

New York Tier 1 RESRFP22-1 Proposers' Webinar


NYSERDA Large-Scale Renewables Team
October 6, 2022

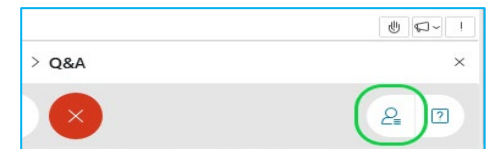


NYSERDA

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.
 - > Chat is disabled.
- > Today's materials will be posted to nyserda.ny.gov/ces/rfp
- > If technical problems arise, please contact Sal.Graven@nyserda.ny.gov

You'll see  as your microphone is muted.



Agenda

- Welcome & Logistics
- Background & RFP Summary
- Bidding Structure & Evaluation
- Non-Price Components & Evaluation
- Standard Form Agreement & Contractual Commitments
- NYGATS, Solicitation Website, Step One & Step Two Process
- Next Steps/Key Dates & Questions

Today's presenters:

Bram Peterson, Program Manager, Large-Scale Renewables

Abbey DeRocker, Assistant Director, Large-Scale Renewables

Mac Farrell, Project Manager, Large-Scale Renewables

Jeremy Wyble, Senior Project Manager, Large-Scale Renewables

John Bernecker, Senior Advisor, Large-Scale Renewables

Tom King, NYSERDA Senior Counsel for Large-Scale Renewables

Marci Brunner, Senior Project Manager, Large-Scale Renewables

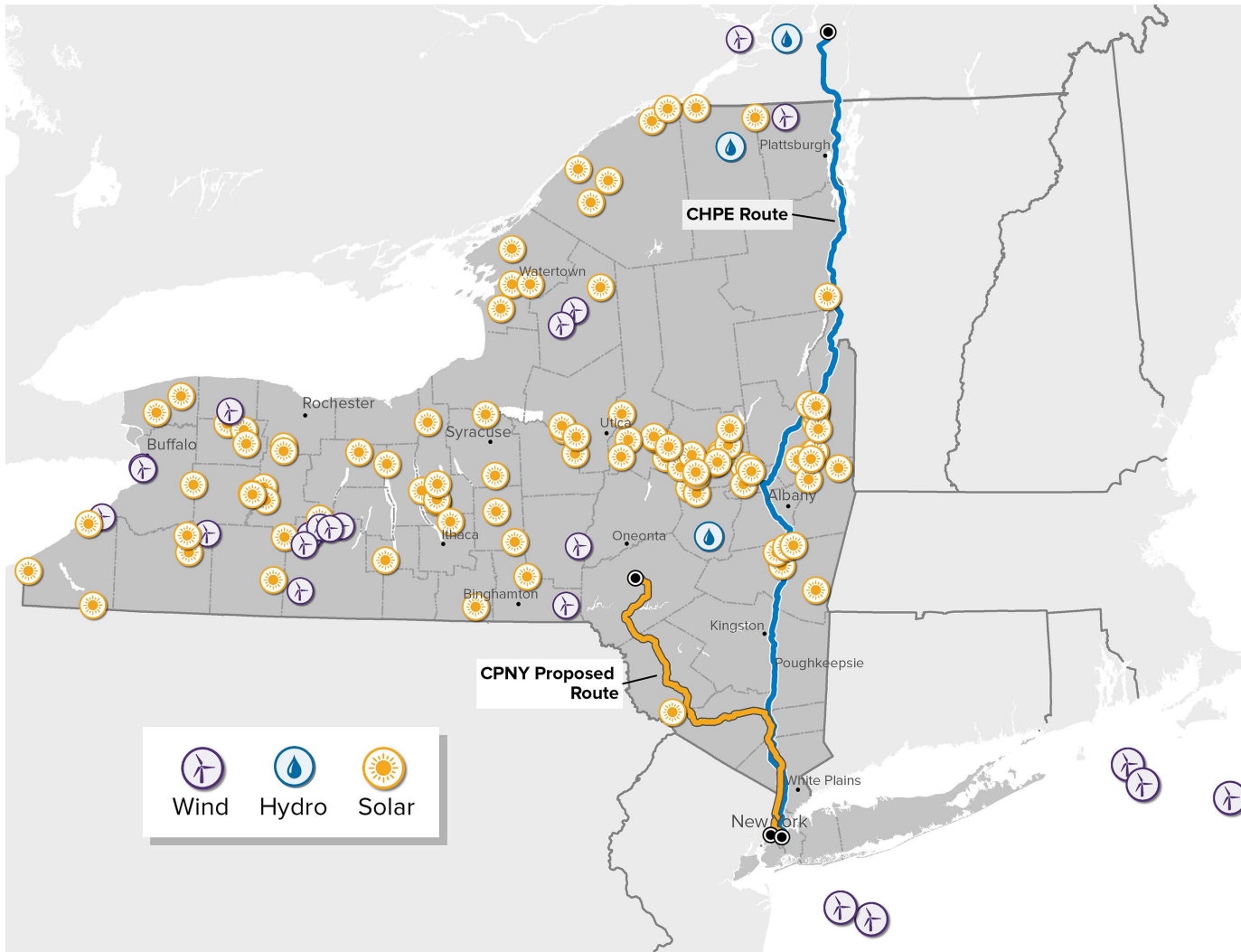


Vice President's Remarks

Background

Large-Scale Renewables in New York State

Nation-Leading Renewable Ramp-Up for a Clean Grid



Since 2018, NYSERDA has awarded

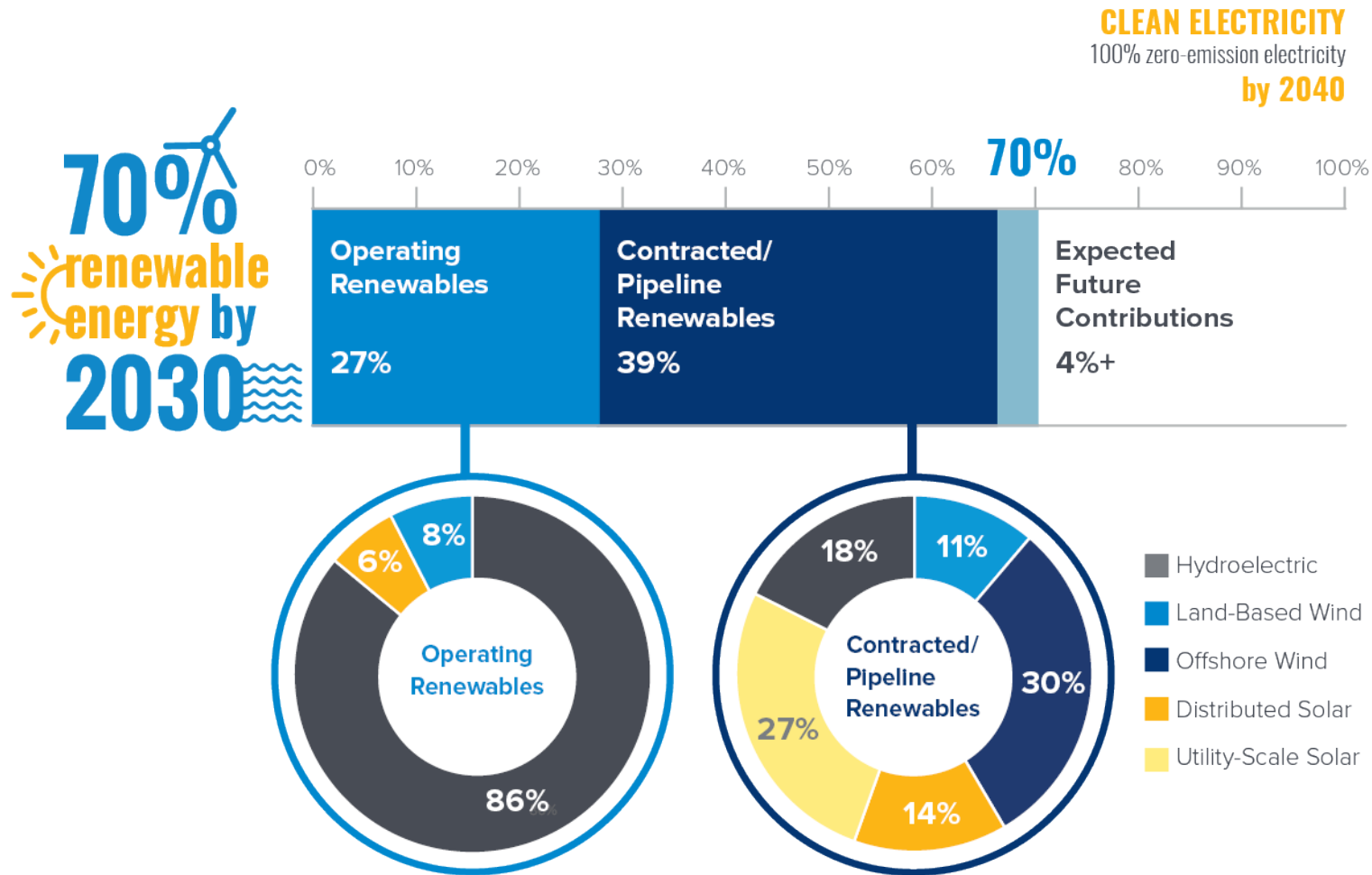
Over 120 projects

14,200+ MW

Includes recently announced awards for **22 large-scale** solar and energy storage projects across upstate New York, totaling **over 2,400 MW** of new renewable capacity and **159 MW** of energy storage capacity

All contracted project information is [available via Open NY](#)

Progress to 70% Renewable by 2030



Credit: NYSDERDA Progress Toward Renewable Energy Goals

Climate Leadership and Community Protection Act

New York's Nation-Leading Climate Targets

- 85% Reduction in GHG by 2050
- 100% Zero-emission Electricity by 2040
- 70% Renewable Energy by 2030
- 3,000 (up to 6,000) MW of Energy Storage by 2030
- 9,000 MW of Offshore Wind by 2035
- 10,000 MW of Distributed Solar by 2030
- 22 Million Tons of Carbon Reduction through Energy Efficiency and Electrification



FOR IMMEDIATE RELEASE: 9/21/2022

GOVERNOR KATHY HOCHUL

**GOVERNOR HOCHUL ANNOUNCES NEW COMPETITIVE SOLICITATION
CALLING FOR 2,000 MEGAWATTS OR MORE OF NEW LARGE-SCALE
RENEWABLE ENERGY PROJECTS**

*Once Completed, Awarded Projects Will Be Able To Power at Least 600,000
New York Homes*

*Total Statewide Renewable Energy Projects Now Underway to Power 5.5
Million New York Homes*

*Development Expected To Spur Nearly \$3 Billion in Clean Energy Investments
and Create Over 2,000 Family-Sustaining Jobs in the Green Economy*

Accelerated Renewable Energy Growth and Community Benefit Act



ores.ny.gov

[20-E-0249](#)

[20-E-0197](#)

Office of Renewable Energy Siting (ORES)

- ORES standard regulations for all major renewable energy facilities effective March 2021.
- 7 permits approved, 11 applications under review.

Host Community Benefit Program

- Utility bill credit funding requirements adopted by the PSC February 2021.

Initial Report on the Power Grid Study

- Initial Report on the Power Grid Study published Jan. 2021.
- First Phase 1 transmission projects submitted by National Grid approved by the PSC July 2022.

Solicitation Summary & Schedule

RESRFP22-1 Schedule

Sept.	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun/Jul
RFP Issued Sept. 21	Step One Eligibility Application Open Applications Due Nov. 16		NoQ Issued Nov. 30	Step Two Bid Proposal Open Bids Due Feb. 9 '23		Bid Evaluation & Specialist Review Feb. – Mar. '23	Award & Contract Selection Spring '23		2023 RFP Issued Summer '23

RESRFP22-1 Multi-Step Process

Step One Eligibility Application	Step Two Bid Proposal
Deadline: Weds., November 16, 2022 by 3:00 p.m.	Deadline: Thurs., February 9, 2023 by 3:00 p.m.
<p>Requirements for Submission:</p> <ul style="list-style-type: none"> • Tier 1 eligibility certification (PSoQ or SoQ), obtained via NYGATS. • Key Proposer and Bid Facility characteristics (location, point of interconnection, capacity, energy storage, etc.). • Overview of how Bid Facility will meet all eligibility requirements by Step Two Bid Proposal deadline. • Indication of Settlement preference (non-binding): Index or Fixed Price • Executive Order No. 16 certification form • Executive Order No. 192 certification form 	<p>Requirements for Submission:</p> <ul style="list-style-type: none"> • Expanded project characteristics and details, interconnection and environmental mitigation cost estimates. • Binding Bid Price and Bid Quantity data. • Minimum Threshold Requirements documentation (Site Control, Interconnection, etc.) • Expected benefits and burdens to Disadvantaged Communities. • Energy Deliverability Study, if Required • Permitting Plan • Wetlands Screening Study • Community Engagement Plan • Operational Flexibility and Peak Coincidence documentation (P(50) 8760, energy storage details, etc.). • If applicable, Incremental Economic Benefits claims, including identification of specific claims that will benefit Disadvantaged Communities. • Proof of Bid Fee payment

RESRFP22-1 New & Notable Items

Commercial Operation Milestone Date

- All facilities must enter operation by May 31, 2025, with options to extend this date to May 31, 2028.

Buy American Requirements

- All awarded facilities must source a certain portion of steel from domestic sources based on the Nameplate Capacity of the facility.

Prevailing Wage

- Paying prevailing wage, or executing a Project Labor Agreement, required for the construction of the Bid Facility, pursuant to recently enacted Labor Law § 224-d.

Labor Peace Agreement

- Entering a Labor Peace Agreement required under certain circumstances for operations and maintenance of Bid Facility, pursuant to recently enacted Public Service Law § 66-p.

Forced Labor Prevention Pledge

- Solar PV Bid Facilities required to sign the SEIA Forced Labor Prevention Pledge and evidence this commitment as part of the Step Two Bid Proposal.

RESRFP22-1 New & Notable Items

Minimum Threshold Requirements

- Previous evaluation subcategories of Site Control, Community Engagement, Resource Assessment/Energy Production Estimate, and Carbon Emissions/Embodied Carbon will now serve only as eligibility requirements.

Interconnection

- Proposers must have an Interconnection Request with NYISO and (1) a draft SRIS/SIS from NYISO or a third-party or (2) have conducted an interconnection study performed in alignment with the SIS/SRIS study procedures.

Energy Deliverability

- Proposers must provide an Energy Deliverability Study unless they prove that interconnection at proposed POI will not pose deliverability constraints or incremental curtailment to large-scale renewable projects.

Permitting

- Bid Facilities that have not received final wetlands jurisdictional determination are required to conduct an on-site wetlands screening.

RESRFP22-1 New & Notable Items

Agricultural Land Requirements

- Proposers may indicate in their Step Two Bid Proposal their intent to defer Agricultural Mitigation payment if they elect to adopt agricultural co-utilization measures via the Agricultural Mitigation Payment Referral Request Form.

Inflation Risk Adjustment

- Proposers may submit an Inflation Risk Adjusted Bid Proposal where the Index REC Strike Price or Fixed REC Price would be subject to a one-time adjustment to reflect changes to a pre-determined price index.

Capacity Accreditation

- In light of NYISO Capacity Accreditation rules approved in May 2022, NYSERDA has prepared an updated Reference Capacity Price (RCP) formula for use in calculation of Monthly Reference Capacity Price.

Economic Benefits to MWBE & SDVOB

- Incremental economic benefits that will be realized in part or in full by MWBE and SDVOB will be more favorably evaluated.

Bid Price Structure & Evaluation

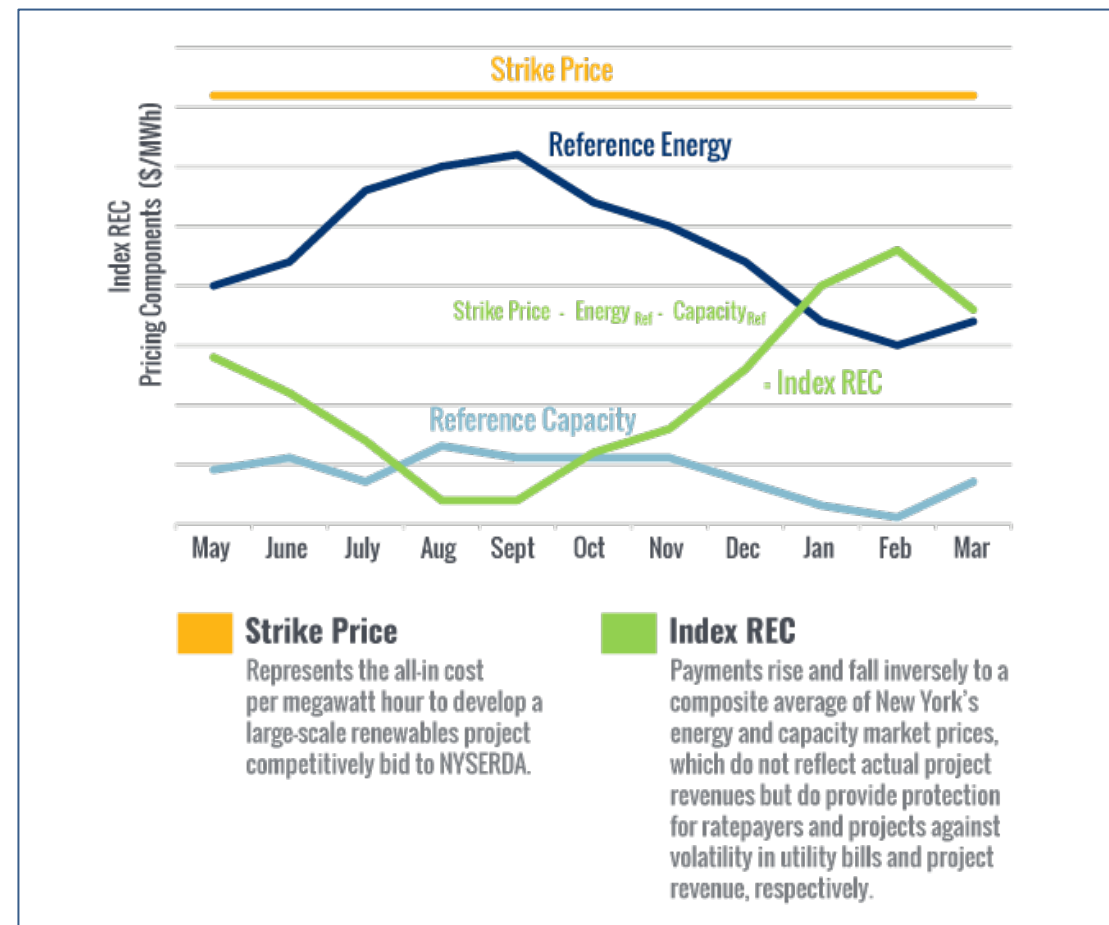
Fixed and Index REC Price Structures

Fixed REC

- Fixed price paid for each MWh generated and delivered for end use in NYS.
- Optionality for Fixed or Index Renewable Energy Certificate (REC).

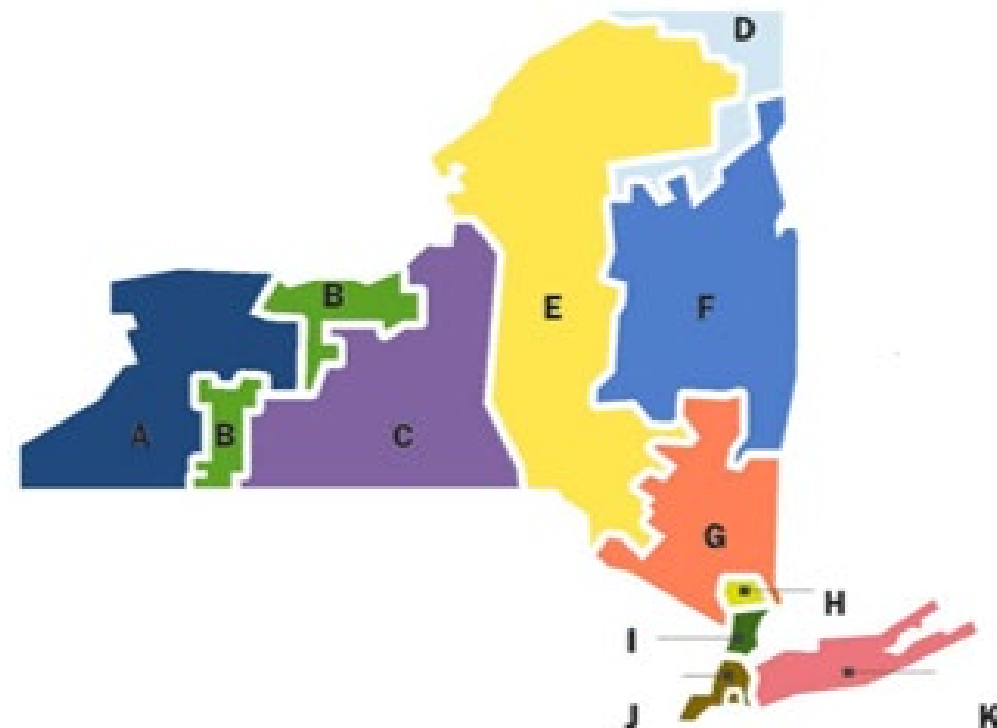
Index REC

- REC payments rise and fall inversely to energy and capacity revenues.
- Fixed REC Price or Index REC Strike Price will be uniform for the full contract tenor (unless adjusted by the Inflation-Adjusted Risk Proposal mechanism).
- Calculation of Monthly Reference Prices (Energy & Capacity) will reflect the facility's point of interconnection/delivery.



Fixed & Index REC Evaluation

- Fixed REC and Index REC will be converted to a Levelized Net REC Cost (LNRC), evaluated over the contract tenor.
- Index REC strike prices will be converted to LNRCs with NYISO Zone-specific energy and capacity forecasts based on the facility's submitted UCAP Production Factors and 8760 production profile.
- Bid Price comprises 70% of bid evaluation.
- Lowest LNRC will receive the maximum points available for the Bid Price component (70 points), higher LNRCs will receive lower scores (less than 70 points).



Index REC Settlement

Index REC Payment Structure

- **Index REC Strike Price:** Proposer chooses one Strike Price for the contract tenor.
- **Reference Energy Price:** Calculated monthly based on the [average hourly day-ahead market zonal Locational Based Marginal Pricing \(LBMP\)](#) for the Bid Facility's NYISO Zone.
- **Reference Capacity Price:** Calculated monthly based on the Seller-selected seasonal UCAP factor, fixed for the contract tenor, multiplied by the MWh equivalent of the monthly ICAP spot market auction price for the Bid Facility's NYISO Zone, [adjusted for capacity accreditation implementation](#).
- **Monthly REC Price:** Difference of Strike Price and sum of Reference Energy Price and Reference Capacity Price for each month, paid for each MWh produced by the Bid Facility in the subject month.

$$\text{Index REC Strike Price} - \left(\text{Reference Energy Price} + \text{Equiv. Reference Capacity Price} \right) = \text{Monthly REC Price (\$/MWh) Paid to Seller}$$

Capacity Accreditation

NYISO Capacity Accreditation rules approved by FERC in May 2022

- The New NYISO Capacity Accreditation Rules are described in [NYISO's petition to FERC](#). Information on the proposed approach to resource-specific derating factors is available in the [April 19, 2022](#) and [May 24, 2022](#) presentations to the NYISO ICAP Working Group.
- Implementation specifics being finalized by NYISO this year; new rules effective May 2024.
- After the change in Capacity Accreditation is set forth in detail by NYISO in compliance with the recent FERC Order, NYSERDA intends to make necessary modifications to its Index REC settlement formula to include a new Capacity Accreditation Factor that preserves economic expectations of agreements that will be awarded under RESRFP22-1.
- All Capacity Accreditation related materials published by NYISO are available at: www.nyiso.com/accreditation

Capacity Accreditation

NYSERDA is actively monitoring NYISO's implementation of the capacity accreditation rules. NYSERDA's current expected approach to implementation of NYISO's new capacity accreditation rules is reflected in the Reference Capacity Price formula included in the RESRFP22-1 Standard Form Agreement and discussed in NYSERDA's recently issued [2022 Large-Scale Renewables Capacity Accreditation Request for Information](#) (LSRRFI22-1) and associated [Questions and Answers](#) document.

$$RCP = \underbrace{\frac{RUP \times UPF \times IC \times 1,000}{MDE}}_{\text{Existing formula}} \times \underbrace{\frac{CAF}{\text{Average PLW Capacity Factor of Representative Unit}}}_{\text{New multiplier to reflect capacity accreditation}}$$

RCP = Reference Capacity Price (\$/MWh)

RUP = Reference UCAP Price (\$/kW-month)

UPF = UCAP Production Factor (decimal fraction)

IC = Installed Capacity (ICAP) of generator (MW)

1,000 = kW to MW conversion factor

MDE = Metered delivered energy (MWh)

CAF = Capacity Accreditation Factor for the resource's Capacity Accreditation Resource Class

Average PLW Capacity Factor of Representative Unit = Capacity Factor during Capability Period Peak Load Window hours of the Representative Unit for the Bid Facility's Capacity Accreditation Resource Class

Inflation Risk Adjustment Proposal (IRAP)

Under RESRFP22-1, Proposers may elect to submit an Inflation Risk Adjusted Bid Proposal. This Alternate Bid Proposal implements a price structure mechanism where the Index REC Strike Price or Fixed REC Price would be subject to a one-time adjustment (increased or decreased REC_{adj}) to reflect changes to a pre-determined price index subsequent to the Step Two Bid Proposal deadline.

$$REC_{adj} = REC_{bid} \times \left(P \times \frac{Index_T}{Index_B} + (1 - P) \right)$$

REC_{bid} : Index REC Strike Price or Fixed REC Price as submitted with the Bid Proposal (\$/MWh)

$Index_T$: Producer Price Index (PPI): Value of the PPI All Commodities index established by the average of three months prior, and three months post the commencement of Construction Activities

$Index_B$: Producer Price Index (PPI): Value of the PPI All Commodities index established by the average of the six months of available data prior to the Bid Proposal Submission Deadline

P : 75%, percentage of Bid Price (Fixed or Strike) that is subject to adjustment

Non-Price Components & Evaluation

Project Viability and Operational Flexibility

Economic Benefits and Disadvantaged Communities

Project Viability and Operational Flexibility

- Project Viability and OpFlex comprise 20% of bid evaluation.
- Project Viability & OpFlex Subcategories:

Subcategories for Evaluation:

- Energy Deliverability
- Peak Coincidence
- Interconnection
- Energy Storage
- Permitting Viability
- Project Development, Financing & Creditworthiness
- Agricultural Land

Minimum Thresholds only:

- Site Control
- Resource Assessment/Energy Production Estimate
- Community Engagement (cleanenergyhelp@nyserda.ny.gov)
- Carbon Emissions and Embodied Carbon

All Minimum Threshold Requirements must be met to be evaluated for an award.



Project Viability and Operational Flexibility

Updated Minimum Thresholds include:

- **Energy Deliverability:** Energy Deliverability Study conducted for Bid facility unless exempted by NYSERDA (See Appendix 5 of RESRFP22-1).
 - Proposers may submit exemption requests prior to Step One Eligibility Application deadline.
- **Interconnection:** Draft SIS/SRIS received with interconnection cost estimates
 - Conducted by NYISO/interconnecting utility or study conducted in alignment with Att. X/Z of the NYISO OATT.
- **Permitting Viability:** On-site wetlands and waterbodies field screening conducted for the Bid Facility proposed site of generating equipment (See Appendix 3 of RESRFP22-1).
- **Agricultural Land:** Smart Solar Siting Scorecard submitted for solar facilities (See Appendix 4/ Exhibit 1 to Appendix 4 of RESRFP22-1).
 - Agricultural Mitigation Payment Deferral Request Form may also be submitted as part of Step Two Bid Proposal.

Project Viability and Operational Flexibility

Energy Deliverability

- All new (not yet operating) Bid Facilities will be required to submit with the Step Two Bid Proposal an Energy Deliverability Study aligned with Appendix 5 unless an exemption request is submitted and approved by NYSERDA.
- Evaluation based on the benefits afforded to the electric grid (grid congestion, delivery constraints), and the extent to which a Proposer can demonstrate that the Bid Facility can deliver its proposed generation to the electrical system without adverse incremental curtailment to existing and planned renewable generators.

New York Renewable Generation Pocket Map

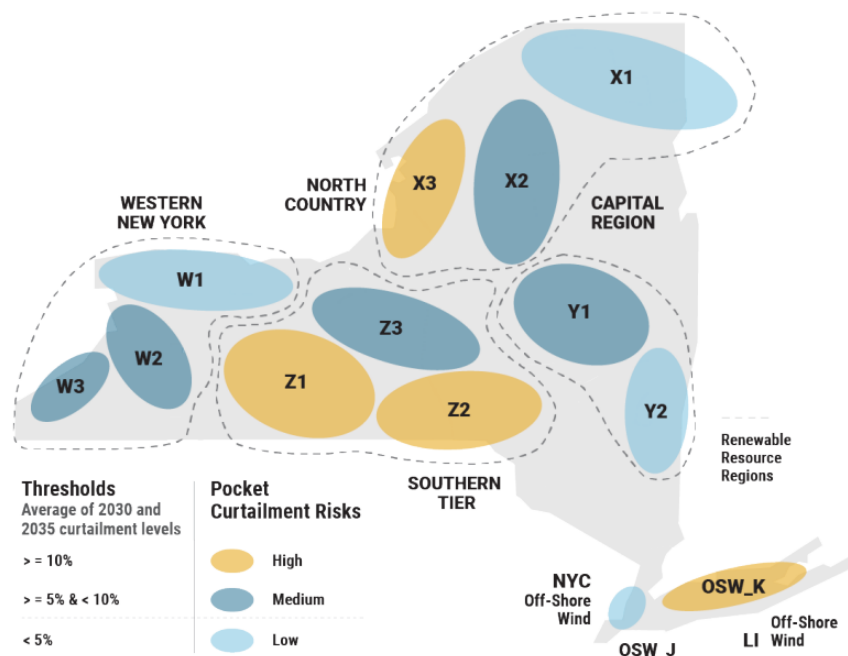
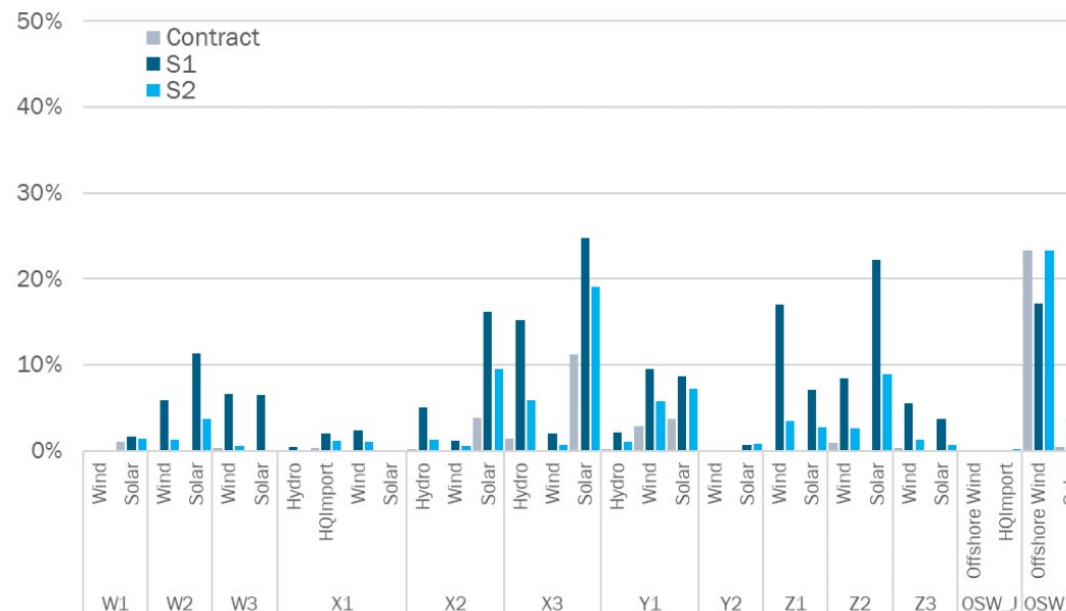


Figure 30: Renewable Generation Pocket Curtailment Rates by Generation Type, 2030 and 2035



Project Viability and Operational Flexibility

Capacity Headroom in the East of Syracuse Region (MW)

Location	2030			
	Summer Peak Load	Light Load	Shoulder Load	Winter Peak Load
Cortland	150	80	140	180
Fenner	10	20	20	60
Oneida	250	210	280	310
Yahnundasis	200	130	170	250
Total	610	440	610	800

Capacity Headroom in the Watertown/Oswego/Porter Region (MW)

Location	2030			
	Summer Peak Load	Light Load	Shoulder Load	Winter Peak Load
Malone	0	30	10	80
Colton	0	0	0	0
Dennison	40	30	90	230
McIntyre	0	0	0	20
Brown Falls	0	0	0	0
Taylorville	-90	-100	-130	0
Boonville	0	0	20	10
Rome	140	20	50	220
Black River	0	-30	0	0
Coffeen	0	0	0	0
Lighthouse Hill	0	0	0	0
South Oswego	10	0	0	70
Lyme	-10	0	0	0
Total	90	-50	40	630

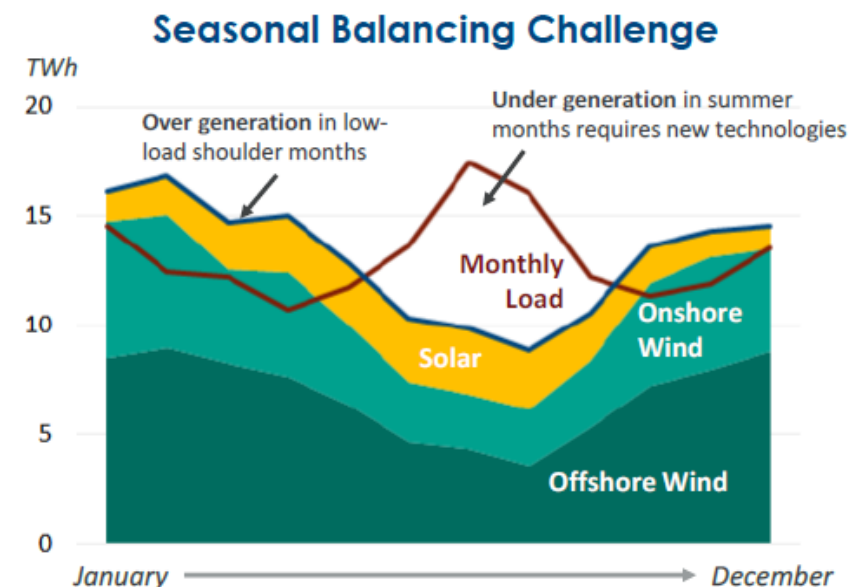
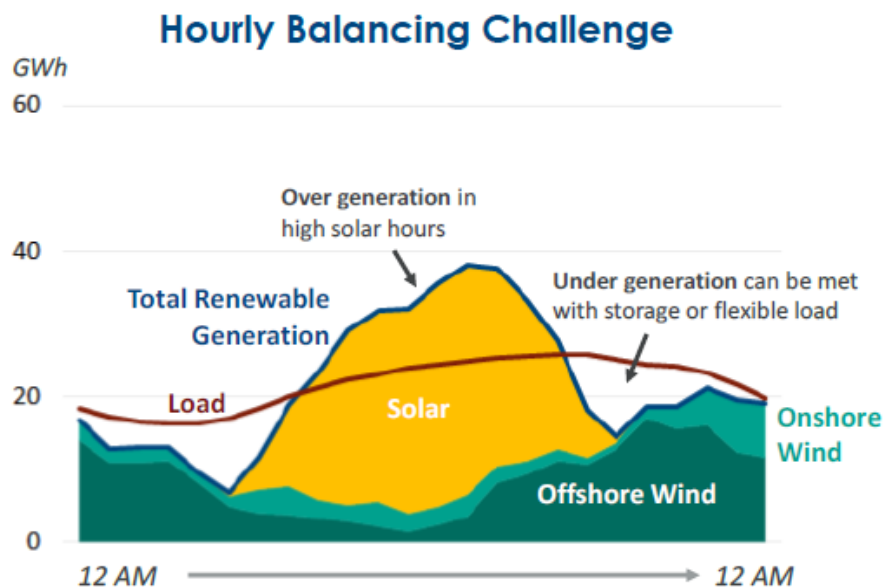
Energy Deliverability

- Energy Deliverability Study must be aligned with Appendix 5 of RESRFP22-1 unless an exemption request is submitted and approved by NYSERDA.
- Bid Facilities may be exempt if 1) interconnecting to the high voltage system or 2) interconnecting at a POI with sufficient headroom to support the proposed generation.
- Exemption request will be reviewed based on the most recent Utilities' Headroom Data filing, augmented with additional NYSERDA-contracted projects listed in Appendix 5.
 - Utility Headroom Data Available: [DPS Case 20-E-0197](#)

Project Viability and Operational Flexibility

Peak Coincidence

- Evaluation based on how closely the Bid Facility's expected generation profile matches future estimates of NYISO load net of the portfolio of operational, contracted, and under development renewable and zero-emissions generation in New York State.



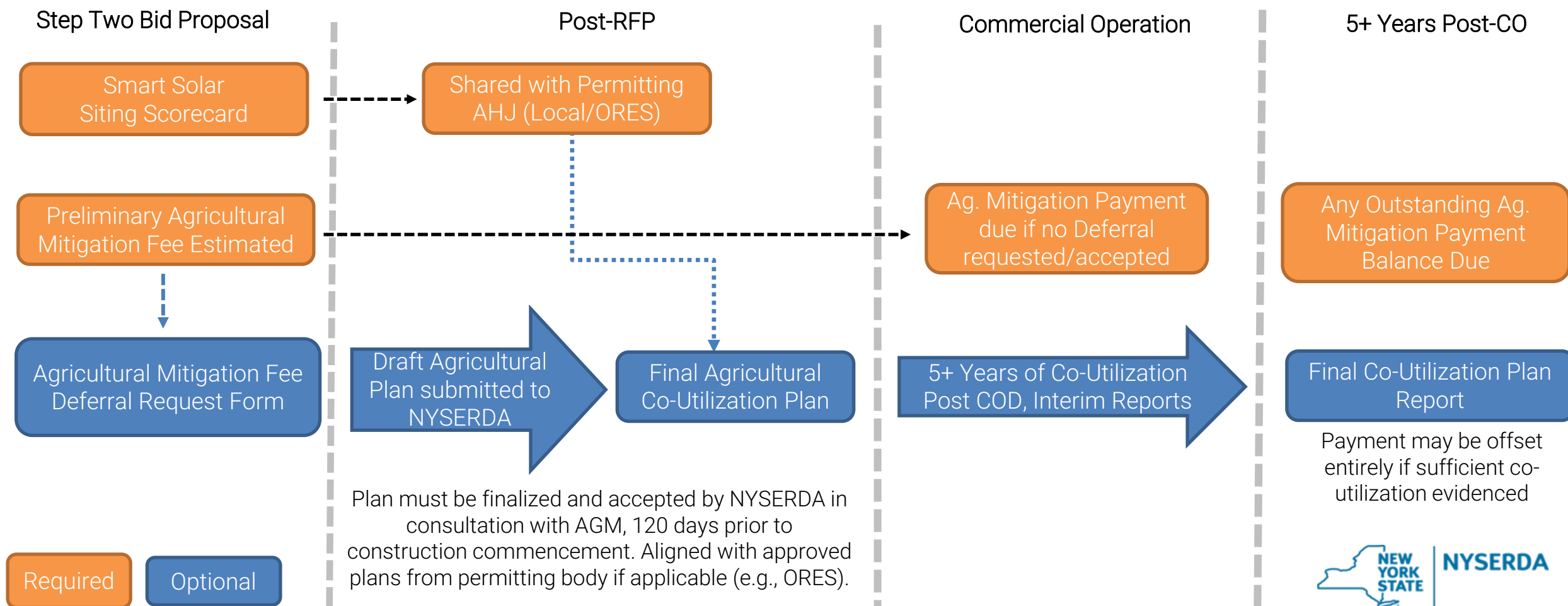
Project Viability and Operational Flexibility

Permitting Viability and Agricultural Land

- Permitting Viability evaluation based on permitting maturity and amount of due diligence conducted/planned demonstrated in Permitting Plan.
 - Permitting Plans should address all aspects identified in Appendix 2, including how the Proposer plans to meet any specific requirements identified by the permitting entity.
 - Mitigation hierarchy of impacts should be employed to assess site impacts and potential alternatives/mitigation.
- Agricultural Land evaluation based on results of the Smart Solar Siting Scorecard, including the avoidance, minimization, and mitigation of impacts to active agricultural land, Mineral Soil Groups 1 through 4 (MSG 1-4), and forested lands, and/or co-utilization measures adopted by the Proposer as part of the Step Two Bid Proposal.
 - For Solar facilities, Agricultural Mitigation Payment requirements are based on soil impacts, with potential mechanisms to offset mitigation payments.
 - For RESRFP22-1, Proposers may indicate in their Step Two Bid Proposal their intent to defer this payment if they elect to adopt agricultural co-utilization measures via the Agricultural Mitigation Payment Referral Request Form.

Project Viability and Operational Flexibility

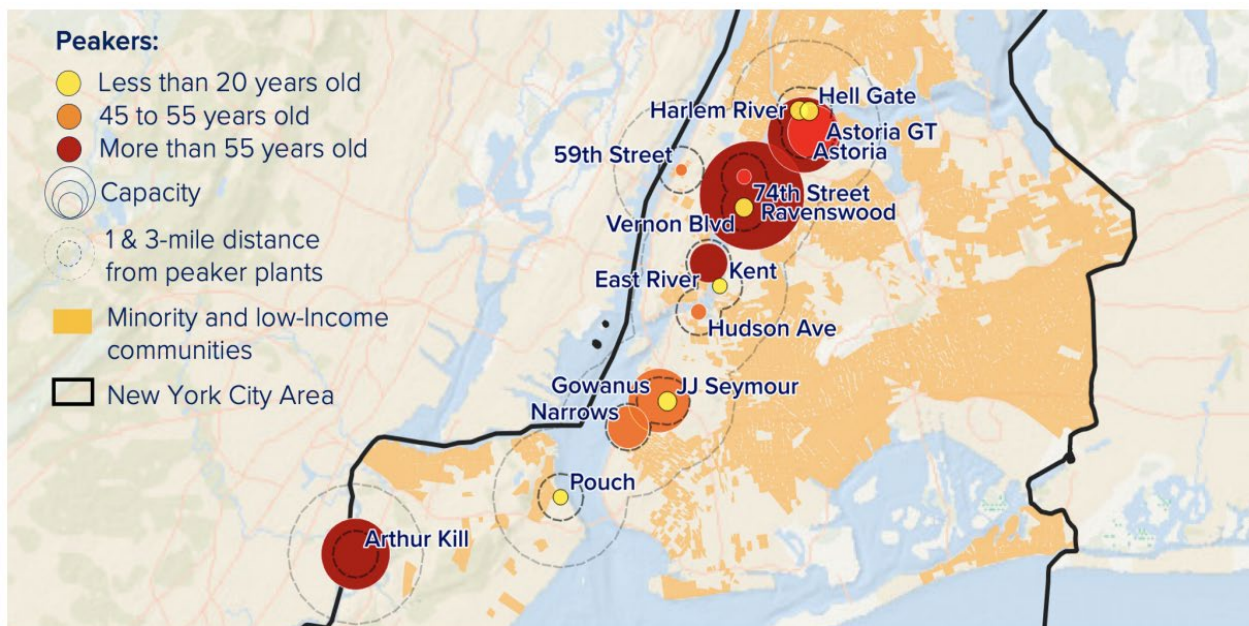
Smart Solar Siting Scorecard & Agricultural Mitigation Payment Process



Project Viability and Operational Flexibility

Energy Storage

- Evaluation based on the price premium associated with the addition of energy storage, the size of the energy storage facility, and its relationship with the paired generator.
 - Benefits to the grid may also be demonstrated as part of the Bid Proposal for evaluation.
- Energy storage facilities located in NYISO Zones J and K will be given the greater weighting in evaluation due to the disproportionate presence of existing generators in disadvantaged communities in these regions.
- NYSERDA will coordinate with any other competitive offers with overlapping eligibility with RESRFP22-1, to ensure that all eligibility is accounted for prior to the commencement of an award notification.



Source: Strategen with US Census and EPA data

Project Viability and Operational Flexibility

Subcategories for Evaluation

Category	Threshold	Documentation
Energy Deliverability Peak Coincidence	Required interconnection data 20-year hourly generation profile	P(50) 8760 Profile, Energy Deliverability Study (if applicable)
Interconnection	SIS/SRIS/equivalent study commenced with interconnection cost estimate produced	Grid Operator/Utility Evidence Draft Grid Operator/third-party SIS/SRIS
Permitting Viability	Permitting Plan consistent with Appendix 2 Jurisdictional-specific studies completed Wetlands and waterbodies field study complete	Permitting Plan, Jurisdictional-specific studies, Wetlands and waterbodies field screening
Energy Storage	Interconnection discussed with Utility or IR submitted	IR or Evidence of Pre-IR Discussion
Agricultural Land	Agricultural Land description Smart Solar Siting Scorecard (for Solar Bid Facilities only)	Smart Solar Siting Scorecard, Agricultural Mitigation Payment Deferral Request Form (if applicable)

Project Viability and Operational Flexibility

Minimum Threshold Only Subcategories

Category	Threshold	Documentation
Project Development, Financing and Creditworthiness	One RE project developed and financed Project Schedule and Financing Plan	Financing Plan, Development/Financing experience
Generation Facility Site Control Interconnection Right of Way Control	50% generator site control Full control of POI	Site Map, Project Site Parcel Detail
Community Engagement	Outreach with host communities Community Engagement Plan	Community Engagement Plan
Resource Assessment & Energy Production Estimate (RA/EPE)	RA/EPE consistent with Appendix 1	RA/EPE Report
Carbon Emissions and Embodied Carbon	Description of embodied carbon/ Life Cycle carbon footprint	

Economic Benefits and Disadvantaged Communities

Incremental Economic Benefits to New York

- Long-term Economic Benefits, Short-term Economic Benefits, Investments/Commitments to Local Economic and Workforce Development.
- Claims are eligible as of the RFP Launch Date: Sept. 21, 2022.
- Economic Benefit claims will be included in the Agreement to fulfill through Y3, to be verified by independent CPA.
- Economic Benefits for entire Contract Tenor will still be requested with the Step Two Bid Proposal.
- Agreement Section 6.10 Specific Disadvantaged Community Commitments.

Proposers are encouraged to contact CleanTech@esd.ny.gov re: how Empire State Development may be able to assist with economic development opportunities.

Economic Benefits and Disadvantaged Communities

Disadvantaged Communities

- All Proposers will be required to identify impacts, including benefits and burdens, on proximate Disadvantaged Communities (DACs).
- Any economic benefits that can be demonstrated to benefit DACs will be given a materially stronger preference in evaluation. Proposers are encouraged to explore benefits that can be achieved in each of the economic benefits categories.
 - Hiring of residents for short- and long-term jobs, including development, construction, and operations & maintenance.
 - Long-term payments, including PILOTs, utility bill credits, host community agreements, and other commitments.
 - Investments in local economic and workforce development, including targeted environmental justice programs, local scholarships, apprenticeship programs, and community-oriented projects.
- Longer-term commitments with tangible benefits will receive preferential evaluation.
- Resources available from [NYSERDA](#) and the [Climate Action Council](#) to support Proposers' development of economic benefits targeted for DACs.
 - Questions regarding the applicability of economic benefits to DACs should be addressed to res@nyserdera.ny.gov or submitted via the solicitation website.
 - Mapping resources available at: nyserdera.ny.gov/ny/disadvantaged-communities

Economic Benefits and Disadvantaged Communities

Disadvantaged Communities & MWBE / SDVOB

- The interim Disadvantaged Communities criteria will apply to all Large-Scale Renewable projects awarded before the final Disadvantaged Communities criteria are finalized by the Climate Justice Working Group (CJWG). Further resources for identifying interim Disadvantaged Communities are located on NYSERDA's [Disadvantaged Communities website](#).
- Once the final Disadvantaged Communities criteria are finalized, they will be incorporated into future solicitations, and an updated map of New York Disadvantaged Communities will be provided for reference to Proposers. Additional resources for identifying draft Disadvantaged Communities are located on the [New York Climate Act website](#).
 - Incremental Economic Benefits submitted by Proposers to RESRFP22-1 will be **eligible under both the interim and the final Disadvantaged Communities criteria**.
- Incremental economic benefits that will be realized in part or in full by MWBE and SDVOB will be more favorably evaluated, much like the favorable evaluation of benefits to Disadvantaged Communities. MWBE businesses must be [certified by the Division of MWBE](#) and SDVOB businesses must be [certified by NYS Office of General Services](#).

Economic Benefits and Disadvantaged Communities

Workforce Development Commitments

Proposers are strongly encouraged to coordinate with state or local organizations, including trade organizations, to explore the feasibility of partnering with local communities to employ residents for short- and long-term roles.

- NYSERDA [On-the-Job Training \(OJT\) program](#) for clean technology businesses seeking to recruit new hires.
 - Browse [examples of previously supported training projects](#), including multiple partnerships that have trained workers from disadvantaged communities to prepare the clean energy workforce.
 - For questions, contact PONOJT@nyserda.ny.gov.
- [Energy Efficiency and Clean Technology Training](#) program is available to contractors seeking to provide targeted training and workforce development resources.
 - For questions, contact wfinfo@nyserda.ny.gov.
- [NYSERDA Internship & Pre-Apprenticeship Program](#)
- [DOL Apprenticeship Program](#)
 - For questions, contact the appropriate local apprenticeship representative or contact ATCO@labor.ny.gov
- [DOL Career Center Events & Recruitment program](#) supports regularly scheduled job fairs where employers can actively source workforce participants from disadvantaged communities.

Economic Benefits and Tier 4 Coordination

- Bid Facilities awarded under the Tier 4 solicitation (T4RFP21-1) are permitted to participate and if eligible bid under RESRFP22-1.
 - Any facility seeking to sell Tier 1 RECs to NYSERDA must independently secure a Tier 1 Agreement under a Tier 1 solicitation.
- Any incremental economic benefit claims that are claimed under an awarded Tier 4 Agreement may also be included with a Tier 1 Bid Proposal, subject to Tier 1 economic benefits eligibility requirements.
- If awarded under T4RFP21-1 and a future Tier 1 solicitation, NYSERDA will work with the Proposer at the time of contracting to include appropriately flexible terms to verify the economic benefits Expected Total Dollars and allow for sale of RECs as either Tier 1 or Tier 4.

Standard Form Agreement & Contractual Commitments

Labor and Buy American Requirements

Labor Requirements

Prevailing Wage Requirement (New Labor Law §224-d requirement)

- No less than six months prior to the commencement of Construction Activities, Seller must notify NYSERDA of its intent to commence construction activities, and in cooperation with the New York State Department of Labor, generate a prevailing wage determination for the Bid Facility.
- All laborers, workmen and mechanics performing Construction Activities on a Bid Facility, including start-up and commissioning of the Bid Facility, whether through long-term or short-term employment, must be paid wages and benefits in an amount not less than the Prevailing Rates.

Project Labor Agreement (PLA) (New Labor Law §224-d requirement)

- Bid Facilities constructed under a PLA that meets the requirements of Labor Law §222 and the Agreement are not subject to the Prevailing Wage requirements (See Section 8.12 and Exhibit J of Attachment A. RES Standard Form Agreement).

Labor Peace Agreement (LPA) (New Public Service Law §66-r)

- The Seller, or a third party acting on the Seller's behalf, is required to stipulate in the Agreement that it will enter an LPA where a bona fide labor organization is actively representing, or attempting to represent, employees providing operations and maintenance services for the Bid Facility (See Section 8.13 of Attachment A. RES Standard Form Agreement).

Buy American / Domestic Steel Provisions

- The New York State Public Service Law (PSL) § 66-r (4) (a) (the Buy-American Act) states:
...iron and structural steel used or supplied in the performance of the Contract or any subcontract thereto[,] and that is permanently incorporated into the public work, [be] produced or made in whole or substantial part in the United States, its territories or possessions.
- Pursuant to (PSL) § 66-r (4) (b) NYSERDA's President and CEO determined not to require all structural iron or steel for solar and wind bid facilities to be produced in the U.S.
- However, in accordance with the objects of the Buy-American Act, NYSERDA has set minimum spending standards for iron and steel:
 - a) Onshore wind Bid Facility awardees are required to establish a minimum expenditure of \$54,000/MWac on iron and/or steel components that are manufactured in the U.S. with iron and steel produced by U.S. steel mills for use in the Bid Facility.
 - b) Solar Bid Facility awardees are required to establish a minimum expenditure of \$30,000/MWdc on iron and/or steel components that are manufactured in the U.S. with iron and steel produced by U.S. steel mills for use in the Bid Facility.
 - c) For Bid Facilities that utilize technology other than utility-scale solar PV or onshore wind, and have yet to be constructed, NYSERDA will determine the compliance obligation in advance of the Step Two Bid Proposal deadline (See Section 2.4.5 of RESRFP22-1 for additional detail).

Registering in NYGATS

Tier 1 Eligibility

Registering in NYGATS

New York Generation Attribute Tracking System (NYGATS)

[Sign in \(Existing Users\)](#) 

[Register \(New Users\)](#) 

NYGATS is an online certificate-tracking system that records information about electricity generated, imported, and consumed within New York State.

<https://nygats.ny.gov/>

All NYGATS Tier 1 eligibility requests/updates must be submitted by November 2, 2022

Registering in NYGATS

- Step One: Register a NYGATS Account
 - If you already have a NYGATS account then simply log in through your existing Account.
- Step Two: Create the new Provisional Project
 - Please be sure to select [Register New Provisional Project](#).
 - Enter required project information and then Submit the Provisional Project.
- Step Three: Apply for a Provisional Statement of Qualification or a Statement of Qualification

Registering in NYGATS

- Other reference/training materials available at NYSERDA's NYGATS webpage: nyserderda.ny.gov/All-Programs/Programs/NYGATS
 - [NYGATS Account Registration](#)
 - [Registering Operational and Provisional Projects in NYGATS](#)
 - [Applying for Tier 1 Certification for Operational and Provisional Projects in NYGATS](#)
- Upgrade and Repower Bid Facilities are encouraged to register in NYGATS as soon as possible for NYSERDA to determine their Tier 1 eligibility percentage.
- Questions with registering/applying for Tier 1 certification should be directed to res@nyserderda.ny.gov.

Solicitation Website

Step One & Step Two Instructions

Step One- Solicitation Website Registration



Accion Home	NYSERDA	Schedule	Announcements	Documents	Q&A	Register	Tutorial	Log On	
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**New York State Energy Research and Development Authority
(NYSERDA)**

Renewable Energy Standard

Purchase of New York Tier 1 Eligible Renewable Energy Certificates

REQUEST FOR PROPOSALS (RFP) No. RESRFP22-1 ("RESRFP22-1")

Step One- Eligibility Application Management



Create a new bid here



View All Applications

Form Sections

(Show Section No.s ☒)

Prequalification Form

1	NYSERDA RFP Acknowledgements	✓
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Application Form

1	Step One Eligibility Application	3/4
2	Contact Parties	1/44
3	Bid Facility, Site, and Generating Equipment Description	1/20
4	Energy Storage	0/15
5	Confidentiality and Mandatory Questions	0/11
6	Certification Statement	0/5

Step One Eligibility Application

Printable Application Form

Time Remaining: 332 Days, 19 Hours, 22 Minutes and 24 Seconds

Application Information

Last Saved: 7/27/2020 7:37:22 PM

Application #: 209-01

Step One Eligibility Application

(required) Enter NYGATS ID:

PRO12345

(required) Please upload the signed letter confirming your Tier-1 eligibility for NYGATS Statement of Qualification (SoQ) or Provisional Statement of Qualification (PSoQ), accessible at <https://nygats.ny.gov>. Please do not upload NYGATS screenshots:

(required) Is the Bid Facility is currently in operation and in possession of an SoQ?

Bid Facility SoQ

☐ Yes
☒ No

(required) Do you intend to include Energy Storage in a Step Two Bid Proposal?


Facility Energy Storage




☒ Yes
☐ No

Step One- Eligibility Application Management

For Proposers including Energy Storage:

- Complete two separate Step One Eligibility Applications, one with and one without Energy Storage
- Clone feature on the solicitation website may be used to make a copy of the Application without Energy Storage as a starting point for the Application with Energy Storage.



Application No.	Facility Name	Notification Contacts	Application Book	Required Uploads		Clone Application
209-01	Solar Project One			 0/1	Application Form	Delete
						Submit Application

NYSERDA Notice of Qualification

Notice of Qualification will include:

- Determination of eligibility to submit a bid
 - NYSERDA will attempt to cure any preliminary Ineligible determinations with Proposers.
- Maximum Contract Tenor
- Other Bid Quantity Inputs
 - Tier 1 Percentage (Upgrades)
- Energy Deliverability Study Requirement
- Instructions on submitting a Step Two Bid Proposal
- Step Two required forms and minimum threshold requirement clarifications if applicable.

Step Two- Bid Proposal Management and Submission



18	Permitting	✓
19	Project Development	✓
20	Resource Assessment and Energy Production Estimate	✓

- Eligible Step One Applications will have new sections available to complete in order to submit a Step Two Bid Proposal
- All new fields will be contained in new sections unlocked for eligible facilities participating in Step Two

Next Steps & Key Dates

Solicitation Key Dates

Date	Event
September 21, 2022	Solicitation Launch
November 2, 2022	NYGATS Registration Requests deadline to be eligible to apply
November 16, 2022	Deadline – Step One Eligibility Application
November 30, 2022	NYSERDA responds with Notice of Qualification to Bid
February 9, 2023	Deadline – Step Two Bid Proposal All Bid Proposal Documents, Price and Non-Price Components
February/March 2023	NYSERDA reserves right to schedule Proposer Interviews
Q2 2023	NYSERDA notifies awarded Proposers

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 res@nyserda.ny.gov.

All RFP information available at nyserda.ny.gov/ces/rfp

