from the Award Notification Date through the end of the first three (3) Contract Years.

Section 5.01. True-Up Adjustments. NYSERDA may adjust payments to subsequent invoices consistent with adjustments by NYGATS pursuant to its Operating Rules based on NYISO or other local control area billing settlement true-up procedures, based on actual metered production data measured at the Injection Point, actual and verified data reflecting compliance with the Bid Facility Electricity Delivery Requirements, and/or based on the number of Tier-1 Renewable Energy Certificates Transferred. (continued on next slide)

Contractual Requirements – Adjustments continued

Should Seller fail to Transfer Tier-1 Renewable Energy Certificates to the NYSERDA NYGATS Account in a number at least 80% of the Bid Quantity for three (3) consecutive Contract Years, NYSERDA may at its option upon Notice to Seller, modify this Agreement by adjusting the Bid Quantity for the remainder of the Contract Delivery Term to equal the highest Actual Annual Eligible Production during any Contract Year over that three-year period multiplied by the Bid Quantity Percentage.

Should Seller fail to reasonably demonstrate that the total dollar amount of Incremental Economic Benefits having accrued to New York as a result of the development, construction, modification, and operation of the [Bid Facility/Upgrade from the Award Notification Date] through the end of the first three (3) Contract Years of operation (Verified Total Dollars), divided by Installed Bid Capacity, is at least 85% of Expected Total Dollars divided by the Bid Capacity, NYSERDA may at its option upon Notice to Seller, modify this Agreement by reducing the Bid Price payable for the remainder of the Contract Delivery Term. Such reduction in the Bid Price will be made by an amount equal to the percentage shortfall between the Verified Total Dollars divided by the Installed Bid Capacity compared to the Expected Total Dollars divided by the Bid Capacity.

For Bid Facilities that include Energy Storage, should the Energy Storage component not reach Commercial Operation with the proposed Storage Capacity (MWh) on or before the Commercial Operation Milestone Date, NYSERDA may, upon Notice to Seller, reduce the Bid Price by \$_____, an amount equal to the difference between the Bid Price proposed by Seller for the Bid Facility with Energy Storage and the Bid Price proposed by Seller for the Bid Facility without Energy Storage.

Contractual Requirements

Section 15.08. Site Character Security

Where Seller has attested as part of the Site Character section of its Bid Proposal to avoid the encroachment by its Permanent Physical Footprint, in a Defined Percentage(s), on land with agricultural importance to New York State:

(a) NYSERDA will retain twenty-five percent (25%) of the Bid Facility's Contract Security. Such amount shall be refunded to Seller should NYSERDA determine, through Operational Certification (which will review the final site plan and the Site Character Map provided to Seller), that the percentage of encroachment of the Permanent Physical Footprint of the Bid Facility is equal to or less than the Defined Percentage(s). Such amount shall be forfeited to NYSERDA by Seller should NYSERDA determine, through Operational Certification (which will review the final site plan and the Site Character Map provided to Seller), that the percentage of encroachment of the Permanent Physical Footprint of the Bid Facility is greater than the Defined Percentage(s).

(b) For wind and solar Bid Facilities where Site Character points were awarded, NYSERDA will retain twenty percent (20%) of the Bid Facility's Contract Security for a period of 365 days following the date upon which the project achieves Commercial Operation. Upon such date, NYSERDA will: (1) refund the retained Contract Security; or (2) if the New York State Department of Agriculture & Markets (DAM) has notified NYSERDA that the Bid Facility was not constructed in accordance with the DAM Construction Standards (incorporated herein and made part hereof at Exhibit E), NYSERDA will provide written notice to Seller of DAM's claim and NYSERDA will retain such 20% of the Contract Security until (a) DAM notifies NYSERDA that suitable corrective action has been taken, at which point such amount shall be refunded to the Proposer, or (b) 180 days from the date upon which NYSERDA provided notice to Seller, in which case such amount shall be forfeited to NYSERDA by Seller.

Contractual Requirements

Defined Percentage(s): The percentages free of overlap selected by Seller in the Project Viability, Site Character section of the Step Three Bid Proposal.

Permanent Physical Footprint: The area covered by the permanent generation, interconnection and, if applicable, Energy Storage equipment as verified by NYSERDA through the Operational Certification process.

Contractual Requirements

Section 18.10. Prevailing Wage. All laborers, workmen and mechanics, within the meaning of NYS Labor Law Article 8, performing construction activities with respect to the Bid Facility and Energy Storage, if applicable, including, but not limited to, the staging, installation, erection and placement of Bid Facility and its electrical interconnection as well as start-up and commissioning of the Bid Facility, whether through long-term or short-term employment, must be paid at least the applicable Prevailing Wage applicable in the area where the Bid Facility will be situated, erected and used, as published by the [NYS Department of Labor \(DOL\)](#) or at least the equivalent Prevailing Wage requirements of the jurisdiction where the Bid Facility is located. This requirement applies: (1) to all laborers, workmen and mechanics performing construction activities, whether they be direct employees of the Seller or of Seller's subcontractor(s), and (2) regardless of whether or not Seller claimed such employment as an Incremental Economic Benefit in its Bid Proposal.

For NYS DOL Prevailing Wage Schedules, please visit:

<https://applications.labor.ny.gov/wpp/publicViewPWChanges.do?method=showlt> and
<https://applications.labor.ny.gov/wpp/showSearchWageSchedulePublic.do?method=showlt>



Contractual Requirements

Section 6.02. Progress Reports/Material Change. Beginning on the first such date following the Effective Date, and continuing through the commencement of the Contract Delivery Term, Seller shall provide quarterly written Progress Reports to NYSERDA, on March 1, June 1, September 1, and December 1, which reports shall be in letter form, through a method specified by NYSERDA . . . include with each Progress Report a written attestation prepared by a New York State independent certified public accountant or other qualified party, in a form to be agreed upon, confirming that the Seller is in compliance with the Prevailing Wage requirement (See Sections 4.04 and 18.10).

Section 4.04. Suspension. Should NYSERDA determine that Seller has failed to pay the Prevailing Wage in accordance with Section 18.10, NYSERDA will notify Seller in writing and will suspend payments to the Seller until any discrepancy in payment is cured; the cure period will continue for 12 months from the date of notification, after which time the Agreement shall be considered in default.

Contractual Requirements

Section 13.01. Event of Default. For the purposes of this Agreement, “Event of Default” shall mean any of the following:

Commercial Operation. Failure of the Bid Facility to commence Commercial Operation at a minimum of 80% of the Bid Capacity on or before the Commercial Operation Milestone Date (November 30, 2020, unless extended pursuant to Article II, Section 2.07 of this Agreement); or

Failure to Produce. The failure by the Bid Facility to generate energy in a quantity sufficient to support the creation of Tier-1 Renewable Energy Certificates in a number equaling at least 65% of the Bid Quantity during any Contract Year; or

Failure to Provide Additional Contract Security. Failure by Seller to provide to NYSERDA, on or before November 30, 2019, additional Contract Security, in an amount equal to six dollars (\$6.00) per MWh multiplied by the Bid Quantity (See Section 15.01(b)).

Prevailing Wage Default. Failure by Seller to cure its failure to pay the Prevailing Wage in accordance with Sections 4.04 and 18.10 within 12 months from the date of written notification by NYSERDA.

Submitting a Step Two Application for Qualification

Bram Peterson

Step Two Application for Qualification

All Step Two materials are available on [NYSERDA's](https://www.nyserdera.ny.gov/ces/rfp) website:

<https://www.nyserdera.ny.gov/ces/rfp>

Associated Documents

- [RESRFP18-1 - Renewable Energy Standard Purchase of New York Tier 1 Eligible Renewable Energy Certificates – Summary \[PDF\]](#)
- [Attachment A – Instructions for Electronic Submission of the Application for Qualification](#)
- [Attachment B – Application for Qualification Form](#)
- [Attachment C – Summary Description of Control Status by Parcel \[XLSX\]](#)
- [Attachment D – Environmental Assessment Form \[PDF\]](#)
- [Attachment E – List of Required Permits \[XLSX\]](#)
- [Attachment F – List of Project Development Experience \[XLSX\]](#)
- [Attachment G – List of Project Financing Experience \[XLSX\]](#)
- [Attachment H – RES Standard Form Agreement including Exhibits A, B, and C \[PDF\]](#)
 - [Exhibit D – Requirements for Biomass-Fueled Bid Facilities \[PDF\]](#)
 - [Exhibit E – Department of Agriculture and Markets Construction Standards \[PDF\]](#)
- [Attachment I – Public Release of Information Form \[PDF\]](#)

Populate and save required templates, and attach to online application. Use Attachments A and B for reference.

The screenshot shows the NYSERDA website interface for the 'Renewable Energy Standard Purchase of New York Tier 1 Eligible Renewable Energy Credits (RECs) Request for Proposals (RFP) No. RESRFP18-1'. The page title is 'Renewable Energy Standard Step Two Application Qualification'. The main content area contains the following text:

Step Two Application for Qualification packages must be completed, signed, and received by NYSERDA by 11:59 p.m. EDT on Tuesday, June 12, 2018 via the Salesforce application. NYSERDA staff will be available to support Proposer's inquiries through 5:00 p.m. on Tuesday, June 12, 2018. Proposals may be submitted electronically by following the link for electronic submissions found on NYSERDA's CES Solicitations webpage.

Please review RESRFP18-1 and associated instructions, including Attachment A Instructions for Electronic Submission of the Application for Qualification, for requirements prior to completing this Application. Terms used in the Application are provided in the Definitions section of Attachment H, RES Standard Form Agreement. Information provided in the Application should be consistent with the Bid Facility's SoQ or PSoQ. Proposers are responsible for promptly notifying NYSERDA of any changes to the information contained within this Application.

It is recommended that Proposers set aside ample time, well in advance of the deadline, to gather the required information and documentation and to understand the requirements to complete the Step Two Application for Qualification.

It is recommended that all attachments provided be marked "CONFIDENTIAL". Unnecessary attachments or length of responses beyond those sufficient to present a complete, comprehensive, and effective response will not influence the evaluation of the Application. When submitting attachments, each page should state the Bid Facility NYGATS ID, the Bid Facility Name, and the page number. All electronic signatures must be provided as indicated.

NYSERDA intends to notify all prospective Proposers as to their qualification status by Thursday, July 19, 2018. Qualified Proposers will receive a Notice of Qualification and will be provided detailed instructions for submitting a Step Three Bid Proposal at that time.

If you have questions regarding Step Two Application for Qualification, please contact the Large-Scale Renewables team at res@nyserdera.ny.gov

The page features a progress indicator with 8 circles, the first of which is filled. Below this is the section 'Renewable Energy Standard' with the sub-section 'NYGATS Information (Step 1 of 8) - Application for Qualification'. It includes a form with the following fields:

- Enter NYGATS ID * (with a dropdown arrow icon)
- Do you intend to include energy storage in the Step Three Bid Proposal? * (with a dropdown arrow icon and a value of "--None--")

A 'CONTINUE' button is located at the bottom right of the form area.

Submitting a Step Two Application for Qualification

Step Two Application for Qualification

To start a Step Two Application for Qualification, proposers must first register to create a NYSERDA portal account.

- [Register to create a NYSERDA application portal account.](#)

Proposers will then log in with their NYSERDA portal account to start, return to, and submit their online application(s).

- [Log in to access online applications.](#)

Date	Event
June 8	Deadline – Register for a NYSERDA Portal account
June 12 at 11:59pm ET	Deadline – Step Two Application for Qualification

Submitting a Step Two Application for Qualification

NYSERDA

PORTAL REGISTRATION

Register with NYSERDA application Portal.

1
Company Information

Company Name * <input type="text" value="Taverner Geothermal Projects"/>	Address 1 * <input type="text" value="2468 Solar Street"/>
Address 2 <input type="text"/>	City * <input type="text" value="Albany"/>
State * <input type="text" value="New York"/>	Zip * <input type="text" value="12203"/>

Contact Information

First Name * <input type="text" value="Dena"/>	Last Name * <input type="text" value="Ellefson"/>
Title * <input type="text" value="Manager"/>	Email * <input type="text" value="d.ellefson@tavernergeo.com"/>
Phone * <input type="text" value="(555) 555-5555"/>	

2
CREATE

[Home](#) | [Submit a New Application](#) | [Projects](#) | [Project Invoices](#) | [Manage Users](#) | [Dashboards](#)

NYSERDA
Renewable Energy Standard Purchase of New York Tier 1 Eligible Renewable Energy Credits (RECs)
Request for Proposals (RFP) No. RESRFP18-1

**Renewable Energy Standard
Step Two Application Qualification**

Step Two Application for Qualification packages must be completed, signed, and received by NYSERDA by 11:59 p.m. EDT on Tuesday, June 12, 2018 via the Salesforce application. NYSERDA staff will be available to support Proposer's inquiries through 5:00 p.m. on Tuesday, June 12, 2018. Proposals may be submitted electronically by following the link for electronic submissions found on [NYSERDA's CES Solicitations webpage](#).

Please review RESRFP18-1 and associated instructions, including Attachment A Instructions for Electronic Submission of the Application for Qualification, for requirements prior to completing this Application. Terms used in the Application are provided in the Definitions section of Attachment H, RES Standard Form Agreement. Information provided in the Application should be consistent with the Bid Facility's SoQ or PSoQ. Proposers are responsible for promptly notifying NYSERDA of any changes to the information contained within this Application.

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It is recommended that all attachments provided be marked "CONFIDENTIAL". Unnecessary attachments or length of responses beyond those sufficient to present a complete, comprehensive, and effective response will not influence the evaluation of the Application. When submitting attachments, each page should state the Bid Facility NYGATS ID, the Bid Facility Name, and the page number. All electronic signatures must be provided as indicated.

NYSERDA intends to notify all prospective Proposers as to their qualification status by Thursday, July 19, 2018. Qualified Proposers will receive a Notice of Qualification and will be provided detailed instructions for submitting a Step Three Bid Proposal at that time.

If you have questions regarding Step Two Application for Qualification, please contact the Large-Scale Renewables team at res@nyserd.ny.gov

Renewable Energy Standard

NYGATS Information (Step 1 of 8) - Application for Qualification

Enter NYGATS ID * ●	
Do you intend to include energy storage in the Step Three Bid Proposal? * ●	--None-- ▾

CONTINUE

Submitting a Step Two Application for Qualification

Upload required documents to the online application, review and submit for e-signature.

Please contact res@nyserda.ny.gov for assistance if needed during the application process.

Bid Facility start-up testing, initialization, and synchronization (if applicable, after planned modifications)

Expected Commercial Operation Date (if applicable, after planned modifications)

Commercial operation date

Attached Documents

Document Name	Uploaded Document Name
---------------	------------------------

CERTIFICATION STATEMENT

I, the undersigned certify that I am an Officer or otherwise authorized representative of the above-noted Proposer, and that all statements herein are true and accurate.

I understand that NYSERDA reserves the right to request additional information to confirm or clarify the information reported in this Step Two Application for Qualification and to demonstrate the eligibility of this Bid Facility under Tier 1 of the New York Renewable Energy Standard (RES), and I agree to provide any such information promptly. I also understand that NYSERDA and the Public Service Commission, or their authorized agents, may audit any applicant to verify the accuracy of any information included as part of this Step Two Application for Qualification. I further understand that NYSERDA must be notified promptly of any material change in the information provided in this Step Two Application for Qualification. I understand that failure to provide information as requested by NYSERDA, to allow an audit, or to accurately complete this Step Two Application for Qualification may disqualify this Bid Facility from consideration under any RES competitive procurement and/or may result in contract termination by NYSERDA.

I certify that the above information, and all information submitted in connection with State Finance Law §139-j and §139-k, is complete, true, and accurate; that I have read and reviewed the Standard Terms and Conditions set forth in the attached RES Standard Form Agreement and that I accept all terms unless otherwise noted herein, and that the application requirements noted in RESRFP18-1 have been completed and are enclosed. I affirm that I understand and will comply with NYSERDA's procedures under §139-j(3) and §139-j(6)(b) of the State Finance Law. I understand that this Step Two Qualification for Application may be disqualified if the requirements are not met. I, the undersigned, am authorized to commit my organization to this Step Two Qualification for Application.

I, the undersigned certify that I am an Officer or otherwise authorized representative of the above-noted Proposer, and that all the information, documentation, statements, and representations submitted in connection with this Step Two Qualification for Application are complete, true, and accurate.

ELECTRONIC SIGNATURE

PREVIOUS

PRINT

Home [Submit a New Application](#) [Projects](#) [Project Invoices](#) [Manage Users](#) [Dashboards](#)

Renewable Energy Standard

Documentation Attachments (Step 7 of 8) - Application for Qualification

Proposers must upload all required and supporting documentation to achieve minimum threshold eligibility. Proposers will be allowed to update or add to any uploaded documentation if they are deemed qualified and chose to submit a Step Three Bid Proposal.

Bid Facility: Energy Tower
NYGATS ID: PRO78910

Site Control Documentation

Document Name	Recent Uploaded Document	Upload History	Add / Update Document
Category 1 Site Control - Map of Site Layout*			Choose File No file chosen
Category 1 Site Control - Attachment C - Summary Description of Control Status by Parcel*			Choose File No file chosen
Category 1 Site Control - One-Line Diagram			Choose File No file chosen
Category 1 Site Control - GIS data containing the parcel boundaries that the project will occupy (SHP or KML file formats)			Choose File No file chosen
Category 1 Site Control - Other			Choose File No file chosen
Category 1 Site Control - Other			Choose File No file chosen



NEW YORK
STATE OF
OPPORTUNITY.

NYSERDA

Thank you for your participation.

Doreen Harris
Director, Large Scale Renewables

Marci Brunner
Senior Project Manager, Large Scale Renewables

Abbey DeRocker
Senior Project Manager, Large Scale Renewables

Peter Keane
Deputy General Counsel

Bram Peterson
Project Coordinator, Large Scale Renewables



Please direct questions to:
res@nyserda.ny.gov

NYSERDA RESRFP18-1 Timeline

Date	Event
May 2	Proposers' Webinar
May 16	Deadline – Step One Resource Eligibility Determination request
June 1	NYSERDA responds with Step One Resource Eligibility Determination
June 8	Deadline – Register for a NYSERDA Portal account
June 12 at 11:59pm ET	Deadline – Step Two Application for Qualification
July 19	NYSERDA notifies Proposers with Notice of Qualification
Aug 15 at 11:59pm ET	Deadline – Step Three Bid Proposal
October	NYSERDA notifies Proposers receiving awards

Resources

RES Resources

Please direct questions to: res@nyserda.ny.gov

NYSERDA's Clean Energy Standard website:

<https://www.nyserda.ny.gov/ces>

Tier 1 Eligibility:

<https://www.nyserda.ny.gov/All-Programs/Programs/Clean-Energy-Standard/Renewable-Generators-and-Developers/RES-Tier-One-Eligibility/Eligibility>

Tier 1 Certification guidelines and instructions:

<https://www.nyserda.ny.gov/All-Programs/Programs/Clean-Energy-Standard/Renewable-Generators-and-Developers/RES-Tier-One-Eligibility/Certification>

NYGATS: <https://www.nyserda.ny.gov/nygats>

NYSERDA's Tier 1 REC Procurement website for RESRFP18-1: <https://www.nyserda.ny.gov/ces/rfp>

RESRFP18-1 resources: <https://www.nyserda.ny.gov/All-Programs/Programs/Clean-Energy-Standard/Renewable-Generators-and-Developers/RES-Tier-One-Eligibility/Solicitations-for-Long-term-Contracts/RFP-Resources>

NYSERDA's Tier 1 REC Procurement distribution list: <https://www.nyserda.ny.gov/All-Programs/Programs/Clean-Energy-Standard/Renewable-Generators-and-Developers/Renewable-Generators-and-Developers-Email-List>