



ORECRFP24-1 Responses to Written Questions

(Posted 8/7/2024,¹ 8/13/2024²)

Category	Q#	Question	Response
Affected Resource	1	How will the inclusion of an Affected Resource impact NYSERDA's scoring and evaluation of a Proposal?	Beyond the determination of eligibility related to an Affected Resource, as described in Section 2.1.6.1 of the RFP, the inclusion of an Affected Resource will be considered in the evaluation based on its impacts on the Proposal in the areas described in Sections 3 and 4 of the RFP.
Agreement	2	Please clarify whether the reference in Section 7.6 of the RFP to "Article XX Confidentiality" should be to "Article XX Publicity" or to "Article XXI Confidentiality?"	The reference in Section 7.6 of the RFP should be to "Article XXI Confidentiality." A revision to the RFP that reflects this will be posted on or prior to August 16, 2024.
Agreement	3	Can additional changes to the Agreement be requested after the Deadline for Requests for Material Changes to the Agreement?	As stated in Section 7.6 of the RFP, all requests for Material Changes to the Agreement must be submitted by August 19, 2024. Proposers may submit other, non-material, requested changes to the Agreement at any time up until and including the Proposal Submission Deadline for Non-Price Information, but any requested change must be categorized as described in Section 7.6 of the RFP, with a clear justification for the requested change.
Agreement	4	When will NYSERDA publish a revised draft Agreement following the August 19th Deadline for Requests for Material Changes to the Agreement?	An updated draft Agreement will be published on or before September 26, 2024.
Decarbonization Strategy	5	Will the Decarbonization Strategy be considered as part of the evaluation process or is it only required for purposes of determining project eligibility?	The submitted Decarbonization Strategy will be used to determine eligibility, as described in Section 2.1.8 of the RFP.

¹ Questions 1 through 58.

² Questions 59 through 124.

Category	Q#	Question	Response
Economic Benefits	7	Will Proposers be permitted to, if necessary, submit revised economic benefit commitments as stated in the Offer Data Forms when submitting Offer Pricing?	No, Proposers will not be able to submit revised economic benefits claims when submitting Offer Pricing. NYSERDA's feedback regarding the removal of any ineligible claims may be considered by the Proposer when developing the Offer Pricing. The ineligible claims will not be included in the Expected Total Dollars in the Agreement, and any ineligible expenditures will not count as Verified Total Dollars.
Economic Benefits	8	Please clarify whether financial expenditures incurred in connection with a Project that was previously conditionally awarded in ORECRFP22-1 would count as "Economic Benefits," especially in cases where the same expenses would have had to have been otherwise incurred for ORECRFP24-1.	Financial expenditures after the Economic Benefits Start Date that are eligible as Incremental Economic Benefits in accord with ORECRFP24-1 may be submitted as claims, even if they were previously associated with a Project that received a conditional award in prior OREC solicitations but is not subject to an OREC agreement with NYSERDA.
Economic Benefits	9	What is the "Feedback to Proposer on Economic Benefits" that NYSERDA will provide on September 26? How does NYSERDA intend for Proposers to use this information?	As stated in Section 6.1 of the RFP, NYSERDA will provide a determination of the eligible Incremental Economic Benefits claims and will inform the Proposer of any removal of ineligible economic benefit claims from the Total Expected Dollars. This information can be taken into account by the Proposer in determining its Offer Price.
Economic Benefits	10	Are Proposers required to use a third-party economic benefits consultant for job creation estimates or other figures?	Proposers are not required to use a third party to prepare the economic benefits submitted in the Proposal, but any awarded Proposer will be required to engage a third party to serve as Independent Monitor during the contract term, as explained in Appendix B.1.
Economic Benefits	11	Please clarify the difference between claim types 2 and 8 as described in Section B.1.A of Appendix B.1.	<p>Claims entered as claim type 2 will be specifically itemized in Section 6.06(b) of the Agreement as Supply Chain Investments, with any shortfall to be cured in accord with section 6.06(d) of the Agreement. Claims entered as Supply Chain Investments will receive additional weight in evaluation, as shown in Table 2 of the RFP.</p> <p>Claims entered as claim type 8 will be included in Expected Total Dollars but will not be specifically itemized in the Agreement and will not receive additional weight in evaluation.</p>

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Economic Benefits	12	Will NYSERDA differentiate between local economic development commitments from entities that pay taxes and are headquartered in New York and foreign entities that only commit to maintaining a project office in New York in the economic benefits evaluation?	The economic benefits evaluation does not assign different weighting based on where the entity making the expenditures is headquartered.
Economic Benefits	13	Will additional weight in the economic benefits evaluation be awarded for projects that provide lasting economic impact beyond development of offshore wind projects, or to developers who collaborate across New York State on shared infrastructure, supply chain and vessels to reduce redundancies?	The weighting of economic benefits for evaluation purposes is set forth in Table 2 in Section 3.3.1 of the RFP.
Economic Benefits	14	Please clarify the definition of “expected to accrue” with respect to economic benefits. For example, if a Project enters into a binding contractual agreement for a purchase of goods and services within the Near-Term Period but only starts paying for those goods and services in the Mid-Term Period, should the value of these costs and services be accounted as Near-Term Dollars or Mid-Term Dollars?	Exhibit I to the Agreement includes information regarding the verification process for economic benefits expenditures, which will be based on the date of the expenditure, not the date that a contract is signed or funding is committed.
Eligibility	15	May a Proposer submit a Proposal that includes a single Offshore Wind Generation Facility (i.e., with a single export cable for delivery of all electricity to the same Injection Point) featuring a WTG layout that happens to span two adjoining BOEM Lease Areas?	Yes.

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Energy Storage	16	May a Proposer feature energy storage as part of their Proposal's technical configuration such that energy generated from the Offshore Wind Generation Facility could be stored by the Project prior to later delivering its electricity to the Delivery Point?	Yes, Proposers may include energy storage in their Proposals. There are no specific scoring criteria related to energy storage, but the role of energy storage may be considered in Proposal evaluation as described in Section 3 of the RFP. Note that, under the Agreement, NYSERDA will make payment only for ORECs delivered to NYSERDA's NYGATS Account, which requires that the energy associated with such ORECs be delivered to the grid. If energy storage is charged from an electrically co-located Offshore Wind Generation Facility, the energy discharged from the energy storage onto the grid will generate ORECs that will be eligible for payment under the Agreement. Should a Proposal with electrically co-located energy storage receive an award, the Proposer will be required, at the time of contracting, to demonstrate to NYSERDA's satisfaction that the Project and energy storage will be configured and metered in a way that will ensure that ORECs are created only based on energy generated by the Offshore Wind Generation Facility. Energy storage facilities that are not electrically co-located with an Offshore Wind Generation Facility may store energy from the grid but will not create ORECs, and therefore the associated stored energy will not be eligible for payment under the Agreement.
Evaluation	17	What is the schedule for Proposal evaluation?	Evaluation will begin following the submission deadline for non-price information (September 9, 2024 at 3:00 p.m. ET). On September 26, 2024, NYSERDA will provide Proposers with feedback on their non-price information. Proposers will then have until October 18, 2024 at 3:00 p.m. ET to submit their offer pricing, which will be evaluated as described in Section 4 of the RFP. NYSERDA anticipates notifying initial awardees by November 8, 2024.
Evaluation	18	How will Material Events that do not impact eligibility, as discussed in Section 1.8 of the RFP, be "re-visited" in the evaluation if "no scores may be increased as a result of this type of Material Event"?	As noted in Section 1.8 of the RFP, scores may be decreased as a result of Material Events that do not impact eligibility.
Evaluation	19	Will Projects that are more advanced receive more points for Project Viability?	Section 3.2 of the RFP identifies the factors that will result in Proposals being evaluated favorably within Project Viability.

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Financing Plan	20	Please clarify how the copies of the annual reports and credit ratings should be submitted.	The financial statements and related documents should be included in the Project Development Plan PDF, as an attachment at the end of the file. These attachments will not be counted toward the 100-page limit for the Project Development Plan.
Financing Plan	21	If a Proposer only has credit ratings from either Standard & Poor's or Moody's, will providing only one credit rating will be sufficient to fulfill the RFP requirements?	Yes, only those credit ratings that are available need to be provided.
Inflation Adjustment	22	Please clarify the Inflation Adjustment index to be used for fabrication.	The correct fabrication index to be used in the Inflation Adjustment is U.S. BLS, PPI, Data Series PCU33361133361105, Turbine and turbine generator set units, https://data.bls.gov/dataViewer/view/timeseries/PCU33361133361105 . A revision to the RFP that reflects this will be posted on or prior to August 16, 2024.
Interconnection and Deliverability	23	Will Projects with radial connections be allowed?	As stated in Section 2.1.3 and 2.1.4, each Proposal should be developed and priced assuming that the Project will operate in a dedicated radial configuration.
Interconnection and Deliverability	24	Given that the Long Island Sound is a Constrained Area and no HVAC export cables may transit through its waters, are any proposals for which an export cable passes through the Long Island Sound required to utilize HVDC transmission?	Any export cable that passes through the Long Island Sound must utilize HVDC technology.
Meshed Ready	25	How will Projects with radial interconnections be compared to Projects utilizing a meshed network?	As stated in Section 2.1.3 and 2.1.4, each Proposal should be developed and priced assuming that the Project will operate in a dedicated radial configuration. Section 4.3.1 describes how Projects recommended for Meshed Network interconnection in the future will be adjusted.
Meshed Ready	26	Is each Offshore Wind Generation Facility included in the Required Proposal Meshed Ready required to be Meshed Ready?	Yes, each Submission must include a Required Proposal that is Meshed Ready, and each Offshore Wind Generation Facility included in the Required Proposal Meshed Ready must be Meshed Ready.

Category	Q#	Question	Response
Minimum Unallocated Supply Chain Investment	27	Please provide additional guidance regarding to what the Minimum Unallocated Supply Chain Investment can and cannot be allocated.	<p>Allocations of the Minimum Unallocated Supply Chain Investment must align with the definition of “Supply Chain Investment.” The RFP will be revised to replace the definition of Supply Chain Investment with the following language (changes in bold):</p> <p>“Any investment in, or procurement of goods or services from an offshore wind port or other offshore wind supply chain facility (including facilities that provide training or workforce development, conduct scientific research and/or conduct environmental conservation activities) located in New York State that (i) is either a new (greenfield) facility or requires significant upgrades to an existing facility to accommodate the contemplated usage and (ii) once built or upgraded, will accommodate the serial provision of goods or services, with the potential to support multiple offshore wind projects.”</p> <p>The lease of a vessel can be considered the “procurement of goods or services” for purposes of this definition. However, in order to constitute a “Supply Chain Investment”, the leased vessel must have been built by an offshore wind supply chain facility located in New York that satisfies the remainder of the definition, including both conditions (i) and (ii).</p> <p>A Proposal cannot be contingent on the Minimum Unallocated Supply Chain Investment being allocated to any particular use. Claimed economic benefits other than the Minimum Unallocated Supply Chain Investment must enumerate <u>all</u> New York State and U.S. Iron and Steel expenditures that are anticipated at the time of the Proposal, and the Minimum Unallocated Supply Chain Investment cannot overlap with these enumerated claimed economic benefits.</p> <p>A revision to the RFP that reflects these modifications will be posted on or prior to August 16, 2024.</p>

Category	Q#	Question	Response
Minimum Unallocated Supply Chain Investment	28	Who will ultimately decide how the Minimum Unallocated Supply Chain Investment is to be allocated?	<p>The developer of the Selected Project (i.e., the Seller) will determine the allocation of the Minimum Unallocated Supply Chain Commitment in accordance with and subject to the requirements of Section 6.06(a) of the Agreement.</p> <p>A revision to the RFP that clarifies this will be posted on or prior to August 16, 2024.</p>
Minimum Unallocated Supply Chain Investment	29	Is the Minimum Unallocated Supply Chain Investment required to be allocated towards an awardee of OSWSCRFP24-2?	The allocation of the Minimum Unallocated Supply Chain Investment will be determined following the conclusion of OSWSCRFP24-2 but is not required to be allocated towards an awardee of OSWSCRFP24-2.
Minimum Unallocated Supply Chain Investment	30	Please confirm that Proposers are not required to purchase Project components from a facility that is funded from the Minimum Unallocated Supply Chain Investment.	Confirmed.
Minimum Unallocated Supply Chain Investment	31	Will there be an opportunity to adjust the OREC price to account for the impacts of procuring components from facilities selected in OSWSCRFP24-2?	No, the OREC price will not be adjusted to account for such impacts. Selected Projects are not required to procure components from facilities selected in OSWSCRFP24-2.
Minimum Unallocated Supply Chain Investment	32	How will the Minimum Unallocated Supply Chain Investment be considered in the evaluation of economic benefits?	The Minimum Unallocated Supply Chain Investment will be included and weighted in evaluation as a Supply Chain Investment, as shown in Table 2 in Section 3.3.1 of the RFP. Proposals will not be differentiated with respect to this claim.
Minimum Unallocated Supply Chain Investment	33	How can a Proposer differentiate themselves with respect to the Minimum Unallocated Supply Chain Investment for purposes of the economic benefits evaluation?	The claim in the Offer Data Form associated with the Minimum Unallocated Supply Chain Investment cannot be modified, but Proposers can include a separate claim associated with an incremental unallocated Supply Chain Investment that increases the amount of committed funding. Such claims will be weighted as shown in Table 2 in Section 3.3.1 of the RFP.
Minimum Unallocated Supply Chain Investment	34	Is there a time period in which the Minimum Unallocated Supply Chain Investment must be made?	<p>The specific use of the Minimum Unallocated Supply Chain Investments is to be determined between the conclusion of OSWSCRFP24-2 (anticipated to conclude in 2025) and the date that occurs 30 days after the Inflation Adjustment Date. The Minimum Unallocated Supply Chain Investment must be expended during the Mid-Term Period, that is, between the Inflation Adjustment Date and the end of the third Contract Year.</p> <p>A revision to the RFP that reflects this will be posted on or prior to August 16, 2024.</p>

Category	Q#	Question	Response
Offer Capacity	35	Please confirm that there is not a limit for maximum capacity delivered into Zone K that corresponds to the 2,800 MW limit into Zone J.	Confirmed, there is not a limit on the maximum capacity into Zone K, aside from what is available in the associated lease areas and the remaining capacity authorized by Offshore Wind Orders and the September 17, 2020 Final Supplemental Generic Environmental Impact Statement in Case No. 15-E-0302. Also, no more than three Offshore Wind Generation Facilities may be included in a single Proposal.
Offer Capacity	36	Does NYSERDA have a target quantity to be procured through this solicitation?	NYSERDA has not set a procurement target (MW) for ORECRFP24-1. NYSERDA currently has 1,734 MW of OREC production capacity under contract and is authorized by the Public Service Commission to procure up to 9,000 MW.
Offer Data Form	37	Will the jobs numbers as entered in the Offer Data Form be utilized as part of the evaluation process?	The jobs numbers will be considered by the Scoring Committee in determining the firmness and credibility of the total value of claimed Labor Dollars. A revision to the RFP that reflects this will be posted on or prior to August 16, 2024.
Offer Data Form	38	How many work hours per year should be assumed per FTE?	An FTE is defined as 2,080 hours per year. A revision to the RFP that reflects this will be posted on or prior to August 16, 2024.
Offer Data Form	39	How should the number of unique jobs be calculated?	Unique jobs are intended to represent the number of total simultaneous positions that are available. A position can be either short-term or long-term, depending on the duration over which the position is available, but can only be held by one person at a time, and if that person is replaced by another person, still represents only one unique job. A revision to the RFP that reflects this will be posted on or prior to August 16, 2024.
Offer Pricing	40	Please confirm that a Proposer may submit an Alternate Proposal that includes two Offshore Wind Generation Facilities, each of which utilizes a different Delivery Point, with separately delineated pricing per facility to be scored based on the combined PVNOC and PVOQ.	Confirmed.

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Offer Pricing	41	Please confirm that while submitting non-price information by September 9, 2024 is a prerequisite for subsequently submitting offer pricing by October 18, 2024, submitting non-price information does not bind the Proposer to also submit offer pricing.	Confirmed. Proposers may withdraw prior to submitting offer pricing. However, per Section 1.4 of the RFP, the Proposal Fee must be submitted along with non-price information by September 9, 2024 and is <u>non-refundable</u> regardless of whether a Proposer elects to withdraw prior to submitting offer pricing.
Offer Pricing	42	What will be the format for submitting offer prices?	NYSERDA will provide each Proposer with a spreadsheet that requires the Proposer to enter an Index OREC Strike Price or Fixed OREC Price for each Offshore Wind Generation Facility included in each Proposal for each associated Contract Tenor. Per Section 6.1 of the RFP, offer pricing must be submitted to NYSERDA through a secure file transfer. Instructions and the offer pricing spreadsheet will be provided to each Proposer.
ORECs Offered	43	What flexibility is there to modify the ORECs offered based on the turbine technology and turbine positions in the Project area?	<p>As part of the Proposal, Proposers will be required to identify the geographic boundary of each Offshore Wind Generation Facility. All ORECs produced within this boundary will be committed to NYSERDA pursuant to the Agreement. The developer of a Selected Project will have flexibility to modify the number and placement of turbine positions within that boundary. Changing the boundary of the Project area will require agreement from NYSERDA, which will be subject to a demonstration that the Maximum Offer Capacity can still be built within the revised boundary.</p> <p>A revision to the RFP that reflects this will be posted on or prior to August 16, 2024.</p>
Project Risk Register	44	The RFP states, "For each sheet, the spreadsheet rows each correspond to one specific risk associated with permitting, engineering, procuring equipment for, constructing, servicing and operating the project." Please clarify if each risk should be aligned to ONLY "permitting, engineering, procuring equipment for, constructing, servicing and operating," or if any other identification categories are permitted, such as health & safety and financial.	<p>Risks associated with permitting, engineering, procuring equipment for, constructing, servicing and operating the Project must be included in the Project Risk Register. Risks in other categories may also be included in addition to these.</p> <p>A revision to the RFP that clarifies this will be posted on or prior to August 16, 2024.</p>

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Project Risk Register	45	The RFP states "Describe the severity of impact to project quality or personnel health and safety if the risk were to occur (low, medium, high)." Please clarify if NYSERDA would like a description or if bidders need to simply flag impacts as "low," "medium," or "high."	At a minimum, the severity must be flagged as low, medium, or high. Additional descriptive information regarding the severity of the risk may be provided, and will be considered in evaluation, but is not required.
Project Schedule	46	Can the Proposal Schedule file be submitted as a PDF file instead of an MPP or XLSX file?	Per Section 6.2.5 of the RFP, a PDF of the Project Schedule should be appended to the submitted Project Schedule and Status file, but an MPP or XLSX version of the Project Schedule is also required to be submitted.
Project Schedule	47	Can be the Proposal Schedule be submitted as a Primavera file instead of an MPP or XLSX file?	The Project Schedule must be an MPP file or XLSX file. A Primavera file can be provided as a Supplemental Attachment.
Site Control	48	What are the site control requirements for the Injection Point for Proposal submission?	According to the Project Eligibility Requirements in Section 2.1.5 of the RFP, Proposers must identify the proposed Delivery Point(s), and, if interconnecting to another Control Area, Injection Point(s), describe what rights Proposer has to the Injection Point(s), and provide a detailed plan and timeline for the acquisition of any additional rights necessary for the interconnection(s) and for the right-of-way for transmission radial line to the Injection Point(s) and (if applicable) transmission from the Injection Point to the Delivery Point. Such rights may be held by Proposer directly or indirectly via partnership with a transmission developer. A Proposer may enter into a contractual arrangement with a transmission developer to support evidence of site control, which NYSERDA may consider in its evaluation of Project viability.
Supply Chain	49	How can suppliers register as pre-qualified facilities?	There are no pre-qualified supply chain facilities in this RFP.
Supply Chain	50	At what point in the Proposal evaluation process will supply chain be considered?	Information regarding the separate supply chain RFP is available here: https://www.nyserda.ny.gov/All-Programs/Offshore-Wind/Focus-Areas/Supply-Chain-Economic-Development/500M-Investment . For ORECRFP24-1, Supply Chain Investments are considered as Incremental Economic Benefits, outlined in ORECRFP24-1 Section 3.3, and will be evaluated following the Submission Deadline for Non-Price Information.

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Supply Chain	51	How will supply chain funding be distributed?	Information regarding supply chain funding, including the 2024 Offshore Wind Supportive Manufacturing and Logistics Request for Proposals, is available at https://www.nyserda.ny.gov/All-Programs/Offshore-Wind/Focus-Areas/Supply-Chain-Economic-Development/500M-Investment .
Supply Chain	52	Is ORECRFP24-1 similar to ORECRFP23-1, with respect to there being no connection between the OREC Proposal and the award of supply chain funding?	Yes.
Supply Chain Investment	53	If a Selected Project in this RFP has a Supply Chain Investment commitment to provide funding to a manufacturing facility, and then that same facility receives an award in a subsequent NYSERDA Supply Chain funding opportunity, would the economic benefit commitments in the Agreement be adjusted to account for the additional funding received by the facility?	No. However, if a Supply Chain Investment that is itemized in Section 6.06(b) of the Agreement receives funding that makes the Supply Chain Investment from the Seller no longer necessary, the Seller may replace the itemized Supply Chain Investment with a substitute Supply Chain Investment of equal or greater value in New York State, per Section 6.06(c) of the Agreement.
Technology Choice	54	Please clarify the Technology Choice standard required for the Proposal?	<p>The RFP will be revised to replace the language in Section 2.1.7 with the following language:</p> <p>“Offshore wind generation technology progress is reasonably expected, but it is not guaranteed to occur on a timeframe that aligns with the Project schedule. This RFP therefore requires that the proposed wind turbine generator has achieved IECRE Type Certification and that the proposed export cable technology is currently in commercial operation. However, this requirement does not preclude the Project from evolving its design as technology progress occurs, including utilizing another turbine or cable technology.”</p> <p>In accordance with this requirement, neither wind turbine generators nor export cables may be in theoretical or experimental stages. There is no technology eligibility threshold for other primary components such as foundations.</p> <p>A revision to the RFP that reflects this will be posted on or prior to August 16, 2024.</p>

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Technology Choice	55	Please clarify how and when Selected Projects will be permitted to make updates to the turbine positions in Exhibit H of the Agreement at or after execution based on design evolution?	<p>As part of the Proposal, Proposers will be required to identify the geographic boundary of each Offshore Wind Generation Facility. All ORECs produced within this boundary will be committed to NYSERDA pursuant to the Agreement in Exhibit H. The developer of a Selected Project will have flexibility to modify the number and placement of turbine positions within that boundary. Changing the boundary of the Project area will require agreement from NYSERDA, which will be subject to a demonstration that the Maximum Offer Capacity can still be built within the revised boundary.</p> <p>A revision to the RFP that reflects this will be posted on or prior to August 16, 2024.</p>
U.S. Iron and Steel	56	Does the entirety of a finished product's cost count towards U.S. Iron and Steel Dollars, including labor costs to manufacture the product, or only the specific unit cost of steel within the product's final cost?	Per Exhibit O to the Agreement, the fabricated/finished cost of a product counts as U.S. Iron and Steel Dollars.
Vendor Responsibility Checklist	57	Please provide the correct link to the Vendor Responsibility Checklist, as stated in Sections 2.1.10 and 8.12 of the RFP.	<p>The correct link for the Vendor Responsibility Checklist is: https://portal.nysenda.ny.gov/servlet/servlet.FileDownload?file=00P8z000001U4y2EAC.</p> <p>A revision to the RFP that reflects this will be posted on or prior to August 16, 2024.</p>
Vessels	58	Will Proposals that include a commitment to use NY-based companies for their Jones Act-compliant shipping solutions, such as an O&M vessel plan, be evaluated favorably?	As further described in Section 3.3, the evaluation of New York Economic Benefits will consider Incremental Economic Benefits associated with Offshore Wind Generation Facilities and any associated investments having occurred or expected to accrue to New York State as a result of the development, construction, modification, interconnection, and operation of the Offshore Wind Generation Facilities from the Economic Benefits Start Date through the end of the Contract Delivery Term.
Award Security	59	Will NYSERDA accept multiple Letters of Credit issued by different parties as a form of Award Security?	Yes.
Award Security	60	Will NYSERDA accept minor changes to the language of Appendix M and/or allow an opportunity for provisional awardees to discuss minor changes with NYSERDA's legal or credit risk teams?	NYSERDA will consider reasonable requested edits to the form of letter of credit. NYSERDA requests that any such requested edits be submitted on or prior to the Submission Deadline for Offer Pricing.

Category	Q#	Question	Response
Confidentiality	61	In the event that a Project that has been submitted in another state's solicitation is provisionally awarded, do the confidentiality provisions in the RFP allow the Proposer to inform the other state of why it is withdrawing? If not, can an exception to the confidentiality provision for this purpose be added to the RFP?	Appendix L to the RFP (Non-Disclosure Agreement) has been modified to allow for this disclosure to the extent necessary.
Contract Security	62	The Agreement states that NYSERDA will retain the Contract Security in its entirety "if Seller fails to commence Commercial Operation within twelve (12) months after commencement of the Contract Delivery Term and Seller fails to provide to NYSERDA, on or before the expiration of the twelve (12) months after commencement of the Contract Delivery Term, the additional Contract Security in the amount required under Section 15.02." Please clarify this condition, given that the Contract Delivery Term commences only after the project has reached Commercial Operation.	This language was revised in the version of the Agreement updated on July 24, 2024.
Contract Security	63	Should the requirement to provide Contract Security by January 1, 2025 be January 1, 2026?	Yes. This was corrected in the version of the Agreement updated on July 24, 2024.
Disadvantaged Community Commitments	64	Does a fee paid for the use of a port facility located in a Disadvantaged Community qualify as a Disadvantaged Community Commitment?	Yes, if the fee qualifies under the criteria described in Appendix B.2.
Disadvantaged Community Commitments	65	Do services performed at a port located in a Disadvantaged Community qualify as a Disadvantaged Community Commitment, even if the main office of the service provider is not located within a Disadvantaged Community? Does the answer to this question change depending on whether that service provider has established an office in a Disadvantaged Community to support the services being provided?	Materials, equipment, goods and services that are sourced from facilities located within a Disadvantaged Community, or businesses headquartered within a Disadvantaged Community, during pre-construction, construction and on-going operations and maintenance will count towards Disadvantaged Community Benefits. Appendix B.2 has been revised to reflect this.

Category	Q#	Question	Response
Economic Benefits	66	Section 12.02(b) states that the total amount of Expected Total Dollars shall be increased by an amount equal to 25% of the Expected Near-Term Dollars Shortfall. If a Seller has committed to spend an amount equal to the Expected Near-Term Dollars Shortfall, but the timing of the expenditures has changed due to factors beyond the seller's control, would NYSERDA waive the 25% penalty that is proposed in the agreement if the seller demonstrates that it has entered into binding commitments to make such expenditures?	No. If Proposer is not confident that certain Incremental Economic Benefits will accrue within the Near-Term Period, those Incremental Economic Benefits should not be categorized as Near-Term Dollars.
Economic Benefits Verification	67	What degree of granularity is required to support the costs associated with the manufacture or assembly of materials and equipment within NYS?	Exhibit I to the Agreement represents the extent of the guidance on verification that will be available prior to the Proposal Submission Deadline for Non-Price Information. Updates to this and/or other aspects of the Agreement, if any, will be published on the schedule indicated in Section 1.3.
Economic Benefits Verification	68	Please clarify what qualifies as being "sourced from within New York State." Is purchasing from a storefront in New York considered "sourced from New York" even though the material originates from out of state?	Exhibit I to the Agreement represents the extent of the guidance on verification that will be available prior to the Proposal Submission Deadline for Non-Price Information. Updates to this and/or other aspects of the Agreement, if any, will be published on the schedule indicated in Section 1.3.
Economic Benefits Verification	69	How will Incremental Economic Benefits associated with projects or materials that are partially manufactured, assembled, and/or sourced in New York State be considered?	Exhibit I to the Agreement represents the extent of the guidance on verification that will be available prior to the Proposal Submission Deadline for Non-Price Information. Updates to this and/or other aspects of the Agreement, if any, will be published on the schedule indicated in Section 1.3.
Economic Benefits Verification	70	Do workforce development and R&D activities (or other "industry enabling expenditures") that support future offshore wind development in New York State need to occur within New York State?	Exhibit I to the Agreement represents the extent of the guidance on verification that will be available prior to the Proposal Submission Deadline for Non-Price Information. Updates to this and/or other aspects of the Agreement, if any, will be published on the schedule indicated in Section 1.3.

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Economic Benefits Verification	71	Would a lien release be considered verification of payment?	Exhibit I to the Agreement represents the extent of the guidance on verification that will be available prior to the Proposal Submission Deadline for Non-Price Information. Updates to this and/or other aspects of the Agreement, if any, will be published on the schedule indicated in Section 1.3.
Economic Benefits Verification	72	What level of subcontractor/vendor is the Seller responsible for providing documentation from?	Exhibit I to the Agreement represents the extent of the guidance on verification that will be available prior to the Proposal Submission Deadline for Non-Price Information. Updates to this and/or other aspects of the Agreement, if any, will be published on the schedule indicated in Section 1.3.
Economic Benefits Verification	73	Will cancelled checks or other proof of payment for second, third, etc. tiered subs, suppliers and vendors be required?	Exhibit I to the Agreement represents the extent of the guidance on verification that will be available prior to the Proposal Submission Deadline for Non-Price Information. Updates to this and/or other aspects of the Agreement, if any, will be published on the schedule indicated in Section 1.3.
Evaluation	74	Will NYSERDA award points to developers who use interoperable standards to reduce single points of failure?	Section 3.2 of the RFP identifies the factors that will result in Proposals being evaluated favorably within Project Viability.
Financing Plan	75	Can NYSERDA please define what the “financing plan” that will be included in the progress reports per Exhibit K to the Agreement must consist of?	A financing plan must be submitted as part of the Proposal Submission in accordance with instructions provided in Section 6.2.6.3. The reference in Exhibit K of the Agreement is to material updates to that financing plan.
Financing Plan	76	Please confirm that audited financial statements of the parent companies are sufficient to meet the requirement to provide “a recent external audit management letter covering the Proposer.”	Confirmed.
Interconnection and Deliverability	77	Please clarify whether an HVAC cable route can cross Constrained Areas.	Section 2.1.6 explains that “Any radial HVAC cable route from the Offshore Wind Generation Facility to shore must not cross any of the Constrained Areas” and “Proposals that contemplate siting any HVAC cables (including connecting a converter station to a point of interconnection) in any Constrained Areas other than the Prohibited Areas must demonstrate that there is adequate remaining right of way to install at least two additional marine HVDC cables”.

Category	Q#	Question	Response
Interconnection and Deliverability	78	In light of the new FERC Order 2023 and the new NYISO interconnection transition cluster process, how will NYSERDA assess if projects have a “more advanced interconnection status” per Section 3.2.1 of the RFP? For example, if two proposed Projects have queue positions in the new transition cluster window, are both projects viewed equally from an interconnection schedule perspective?	In addition to comparing interconnection status, Proposals that have progressed detailed interconnection studies will be evaluated favorably. Proposers are encouraged to furnish their own third-party interconnection studies. Section 3.2.1 of the RFP has been updated to reflect this clarification.
Interconnection and Deliverability	79	Given the site control requirements in the new NYISO interconnection transition cluster process (including WTG assumption) and considering that the WTG technology choice is a criteria for this RFP, will NYSERDA consider any differences in WTG assumptions between what is assumed in a Proposal and what is reflected in the NYISO queue application within the evaluation of the Proposal?	The Proposal must be consistent with the NYISO queue application. To the extent that the WTG technology choice in the Proposal could be viewed as inconsistent from the NYISO queue application, this inconsistency should be addressed in the discussion of how technology progress is expected to be incorporated into the Project design and/or in other relevant aspects of the Proposal.
Interconnection and Deliverability	80	With respect to item 6 of Section 6.2.7 requiring 10% and 90% exceedance estimates, NYISO estimates are carried out only with a +/-50% contingency and do not use the 10/90% exceedance proposed. Given that Projects might already have upgrade costs assigned from past Class years, is it possible to only provide the +/-50% estimate?	No. P10, P50, and P90 estimates of the NYISO Interconnection Cost Allocation must be provided for each Offshore Wind Generation Facility included in each Proposal.
Interconnection and Deliverability	81	With respect to “identification of the costs associated with all elements of the needed transmission infrastructure,” what level of contingency level is NYSERDA expecting to be included in these estimates? How will these values will be used in the evaluation process? Are any of these costs estimates expected to be contractually binding in the PSA?	Proposers should use their best professional judgment in providing cost estimates. Evaluation of the Interconnection and Deliverability Plan is described in Section 3.2.3 of the RFP. Only the Interconnection Cost Allocation Baseline, which will be established as described in Section 4.2.1 of the RFP, will be contractually binding.
Interconnection and Deliverability	82	If the referenced PSC Utilities’ Revised Headroom Calculations do not provide an estimate of the available capacity at the proposed Delivery Point, for example because it is expected to be upgraded by future transmission solicitations such as from the Long Island PPTN solicitation, should the Proposer provide an estimate of the available capacity?	Yes.

Category	Q#	Question	Response
Interconnection and Deliverability	83	How will NYSERDA resolve conflicts in Injection Points, where two potential awardees have proposed the same Injection Point?	As stated in Section 5.1 of the RFP, if a Proposal is mutually exclusive with a higher-ranking Proposal, for example because of a mutually exclusive interconnection point, the conflicting lower-ranking Proposal will be removed from consideration for award. Section 2.1.3 further explains “It is possible that more than one Proposer may select the same Injection Point, resulting in (i) increased costs of interconnection to accommodate both Proposals or (ii) mutually exclusive Proposals if the Injection Point cannot accommodate both Proposals. Accordingly, NYSERDA encourages Proposers to submit at least one Alternate Proposal that reflects an alternative Injection Point and at least one Alternate Proposal that includes Interconnection Cost Sharing.”
Interconnection and Deliverability	84	How will NYSERDA determine whether two Proposals that propose the same Injection Point are mutually exclusive?	<p>NYSERDA will consult with Specialist Reviewers and subject matter experts in determining whether a given Injection Point can accommodate multiple Proposals. NYSERDA will also consider the Proposers’ perspective on whether the Injection Point can accommodate multiple Projects in making this determination.</p> <p>Please see revisions to RFP Sections 2.1.6, 3.2.3, and 6.2.7.</p>
Interconnection and Deliverability	85	Considering the NYISO Queue Cluster Study Process does not contemplate projects filing alternate queue positions, how will NYSERDA evaluate the viability of Interconnection and Deliverability Plans in Alternate Proposals with different Injection Points?	If a Proposal contemplates a Injection Point not currently included in an interconnection request, the Project Schedule should be built to accommodate any further interconnection process steps required to enable use of that Injection Point.
Labor	86	Are 1099 workers considered to be based out of a facility for this purpose if the worker's income is associated with such facility?	Yes. Section III(c)(i) of Exhibit I to the Agreement includes 1099s as documentation of labor-related expenses.
Labor	87	Please clarify what other factors, aside from the worker’s income being associated with a facility for tax purposes, would reasonably establish that the work is based out of facilities located in New York State.	Exhibit I to the Agreement represents the extent of the guidance on verification that will be available prior to the Proposal Submission Deadline for Non-Price Information. Updates to this and/or other aspects of the Agreement, if any, will be published on the schedule indicated in Section 1.3.

Category	Q#	Question	Response
Labor	88	Is work covered by a PLA or LPA required to be performed within New York State in order to be counted toward Incremental Economic Benefits?	Per item 1 in Section B.1.A of Appendix B.1, "Payments for labor-related expenditures for work that is performed in New York State or subject to a Project Labor Agreement or Labor Peace Agreement as described and subject to the approval in Sections 18.11 and the requirements set forth in 18.12 of the Agreement (regardless of the location of work performed under such PLAs and LPAs), which should be entered in Part IV of the Offer Data Form as Labor Dollars."
Labor	89	What "bona fide labor organizations" are currently representing, or attempting to represent, employees providing operations and maintenance services for offshore wind farms?	NYSERDA will not provide a list of labor unions or organizations for operations and maintenance. The Proposer should identify labor organizations that are relevant for their Project.
Labor	90	For some trades, there is not a prevailing wage or fringe payment determined that is relevant to offshore work. Will NYSDOL develop these additional wage schedules in time to finalize costs? If the Project Labor Agreement (PLA) provides for a wage or fringe rate that differs from the prevailing wage rate, does the PLA or the prevailing wage rate prevail for covered work?	Please refer to prevailing wage schedules published by NYSDOL. Pursuant to Section 18.10 of the Agreement, the PLA under which the applicable construction work is performed will prevail with respect to that construction work to the extent the PLA's applicable terms differ from those in Section 18.10.
Meshed Ready	91	How should Proposers develop cost estimates to make a Proposal Meshed Ready?	Proposers should estimate the costs associated with making a Proposal Meshed Ready using their best professional judgment, consistent with cost estimation for the Project as a whole.
Meshed Ready	92	Can a Meshed Ready Proposal include an HVDC connection into the Meshed Network instead of the single 230 kV HVAC cable circuit for 400 MW active power transfer capability between two neighboring offshore substations, if a project/lease area is located further than 40 miles away?	In order to be Meshed Ready, a Proposal must be consistent with the requirements in Appendix F.
Meshed Ready	93	Would integration into a meshed network require a separate Queue position for the meshed network or is it assumed that a queue position would be granted if the economic analysis warranted connection to the meshed network?	As described in Section 4.3.1 of the RFP, considerations around meshed network implementation will be addressed in the future if and when a Project were to be considered for Meshed Network interconnection.
Meshed Ready	94	If the Meshed Network is going to be a future PPTN, to participate does a developer submit a radial Interconnection Request with the intention of connecting to the Meshed Network?	As described in Section 4.3.1 of the RFP, considerations around meshed network implementation will be addressed in the future if and when a Project were to be considered for Meshed Network interconnection.

Category	Q#	Question	Response
Minimum Unallocated Supply Chain Investment	95	If the Minimum Unallocated Supply Chain Investment is allocated in such a way that it also qualifies as U.S. Iron and Steel Dollars, can this expenditure contribute toward meeting both the contractual Supply Chain Investments and Expected U.S. Iron and Steel Dollars?	Yes. The Minimum Unallocated Supply Chain Commitment claim entered in the Offer Data Form cannot, however, include U.S. Iron and Steel Dollars.
Minimum Unallocated Supply Chain Investment	96	Are Proposers permitted to submit Alternate Proposals based on different potential uses of the Minimum Unallocated Supply Chain Investment?	As noted in Q&A #27 above, a Proposal cannot be contingent on the Minimum Unallocated Supply Chain Investment being allocated to any particular use.
Minimum Unallocated Supply Chain Investment	97	While specific uses of the Minimum Unallocated Supply Chain Investment will be determined at a later date, may Proposers propose uses for the purposes of modeling economic impacts?	Yes.
Minimum Unallocated Supply Chain Investment	98	Will the developer of a Selected Project have any role in determining OSWSCRFP24-2 funding recipients?	It is anticipated that OSWSCRFP24-2 will favorably evaluate proposals that include letters of support and/or purchase commitments from offshore wind developers, including those awarded by NYSERDA in ORECRFP24-1.
Minimum Unallocated Supply Chain Investment	99	How will the Minimum Unallocated Supply Chain Investment contribute to the proposed Project?	The Seller will determine the use of the Minimum Unallocated Supply Chain Investment as further described in the definition of “Minimum Unallocated Supply Chain” and Section 2.2.18 of the RFP.
Minimum Unallocated Supply Chain Investment	100	Following the determination of the facilities that will be recipients of the Minimum Unallocated Supply Chain Investment, will the Selected Project providing the funding receive priority access to the facility?	The use of the Minimum Unallocated Supply Chain Investment will be determined by the Seller as further described in Section 2.2.18 of the RFP. NYSERDA will not determine the recipients of the Minimum Unallocated Supply Chain Investment nor does NYSERDA intend to provide priority access to any particular facility beyond any priority access that may be negotiated between the facility and its users.
Minimum Unallocated Supply Chain Investment	101	Can the Minimum Unallocated Supply Chain Investment ultimately be applied to a U.S. Iron and Steel facility located outside of New York State?	No. Supply Chain Investments must be associated with offshore wind supply chain facilities located in New York State.
Offer Capacity	102	How will the installed nameplate capacity be measured, and will it consider an individual wind turbine generator's uprated modes?	The Operational Installed Capacity of the Project will be determined in accord with Section 2.01(c) of the Agreement.
Permitting	103	How will NYSERDA evaluate projects given the new Article VIII ORES permitting process?	NYSERDA will evaluate permitting status using the permitting criteria in Section 3.2.2.2. The instructions to Proposers for the Permitting Plan are found in Section 6.2.6.2.

Category	Q#	Question	Response
Public Versions	104	Is NYSERDA intending to publicize bidders online after non-price bids are submitted in September or wait until offer pricing is submitted in mid-October?	Section 6.1.2 states, “The public versions of the Executive Summary, Project Schedule and Status, Project Development Plan, Interconnection and Deliverability Plan, Fisheries Mitigation Plan, Environmental Mitigation Plan, Stakeholder Engagement Plan, Disadvantaged Communities Impacts, Visibility Study, Economic Benefits Plan and New York Jobs and Workforce Plan will be posted on the NYSERDA 2024 Offshore Wind Solicitation website shortly after the Proposal Submission Deadline for Non-Price Information.”
Qualifying Federal Support	105	Please confirm whether non-Department of Energy Loan Program Office (“LPO”) federal loans and guarantees would qualify as Qualifying Federal Support (“QFS”).	Yes, if the federal loans or guarantees meet the definition of Qualifying Federal Support in the Agreement (including, for example, that it arises from a law enacted by the U.S. Congress after the Submission Deadline for Offer Pricing).
Qualifying Federal Support	106	Please confirm that LPO Financing received by a port facility or other third-party supplier to Seller would not be considered QFS as it is not “direct federal financial support to the Selected Project in the form of Renewable Tax Benefits or direct financial benefits”?	LPO Financing received by a third-party supplier of the Selected Project is not considered to be Qualifying Federal Support, as it is not “direct [...] support to the Selected Project”.
Qualifying Federal Support	107	Is the intent of this language in Section 4.2.3 of the RFP to establish that projects that qualify for an Energy Community Bonus Credit based on current federal guidance and with the proposed project configuration as submitted in the Proposal, will not be subject to any QFS Reduction?	Confirmed; please refer to Section 5.07 of the Agreement for details.
Qualifying Federal Support	108	Will a “material reconfiguration” be measured as a change from the Submission Deadline for Offer Pricing, or the Proposal Submission Deadline for Non-Price Information?	The material reconfiguration will be measured as a change from the latest configuration submitted to NYSERDA in accordance with RFP requirements on or prior to the Submission Deadline for Offer Pricing. However, please note that the RFP requires that this information be submitted on or prior to the Submission for Non-Price Information, and any material reconfiguration of this nature that occurs after the Submission Deadline for Non-Price Information would be considered a Material Event pursuant to and subject to the requirements of Section 1.8 of the RFP.

Category	Q#	Question	Response
Qualifying Federal Support	109	How will NYSERDA evaluate a “material reconfiguration” if the Proposal Submission includes more than one option for energy community qualifications, for example two potential substation parcels or two potential Energy Community Project ports?	<p>The primary project configuration and associated ITC qualification for each Proposal must be clearly delineated. The Project Viability evaluation described in Section 3.2 of the RFP will be based on the indicated Injection Point for each Offshore Wind Generation Facility. Utilization of a backup Injection Point whether mentioned or not in the Proposal, would constitute a “material reconfiguration.”</p> <p>Sections 4.2.3 and 6.2.6.3 of the RFP have been revised to reflect this.</p>
Qualifying Federal Support	110	The RFP and the Agreement appear to indicate that any Selected Project that qualifies for the Domestic Content ITC bonus will be subject to an OREC price adjustment. Specifically, any value from Domestic Content bonus credit qualification is considered QFS. Can NYSERDA please confirm its intent to require an OREC Price adjustment in any case where a Proposer obtains such benefit, even if the Proposer already factored in such benefits as part of its pricing submission?	Confirmed; please refer to Section 5.07 of the Agreement for details.
Schedule	111	Will NYSERDA consider extending the solicitation deadlines for Non-Price Information and Offer Pricing by four weeks each?	No, NYSERDA does not anticipate extending the schedule.
Supply Chain	112	If a Proposal includes reliance on a supply chain facility that may be awarded funding in OSWSCRFP24-2 and the supply chain facility is delayed, will a change to the OREC price be permitted?	No.
Supply Chain Investment	113	Does a fee paid for the use of a port for activities related to the development of an offshore wind project count as a Supply Chain Investment, even if the project’s use of that port facility does not involve any incremental port infrastructure improvements?	No, as such port would not “[be] a new (greenfield) facility or [require] significant upgrades [...] to accommodate the contemplated usage” as required by the definition of “Supply Chain Investment”. However, it could be counted as an Incremental Economic Benefit.
Supply Chain Investment	114	Does the cost of purchasing or leasing a vessel to be manufactured in New York for offshore wind construction or operation count as a Supply Chain Investment?	Please see the response to Question 27.

Category	Q#	Question	Response
Supply Chain Investment	115	Does the cost of purchasing or leasing a vessel from a local entity (e.g., vessel owner/operator office in New York) for offshore wind construction or operation, regardless of where it has been or will be manufactured, count as a Supply Chain Investment?	Please see the response to Question 27.
Supply Chain Investment	116	Do (i) any in-state spending on long-term capital investments by the OREC Seller, its Affiliates, or third parties (e.g., vessel owner/operator) associated with the construction of a vessel and (ii) any in state investments in the construction of the vessel itself as a Jones Act-compliant vessel count as Supply Chain Investments?	Please see the response to Question 27.
U.S. Iron and Steel	117	Can expenditures on U.S. iron and steel that is not for “structural” uses as defined in Section 2.2.4 of the RFP count towards U.S. iron and steel dollars?	Yes. As noted in the fifth paragraph of Section 2.2.4 of the RFP, the requirements regarding U.S. iron and steel have been established in this RFP as a matter of procurement policy and do not require that the steel be used for “structural” purposes.
U.S. Iron and Steel	118	Can U.S. Iron and Steel used in the construction of the onshore substation contribute to meeting the minimum requirement of \$120,000/MW of Offer Capacity?	Yes, if those expenditures satisfy the definition of Incremental Economic Benefits and are “...expenditures for iron and steel manufactured in the United States”..
U.S. Iron and Steel	119	Is the steel purchased under trade agreements with other countries considered US steel for purposes of this RFP?	No.
U.S. Iron and Steel	120	Can O&M support vessels (SOVs and CTVs) that are purpose-built for the exclusive use of a Project be counted toward Verified U.S. Iron and Steel Dollars?	No, U.S. Iron and Steel Dollars must be for iron and steel manufactured in the United States for components that are permanently incorporated into a Project. Vessels and vehicles are not considered to be permanently incorporated for this purpose. Relevant definitions and Section 2.2.4 of the RFP have been updated to reflect this.
U.S. Iron and Steel	121	Can U.S. manufactured aluminum be counted toward Verified U.S. Iron and Steel Dollars?	No.
Vessels	122	Will the maturity of O&M vessel plans be considered in the evaluation of the Equipment, Development and Logistics Plan?	Yes. Section 3.2.2.4 of the RFP has been updated to reflect this.

Category	Q#	Question	Response
Vessels	123	Will Proposals that include a commitment to use operation and maintenance vessels that run on clean fuels be evaluated favorably?	<p>Project Development Plans that are consistent with New York State’s decarbonization goals will be evaluated favorably.</p> <p>Section 3.2.2.4 of the RFP has been updated to reflect this.</p>
Visibility Study	124	Are there any conditions under which the requirement to provide a visibility study can be waived?	<p>The visibility study requirement will not be waived. The visibility study can present larger turbines than those included in the Project design to represent expected technology progress.</p> <p>Section 6.2.8.5 of the RFP has been updated to reflect this.</p>