

**NYSERDA Build-Ready Program Step One Proposers’ Webinar Q&A Summary**  
**October 17<sup>th</sup>, 2023**

The following Q&A was prepared to provide responses to questions that were asked during the October 17<sup>th</sup>, 2023, Build-Ready Step One Proposers’ Webinar held by NYSERDA.

No.	Question	Answer
1	How is “large scale” defined, specifically in reference to Commercial scale, 2 to 5 MWac solar projects?	Large-scale solar projects in New York are typically larger than 5 MWac, and subject to the NYISO interconnection procedures. The Build-Ready Program is primarily targeting projects greater than 5 MWac and less than or equal to 20 MWac.
2	Are Renewable Energy Credit (REC) prices already set or does the Proposer need to submit the price they need to complete the project? Without a pre-defined REC price, how will you compare bids with different purchase prices based on different REC prices?	<p>As stated in Section 3.1.5 of the RFP, the REC price is not set by NYSERDA. The Proposer must submit their Bid Price as part of their Step Two Bid Proposal. Proposers can select to submit a Fixed Price or Index Strike Price. Proposers must also include an inflation adjusted and non-inflation adjusted Bid Price.</p> <p>As stated in Section 4.4. of the RFP, the Purchase Price for the project was set by NYSERDA at \$3,400,000. All Proposers should use the same purchase price in establishing their REC Bid Price.</p>
3	Will NYSERDA provide a copy of the slides?	Yes, the slides will be emailed to all attendees and posted on NYSERDA’s website.
4	Can you clarify the lease details, the Payment-in Lieu-of-Taxes (PILOT), and the \$200,000 Industrial Development Authority (IDA) payment?	<p>As stated in Sections 1.4.3 and 1.4.9 of the RFP, NYSERDA has negotiated the Lease Option Agreement with Benson Mines In., and filed the PILOT Application with St. Lawrence County IDA.</p> <p>As stated in Section 1.4.8.2 of the RFP, NYSERDA has also begun negotiations in relation to the Community Improvement Fund with St. Lawrence County IDA for \$200,000.</p> <p>Further details will be made available in the data room for Step Two eligible Proposers.</p>

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5	Is the execution date of the Membership Interest Purchase Agreement (MIPA) tied to a development milestone of the BR Facility?	As stated in Section 6 of the RFP, Execution of the MIPA is not directly tied to a development milestone. Following notice of award, NYSERDA expects the execution of the MIPA to occur on the Closing Date agreed to with the Awardee. The Closing Date will accommodate the negotiation process of redlines on the Agreements submitted by the Awardee. However, NYSERDA reserves the right to rescind an award if not executed within 180 days of award.
6	Does the RFP include provisions for Minority and Women Owned Business Enterprises (MWBE)/Service-Disabled Veteran Owned Business (SDVOB) sub-contracting participation by the Solar Developer?	As stated in Section 3.1.4 of the RFP, we are requesting all Proposers seek opportunities to commit to MWBE and SDVOB economic benefits. Proposers that do so will be evaluated more favorably. The Awardee will also need to report on efforts made to work with MWBE/SDVOB contractors as part of the development process.
7	Do Proposers have to qualify for Step One to participate in Step Two?	As stated in Section 3.1 of the RFP, only Proposers who pass Step One may advance to Step Two.
8	Are you able to share if a three-ring breaker bus is required for interconnection?	A three-breaker ring bus is not required for interconnection.
9	Can you confirm if the information in the Step One Eligibility Application can be kept confidential?	As part of Step One, NYSERDA requires Proposers to execute a mutual Non-Disclosure Agreement covering the solicitation. However, as stated in Section 1.5.6, Proposers should indicate whether specific information in the Step One Eligibility Application or Step Two Bid Proposal is proprietary or confidential trade secret information. NYSERDA is subject to and must comply with the requirements of New York's Freedom of Information Law. Therefore, when submitting information to NYSERDA Proposers should specifically mark all such information as "Confidential" and/or "Proprietary".
10	Would NYSERDA provide a list of firms with relevant experience to potential Prime Solar Development Firms so they can consider our experience and include us in their project team?	We encourage companies to consider teaming to provide the full suite of requested services within the RFP (complete remaining development milestones, secure financing for, construct, own, and operate the project). Organizations can review contracted <a href="#">Tier 1 projects</a> and NY-Sun <a href="#">C&amp;I contractors</a> and reach out on their own accord.

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11	The second step of the online Step One Eligibility Application asks for a "concept paper." Can you please clarify what the applicant is expected to do?	The "concept paper" refers to the Step One Eligibility Application which includes the Step One Eligibility Form (Appendix 1) and the Step One Narrative attachments that Proposers must upload to submit to Step One. Please refer to the submission instructions on slides 29-35 and please let us know if you have additional questions.
12	Have total interconnection upgrade costs been determined? Is the project currently fully permitted?	<p>Not at this time. As per Section 3.1.5.3 of the RFP, upon substantial completion of the interconnection facilities associated with the BR Facility, when the final Interconnection Cost Allocation is known, the Fixed REC Price or Index REC Strike Price will be adjusted. NYSERDA has obtained an interconnection cost estimate provided in the NYISO System Impact Study. This Study will be provided to Proposers that are eligible for Step Two and will be included in the data room.</p> <p>As per Sections 1.4.4 and 1.4.6 of the RFP, the project has its Adirondack Park Association (APA) permit, the Town of Clifton Site Plan Approval, and St. Lawrence County Approval. There are permits the Awardee will need to complete including permits with the NY Department of Transportation, the SPEDS permit, and the Town of Clifton Building Permit. See Slide 13 and Section 1.4.6 of the RFP for a status of permitting. More detailed information on permitting will be provided in the data room.</p>
13	What are the EPA designations of Benson Mines site and J&L Steel site?	As stated in Section 1.4.1 of the RFP, the Benson Mine and J&L Steel sites do not have USEPA Superfund site designations or codes. The Benson Mine site is listed under the NYSDEC Superfund Program as Site No. 645051 and classified as "N", or No Further Action at this time. The J&L Steel is listed under the NYSDEC Superfund Program as Site No. E645029 and classified as a "C" site, meaning that the NYSDEC determined that remediation has been satisfactorily completed under a remedial program. Information pertaining to

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		the environmental status of both facilities is provided in the TRC Phase I ESA Report.
14	Can you please elaborate on the \$30,000,000 confirmation?	As stated in Section 2.1.4 of the RFP, a requirement of Step One Eligibility Application is a letter from a commercial bank or other financial institution confirming that it would be prepared to issue a performance bond or other guarantee of \$30,000,000 to support the Proposer if requested by the Proposer. Please note, NYSERDA will not require that a performance bond or guarantee be furnished by the Awardee's surety but is using this requirement as a means for Proposers to demonstrate appropriate financial qualifications prior to award.
16	Considering this is a closed mine, does NYSERDA expect this to fall under the BF 10% ITC adder under IRA?	NYSERDA is not taking a position on whether the project qualifies for the Energy Community adder under the IRA. During Step Two, eligible Proposers will be able to review the documents in the data room and better determine if the project qualifies for the Energy Community adder under the IRA. NYSERDA encourages Proposers to consult tax counsel to determine the eligibility of the project for IRA tax credits.
17	Will the awarded Proposer be subject to NYSERDA's Buy American domestic iron and steel requirement?	Yes, please see Section 7.8 of the RFP, U.S. Iron and Steel (Buy American). The Proposer awarded a contract under BRRFP23-1 is required to establish and verify that it expends a minimum of \$30,000 per 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 BR Facility.