



Request for Proposals

Aggregate Procurement of Distributed Solar and Solar + Storage for Public Facilities

Peninsula Clean Energy Authority, a California Joint Powers Authority, is seeking proposals from qualified vendors to engineer, procure, construct, and maintain solar and solar + storage projects for a portfolio of 42 public facilities in San Mateo County.

This is the 2nd version of the RFP, released on September 13, 2023, with redlines made to the version released originally on August 29, 2023.

RFP Webinar: September 6, 2023 ([Registration Link](#))

Statement of Interest and Qualifications Due: September 22, 2023

Proposals Due: November 13, 2023

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1 ABOUT PENINSULA CLEAN ENERGY

Peninsula Clean Energy is the not-for-profit locally led electricity provider for San Mateo County and Los Banos. Our mission is to reduce greenhouse gas emissions by expanding access to sustainable and affordable energy solutions. The agency serves over 300,000 customers by providing more than 3,500 gigawatt hours annually of electricity that is virtually carbon-free.

Since Peninsula Clean Energy launched in October 2016 customers have saved over \$100 million and over 1 million metric tons CO₂e from our electric service compared to 2016 baseline, equivalent to over 140 million gallons of gasoline use. The agency has earned investment grade credit ratings from Moody's and Fitch and S&P Global. For more information on Peninsula Clean Energy, please go to www.peninsulacleanenergy.com.

Peninsula Clean Energy's strategic objectives include:

Organizational Priorities

- Providing a power portfolio that delivers 100% renewable energy on an hourly basis
- Contributing to the service territory reaching the state's goal to be 100% greenhouse gas-free by 2035 through electrification of transportation and buildings

2 RFP OVERVIEW

Peninsula Clean Energy (PCE) issues this Request for Proposals (RFP) to seek proposals from qualified companies to procure, install, commission, and maintain solar photovoltaic (solar) and solar photovoltaic paired with battery energy storage systems (solar + storage) for portfolios of 45 public facilities in the service territory.

There are two portfolios in this RFP. Each portfolio is comprised of different types of behind-the-meter systems and are in different stages of project development. Combined, the portfolios represent approximately **15MW of solar + 6.2MWh of battery storage**.

Portfolio A

Portfolio A contains approx. **4.9 MWdc solar** capacity across **33 PCE customer sites**. PCE plans to own the equipment deployed in this portfolio. Systems have been designed and have applied for interconnection with PG&E. Customers have received indicative PPA financials. These are NEM 2 projects that need to reach PTO by April 2026 to grandfather their NEM status.

Portfolio B

This portfolio is comprised of approx. **10.2 MWdc solar capacity** along with approx. **6.2 MWh battery energy capacity** across **9 PCE customer sites**. Unlike Portfolio A, PCE does not plan to own the equipment deployed in Portfolio B, and is looking for combined EPC+financing proposals. We are also open to different contracting models than what is suggested in the models detailed in this RFP. The solar portion of these projects have been designed to maximize solar capacity. The storage portion of these projects have been scoped at a high level only. The battery storage systems are sized based on their ability to offset customers' lowest hourly load in the 4-9pm peak period (See Sec 4.2, Project Portfolios for more details). Additionally, no interconnection applications have been submitted for this portfolio, and we expect these projects will move forward under the Net Billing Tariff.

Overall, **Portfolio A is a higher priority** due to the time sensitive need to grandfather these projects into NEM 2. Portfolio B's solar+storage projects require further project development, particularly around the battery storage components. Customers in Portfolio A have been presented with indicative PPA economics already, and have approved their system designs. Customers in Portfolio B have not been presented solar+storage comparative financials and have only reviewed the solar portion of their system designs.

The solar project development activities to date for all sites include:

- Outreach to local public agencies about benefits of solar and storage
- Site evaluations and developed solar system designs
- Solar site plans and single line diagrams
- Written support for projects among facility and public works staff
- Submitted interconnection applications to obtain NEM 2 grandfathering for Portfolio A projects

We are now moving to the next phase of the program, securing a vendor for the procurement, installation, and maintenance of the designed solar systems, and partnering with a Master PPA provider for the solar + storage systems.

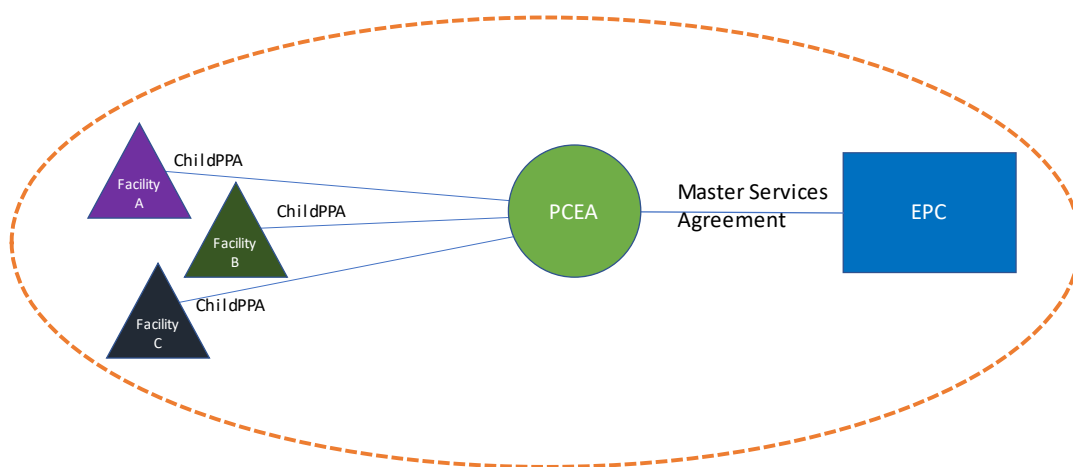
2.1 Procurement Model

PCE is expanding on a model it helped create whereby it will own an aggregation of solar energy systems and offer Power Purchase Agreements ("PPAs") directly to customers for the energy produced by the systems over the PPA term. In 2022, PCE executed 12 PPAs in this way, and with this RFP is expanding the program to these 45 additional facilities. The diagram below illustrates the models and deal structures of this program.

Portfolio A – Solar EPC Services: PCE, through this solicitation, seeks to contract with an Engineering, Procurement, and Construction provider ("EPC") to procure, install, and commission equipment, with the option for that EPC firm to provide ongoing operations, maintenance, and monitoring of equipment, including conducting any required operations,

maintenance, warranty and repair work (“O&M”). In this model, PCE capitalizes all costs on our own balance sheet, and monetizes the investment tax credit through the Inflation Reduction Act’s Direct Pay provision. Equipment and services are purchased from the EPC via specified milestones.

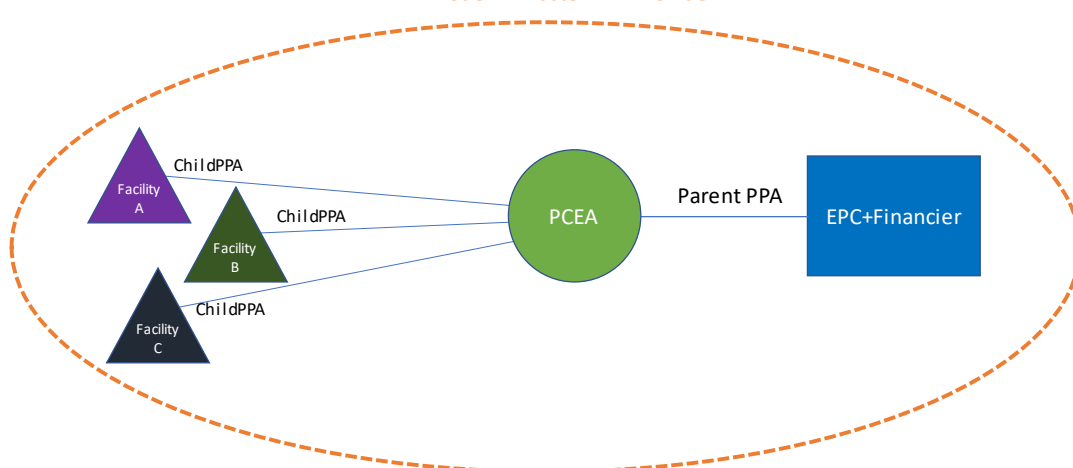
Model 1: EPC Provider



Portfolio B – Solar+Storage Master PPA: Peninsula Clean Energy is not committed to any one contracting model for Portfolio B. The following contracting model is one that we would like to explore for this portfolio, but we are open to other models recommended by bidders.

In this portfolio, Peninsula Clean Energy’s prevailing contracting model is to partner with a Master Solar+Storage PPA Provider who is capable of providing Solar+Storage financing, such as through a PPA, as well as providing EPC services in-house or with a subcontractor, for the whole portfolio. In this approach, Peninsula Clean Energy would be the counterparty to the proposer’s Master “Parent” PPA. PCE would subsequently provide individual “Child” Solar+Storage PPAs to customers for the energy procured through the Parent PPA.

Model 2: Master PPA Provider



2.2 Proposal Options

PCE is seeking proposals from firms that fall into **one or both** of the following categories:

1. **Portfolio A: EPC contractors for the Solar portfolio** that will procure, install, and commission the systems for a specified price. PCE will finance and own these assets. Customers may consider adding battery storage for energy resiliency once the solar energy systems come online. (Model A above)
2. **Portfolio B: Master PPA providers for the Solar+Storage portfolio** that will develop, procure, install, commission, and own the systems and offer a 20-year Master PPA to PCE. (Model B above – open to recommendations on different approaches)

2.3 Minimum Proposer Requirements

The following are minimum requirements for all Proposers, inclusive of Proposer's subcontractors:

- A minimum of 30 fully completed and operational solar installations, of which 5 are commercial installations with a capacity of at least 100kW each
- A minimum of 5 rooftop, 5 carport, and 5 ground mount installations
- A minimum of 10 installations in PG&E territory

For EPC contractors:

- At least 5 years in business as a qualified contractor in California, with a C-10 contractor's license
- Demonstrable experience successfully applying for and receiving approved commercial interconnections with PG&E
- No outstanding demerits or citations by the California CSLB for any reason for the past 5 years or more

For Master PPA Providers:

- A minimum of 5 fully completed and operational battery energy storage installations of at least 100 kW
- At least 5 years of operations in California
- 10+ years' experience with commercial scale projects and PPAs, with strong individual executive and project team experience
- Committed and readily available source of all required capital
- Track record of successfully developing, constructing, financing, operating, and maintaining solar and solar + storage systems in California

3 RFP SCHEDULE

A webinar on this RFP will be held on September 5, 2023. Those wishing to attend can [register here](#). Attendance is encouraged but not required. A recording will be posted to the RFP website.

This is a 2-step RFP. After reviewing these protocols, interested Proposers should submit a brief Statement of Qualifications and Interest that summarizes their qualifications and experience (recommend 1-2 pages maximum). PCE will provide Proposers it deems sufficiently qualified additional documentation (“Project Packages”) that includes site-specific design and technical information from which Proposers can further evaluate the proposed sites and systems and submit a proposal. Executing PCE’s non-disclosure agreement (NDA) will be required to receive this additional information. Instructions on how to submit both a Statement of Qualifications and Interest and a signed NDA are provided in Sections 6.1 and 6.2.

We encourage interested Proposers to submit their Statement of Qualifications and Interest as soon as possible and well in advance of the RFP deadline (see schedule below) to ensure you have enough time to review the portfolio details.

The following represents Peninsula Clean Energy's best estimated schedule at the time of RFP writing and is subject to change, with appropriate notification to Proposers.

Event		Date
1	RFP Released Question and Answer period open. Interested parties may submit questions and Peninsula Clean Energy will post answers publicly on a rolling basis.	<i>August 25, 2023</i>
2	Interested Proposers submit Statement of Qualifications and Interest. PCE will provide Proposers it deems sufficiently qualified additional information (Project Packages) for all sites in the portfolios. NDA execution required. Proposals will only be accepted from qualified Proposers.	<i>Rolling</i>
3	RFP Webinar Registration link	<i>September 5, 2023</i>
4	Deadline for submitting Statement of Qualifications and Interest Deadline for Questions	<i>September 22, 2023</i>
5	Deadline for Submitting Proposals	<i>November 13, 2023</i>
6	Notification of Shortlisted Proposers	<i>November 27, 2023</i>
7	Shortlist Interviews	<i>Weeks of November 27 & December 4, 2023</i>
8	Contract negotiation through execution	<i>Through mid-February, 2024</i>
9	Project kickoff	<i>Early March, 2024 January</i>

3.1 Questions & Answers

Proposers may submit questions concerning the RFP per the schedule outlined above. Questions and PCE's responses will be posted publicly on the RFP website.

Questions should be submitted via email to
ProgramSolicitations@PeninsulaCleanEnergy.com
with "[Proposer Name] – Aggregation RFP Question" in subject line.

4 DETAILED PROJECT DESCRIPTION AND SCOPE

4.1 Program Overview

Peninsula Clean Energy aims to reduce barriers to solar and solar + storage deployments for local public agencies in our service territory and this program builds off a pilot program that launched in June 2022. Local public agencies often do not have the available staff time, financial resources, or technical expertise to advance these types of projects and may have relatively small facilities with commensurately small projects that cannot take advantage of bulk purchasing. Similarly, solar and storage contractors face high customer acquisition and initial project development costs, which are relatively higher for smaller facilities that cannot support larger solar deployments.

Recognizing these barriers, PCE has undertaken this program with the following goals:

- **To reduce the burden and associated costs** for both local public agencies and solar and energy storage vendors **for site identification, evaluation, and design work** by PCE conducting this initial work with the services of an established solar design and engineering firm
- **To reduce equipment costs** via aggregation of sites into larger portfolios for higher volume purchasing
- **To reduce vendor contracting costs** via PCE serving as a single counterparty for all the customers and sites in the portfolios
- **To reduce financing costs** by leveraging PCE's financial strength and strong credit ratings (Baa2 from Moody's, A- from S&P, BBB+ from Fitch)
- **To comply with local public agencies public contracting requirements** through this RFP and uniform contractual terms such as prevailing wage
- **To reduce project drop-out risk** by obtaining formal City Council or Board resolutions from portfolio customers of their interest in the projects and pre-authorization for public agency leadership to execute contracts if PCE can provide PPA pricing that results in net benefits.

The pilot program includes 1.7MW of solar projects across 12 sites. Those projects are on-track to reach COD in 2024. The portfolios in this round are significantly larger than the last. PCE expects to continue to build on the success of these programs, with yearly intake of new facilities for solar+storage deployments¹.

¹ Selection from this solicitation does not guarantee selection for future rounds of the program.

4.2 Project Portfolios

PCE has worked with its public agency customers to identify strong candidate sites for solar and solar + storage systems. PCE retained SepiSolar and NV5 (formerly Sage Energy) to conduct site assessments and develop solar and solar + storage designs.

Note, for the purposes of simplicity, “system” shall be used to denote both solar and solar + storage systems unless further clarity is required.

The following activities have been completed for all sites to date:

1. Public agency customers provided PCE with lists of facilities that they deemed as viable candidates for solar and/or solar+storage
2. PCE filtered sites based on ownership structure (owner-occupied only), and a minimum 30kW system size determined by space constraints and load constraints
3. PCE and its engineering partners SepiSolar and NV5 conducted walkthroughs and reviews of physical sites, including suitability for solar and storage systems, existing electrical configurations and interconnection complexity, and analysis of shading issues
4. Developed “10% designs”, which include solar sizing, layout, site plan, and single line diagram. It is expected the selected Proposer will complete the remaining 90% design in consultation with each respective agency
5. Iteration with customers and preliminary approval by facility staff of proposed design
6. Bill savings estimate for solar projects, utilizing 2022 load data and average regional solar production estimates
7. Securing senior buy-in by each agency for participation in the program².
8. Confirmation by facility staff of no prohibitive roofing/resurfacing or related issues that would materially impact proposed system
9. Submission of solar-only interconnection applications for each facility in order to secure NEM 2 grandfathering³

For sites with energy storage, many of the battery storage details have not yet been finalized. Critical load assessments have not been performed. Ballpark storage sizes have been established using a conservative sizing methodology focused on reducing the minimum peak demand for each customer within the 4-9pm window. This is so that all of the battery power capacity can be utilized for demand charge management. We expect PCE and our customers will engage with the awarded proposer on system sizing methodologies to determine the best fit storage system for them. This will require significant iteration and analysis with PCE

² A small handful of agencies are still working to provide written buy-in

³ Solar-only projects have the greatest time sensitivity due to the need to grandfather these projects into NEM 2. In order to do that, each project needs to reach PTO by April 2026. Solar+storage projects will not be on a NEM 2 track.

and our customers on impacts to their energy bill, resiliency options and added costs, and the value of grid services.

The following are the constituent projects of the Portfolios. Full Project Packages for each site will be provided to Proposers per the process explained in Section 4.5 below.

4.3 Portfolio Details

PCE aims to contract with 1-2 proposers for both portfolios inclusive of all sites below.

	Number of Facilities	Solar Rooftop (kW DC)	Solar Carport (kW DC)	Ground Mount (kW DC)	Battery Storage (kWh)
Portfolio A	33	900	3,100	900	TBD
Portfolio B	9	750	9,100	700	~6,200

4.4 Pricing and Customer Commitments

PCE has secured signed Customer Participation Agreements from nearly all site owners in Portfolios A and B indicating they are interested in installing solar and/or storage systems. PCE is working on obtaining commitments from each customer’s governing board, such as their City Council or Board of Directors, to grant permission for staff to execute a PPA provided that the PPA will result in net savings to the customer. As such, pricing will be a key “go/no-go” decision for execution of a contract from this RFP. If no qualified Proposer can provide sufficiently favorable pricing on the Portfolio, no Proposer will be selected.

4.5 Project Packages

Project Packages will be provided by PCE to qualified Proposers. These packages contain the following documentation for each site:

- Brief system description
- Site plan with system sizing and layout
- Single line diagram
- 15-minute load data from 2022
- Notes of any site-specific considerations

Project Packages will be released to Proposers according to the following process:

1. Proposers submit a Statement of Qualifications and Interest describing their experience and qualifications
2. Proposers are deemed sufficiently qualified and experienced by PCE to deliver the requested services

3. Proposers submit a signed non-disclosure agreement (NDA)
4. PCE provides qualified Proposers access to a Box.com folder with Project Packages

Only Proposers who have submitted a Statement of Qualifications and Interest and are deemed qualified will receive Project Packages for all sites and be eligible to participate in the RFP.

See Section 6 below for submittal information.

The Statement of Qualifications and Interest must be submitted by the deadline specified in the RFP SCHEDULE.

4.6 Project Development: Risk Mitigation Activities

PCE and its solar design and engineering services partners, SepiSolar and NV5, have done significant project development work to-date in an attempt to de-risk projects by identifying and addressing potential obstacles to deploying the specified systems at each site. The activities we have undertaken to de-risk projects include:

- Limited the portfolios to public agency facilities only
- Screened facilities that are not owner-occupied by the agency
- Screened facilities that are in good working order, expected to be operational, and without planned major renovations to the proposed mounting plane for at least the next 20 years
- Conducted site walkthroughs, inspected electrical rooms, existing equipment and capacities, roofs (if accessible), and evaluated potential solar shading issues
- Developed system designs based on prudent electrical practices that have the input and support of facility personnel
- Obtained approvals from each public agency participant in the form of a Customer Participation Agreement. Working with public agencies currently to obtain formal public agency City Council or Board resolutions in support of each project
- Engaged with facility staff to understand future planned maintenance that could impact the systems (such as roof resurfacing) and whether this work could be pulled forward in advance of any deployment

However, some work was not done because it was impractical or did not make sense to do until the vendor who would deploy systems was engaged. PCE and its engineering partners did not:

- Create a PVSyst report for each project
- De-energize facilities and open switchgear
- Investigate structural and non-structural conditions of each facility, including, but not limited to, structural load analysis, roofing, water-proofing, electrical coordination, fire hazards, egress, etc.
- Submit any permit applications

- Perform any geotechnical exercises to vet soil conditions
- Evaluate environmental conditions at ground mount locations
- Pursue public approvals nor perform general outreach to the public

As such, unforeseen obstacles may arise in final project development activities undertaken by the selected Proposer that impact the ability to deploy some systems as currently designed. If this is the case, PCE will work with the selected Proposer and the Customer to determine mutually agreeable solutions that enable the project(s) to move forward. However, PCE and its customers will retain the right to remove a site from the portfolios if the obstacles will cause the Project to be uneconomic or we would expect major delays in its completion.

4.7 Net Energy Metering (NEM) Changes

Interconnection applications were submitted for the systems in Portfolio A prior to the April 14, 2023 NEM 2 deadline. The systems have been designed with NEM2 tariff rules and associated financials in mind. As such, it is PCE's goal that all projects qualify under NEM2. Systems need to reach PTO by April 2026 in order to be grandfathered into NEM 2. PCE has been in coordination with PG&E regarding the ability for each of the projects in Portfolio A to reach

While PCE and our engineering partner submitted the interconnection applications, we expect that the Proposer would take on the remaining interconnection work, including negotiations with PG&E on proposed interconnection upgrades, managing the customer engagement process to execute interconnection agreements, and working with PG&E to reach PTO for each system. PG&E has provided guidance that a one-time change to the solar system size is permitted for each project, so long as it does not exceed 110% or go below 80% of its original capacity.

4.8 Pilot Nature / Flexibility and Cooperation

The approach PCE is taking to Portfolio A is an expansion of a pilot launched in 2022. As such, we believe we have mitigated most uncertainty for those projects. For Portfolio B, it is likely that the need for unexpected changes may arise despite every effort made to mitigate them. **It is vital that the Proposer understands the pilot nature of this program and can be flexible, creative, and cooperative in its work and approach with PCE and its customers and partners.**

4.9 Safety

PCE expects RFO Participants to recognize safety is of paramount importance. Proposers are required to demonstrate that Projects can be designed, constructed, and operated safely. Submission of safety information is required for consideration of any proposals. During the RFP, PCE may request Proposers provide additional information to demonstrate the safety of the project. Proposer's demonstration of safety and the safety of its contractors is a continuous obligation through the term of any Agreement(s) resulting from this RFP.

4.10 Scope of Work

Firms will be responsible for the following scope of work:

4.10.1 High-Level Scope

Portfolio A | EPC Proposers: Procure, install, and commission the specified solar and solar + storage systems . EPC proposers have the option to bid O&M work as part of their proposal.

Portfolio B | Bundled Master PPA Providers: Procure, install, operate, and maintain the specified solar + storage systems over the course of the PPA contract term (20 years).

4.10.2 Scope-Related Tasks

The following are tasks related to the execution of the high-level scope for **Portfolio A**. This is not intended to be a fully exhaustive list of all tasks required.

- Conduct subsequent site evaluations as needed to verify ability to deploy specified System, complete 100% designs, and identify any required upgrades for or obstacles to deployment.⁴
- Manage the provision of permits, including but not limited to the Conditional Use Permit and environmental permits
- Complete all required design and technical documentation with relevant stamps from licensed professionals. Awarded proposer(s) will be permitted, at proposers' discretion, and following the joint development of partnership agreements, to hire SepiSolar and/or NV5 to complete documentation/designs.
- Procure all equipment, including solar modules, battery systems, inverters, mounting systems, and all related balance of systems components required to install a safe, complete, and fully Code-compliant System.
- Install, test, and commission all equipment
- Obtain Permission to Operate (PTO) letter from PG&E
- Provide for maintenance of equipment at its proper functioning and manage warranty repairs/replacements as necessary
- Provide for revenue quality meter data of system output for use in customer billing to be delivered to PCE and/or its designees in a format readily digestible by industry-standard data management applications
- Provide a professional industry-standard monitoring platform for PCE and end customers to view real-time and historical performance of all systems in the portfolio in a user-friendly manner

⁴ All existing facilities were assessed via on-site walkthroughs including review of electrical room layouts, switchgear equipment ratings, and potential for expansion. However, sites were not de-energized to open switchgear, which if required is expected to be conducted by the EPC Contractor prior to completion of design. See Section 4.6

- Conduct all work in a safe, professional, and workmanlike manner
- Utilize at least prevailing wage labor

The following are tasks related to the execution of the high-level scope for **Portfolio B**. These tasks are substantially similar to the scope of Portfolio A, with added responsibilities around customer engagement on battery storage system details, the financial partnership with PCE, and operations and maintenance for the battery storage systems. This is not intended to be a fully exhaustive list of all tasks required.

- Develop contract with PCE, supporting internal navigation of PCE stakeholders as needed
- Perform indicative battery storage sizing exercises in partnership with PCE and program participants for each facility; determine the opportunity for the battery storage resources to perform demand charge management as well as provide grid services to PCE; adjust solar sizing to optimize based on economic benefits of other inputs provided by program participants
- Provide installation and operating cost financials
- Conduct critical load assessments with customers to determine portion of BESS that will be used for energy resiliency, if applicable
- Conduct subsequent site evaluations as needed to verify ability to deploy specified System, complete 100% designs, and identify any required upgrades for or obstacles to deployment
- Complete all required design and technical documentation with relevant stamps from licensed professionals. Awarded proposer(s) will be permitted, at proposers' discretion, and following the joint development of partnership agreements, to hire SepiSolar and/or NV5 to complete documentation/designs.
- Manage the provision of permits, including but not limited to the Conditional Use Permit and environmental permits
- Procure all equipment, including solar modules, battery systems, inverters, mounting systems, and all related balance of systems components required to install a safe, complete, and fully Code-compliant System.
- Install, test, and commission all equipment
- Obtain Permission to Operate (PTO) letter from PG&E
- Provide for maintenance of equipment at its proper functioning and manage warranty repairs/replacements as necessary
- Provide for revenue quality meter data of system output for use in customer billing to be delivered to PCE and/or its designees in a format readily digestible by industry-standard data management applications
- Develop a white label billing methodology to be utilized by PCE
- Provide a professional industry-standard monitoring platform for PCE and end customers to view real-time and historical performance of all systems in the portfolio in a user-friendly manner
- Conduct all work in a safe, professional, and workmanlike manner

- Utilize at least prevailing wage labor

5 PROPOSAL ELEMENTS

Proposers must provide a proposal that includes all sites in the portfolio(s) they are bidding on. The proposal will include the following key parameters. **Submission of this information is done via the Proposal Form.**

5.1.1 Equipment and Installation Price:

Proposers shall provide per-site pricing for all sites in the portfolio(s)⁵ per the designs and documentation in each site's respective Project Package. Proposers may submit proposals for either or both of the following options:

- **EPC Proposers:** Sale of equipment and services, payable per milestones as defined in the Proposal Form worksheet
- **Master PPA Proposers:** Power Purchase Agreement for energy produced by the systems, paid monthly at a fixed price per kilowatt hour (\$/kWh) for solar and a fixed price per kW-month (\$/kW-month) for battery storage over a 20-year term with no rate of escalation. Proposals should include an option to purchase the systems at fair market value after year 20 as specified in the PPA Proposers worksheet. Other terms and buyout options may be proposed in addition to this at Proposer's discretion.

PCE will consider alternate pricing proposals, but pricing for each site as designed must be included. **Please note Prevailing Wage requirements below** and incorporate these into proposed pricing.

The services contemplated under this procurement include "public works." For all such work funded by this Agreement, the Contractor is required to comply with state prevailing wage law, Chapter 1 of Part 7 of Division 2 of the Labor Code, commencing with Section 1720 and Title 8, California Code of Regulations, Chapter 8, Subchapter 3, commencing with Section 16000, for any "public works" as that term is defined in the statutes, including all applicable flowdown provisions. For purposes of complying with prevailing wage laws, the Contractor must comply with the provisions applicable to an awarding body.

5.1.2 Pricing Qualifications and Dependencies:

Proposers shall describe how pricing would change for the following events:

- One or more projects fall out of portfolio due to:

⁵ As each PPA will be specific to each facility in the Portfolios, we need to understand pricing at the site level. Furthermore, in the event an unforeseen obstacle prevents moving forward with a given site, site-level pricing would enable transparent re-estimation of the total contract value.

- Unforeseen and unmitigable obstacles to project's financial, technical, or temporal viability
- Customer(s) failure to execute a PPA with PCE for reasons beyond PCE's control (though all public agencies for projects in each Portfolio are supportive of their respective projects, they are not required to sign a PPA yet).
- Projects are delayed beyond milestone date(s) specified by Proposer for reasons beyond Proposer's control
- Following its own site evaluation, Proposer believes that substantial redesign of the proposed system is required

This is not meant to be an exhaustive list, and Proposers should provide other additional qualification criteria to pricing if they exist.

5.1.3 Equipment Specifications

Provide basic equipment specifications for primary system components as specified in the Proposal Form.

If Proposer intends to use solar modules manufactured outside the USA, PCE is also requesting pricing for modules manufactured in the USA. This is specified in the Proposal Form.

5.1.4 Performance Guarantee

For both portfolios, an annual performance guarantee must be provided for the solar system, specified as % of estimated annual solar output. For Portfolio B, an annual performance guarantee must be provided for the battery storage systems, specified in guaranteed annual round trip cycles, and guaranteed round trip efficiency.

5.1.5 Warranty

Provide a description of the manufacturer and workmanship warranties for key system components.

5.1.6 Operations and Maintenance (O&M)

EPC Proposers may provide a price (separate from Equipment and Installation price) for O&M inclusive of all the following. Master PPA Proposers must include this in their PPA price.

- Maintenance:
 - Preventative Maintenance: conducting periodic and manufacturer-recommended maintenance that helps prevent equipment malfunctions and failures
 - Corrective Maintenance: conducting repairs, inclusive of all required scheduling and associated project management, for system components when required.
 - Warranty Management: conducting activities required to maintain equipment warranties and, in the event of equipment failure, managing warranty repair/replacement process

- Operations
 - Performance Monitoring: monitoring all equipment to ensure it is functioning optimally and, if not, completing corrective maintenance
 - Alarm Monitoring: monitoring system for alarms and, if received, commencing corrective maintenance along with notification of PCE and end customer
 - Energy Production / Billing Data: providing revenue meter-grade energy production data to PCE for the purposes of billing the end customer. Data must be captured at a minimum of 15-minute intervals and in a readily digestible industry-standard format acceptable to PCE
 - Real Time and Historical Performance Data Portal: providing access to PCE and end customers to real time and historical performance data via an intuitive, clear, and user-friendly interface accessible via Internet

Additionally, please provide a quote for the following optional maintenance:

- Cleaning: conducting annual cleaning of modules

5.1.7 Milestone Pricing

Provide milestone pricing breakdown for the milestones specified in Proposal Form.

5.1.8 Schedule

Provide a projected timetable for achieving specified milestones. Timelines may be stipulated relative to a start date (for example, upon permit issuance by AHJ or upon interconnection approval by PG&E).

5.1.9 Caveats and Assumptions

Proposers should identify any assumptions made or special needs required to execute scope of work and/or caveats on proposals. For example:

- Any external dependencies beyond your control that could impact execution of scope of work and what steps Proposer would take to mitigate risks from these dependencies
- Any caveats related to the designs and information in the Project Packages or additional information required beyond what is in the Project Packages, along with which party would be responsible for providing it
- Any work Proposer requires to be completed that you see as clearly not Proposer's responsibility

Additionally, PCE welcomes any suggestions for how we might best work together to achieve project goals to the satisfaction of all parties including the end customers.

5.1.10 EPC / PPA Contracts

Proposers submitting as EPC contractors as defined in Section 2.2 Proposal Options above.

EPC Contractors should provide redlines of PCE’s EPC contract template. This will be provided with Project Packages to qualified Proposers.

Master PPA Providers should provide a copy of their PPA agreement, or another form of the agreement they recommend based on the proposed contract structure. If pursuing the Master PPA structure, PCE recognizes that the Master PPA must be harmonized with PCE’s customer PPA. Our intent is to coordinate with a selected Proposer to ensure that certain terms, conditions, and obligations are consistent between the two PPAs. In addition, PCE is open to a new contracting structure that deviates from our proposed approach, and we welcome proposals on what an improved contracting structure would entail.

5.1.11 Safety Information

Proposers must return with their proposal package a completed Safety Questionnaire along with any supporting documentation to substantiate its safety record, planning, and processes.

5.1.12 Workforce Narrative

Peninsula Clean Energy requires all proposers to provide documentation describing efforts towards engaging a skilled and trained workforce and targeted hires. At a minimum, projects must comply with Policy 10, “Peninsula Clean Energy’s Sustainable Workforce Policy”.

[Link to Sustainable Workforce Policy](#)

The Workforce Narrative submitted by proposers will be used to evaluate potential workforce impacts of proposed projects with the goal of promoting fair compensation, fair worker treatment, multi-trade collaboration, and support of the existing wage base in local communities where contracted projects will be located. Proposers who commit to union labor, workforce development efforts, and the use of diverse labor forces will be scored more favorably than those who do not.

5.1.13 Ethical Vendor Narrative

Per its Policy No. 9, “Peninsula Clean Energy is committed to the highest standards of responsible behavior and integrity in all of its business relationships. PCE will consider a company’s business practices, environmental track record, and commitment to sustainability in its procurement decisions.”

The Ethical Vendor Narrative should describe proposer’s business practices, environmental track record, and commitment to sustainability in its procurement decisions. It should reference both Policy 9 and Policy 22, Diversity, Equity, Access, and Inclusion Policy.

[Link to Ethical Vendor Standards](#)

[Link to Diversity, Equity, Access, and Inclusion Policy](#)

5.1.14 Supplier Diversity Questionnaire (Optional)

Proposers invited to participate in this RFP will be Peninsula Clean Energy's are encouraged to submit the optional Supplier Diversity Questionnaire, which can be downloaded at:

<https://www.peninsulacleanenergy.com/wp-content/uploads/2020/05/Peninsula-Clean-Energy-Supplier-Diversity-Questionnaire.docx>.

Your response (or lack thereof) will have no impact on your contract status or eligibility to work with Peninsula Clean Energy in accordance with state law.

6 SUBMITTAL

6.1 Submission Format

All documents should be submitted via email to:

ProgramSolicitations@PeninsulaCleanEnergy.com

Emails should have the Proposer's name and relevant document noted in the subject line, for example:

"Sunny Solar – Statement of Qualifications and Interest"
"Energized Electric – Proposal Package"

6.2 Minimum Qualifications

Interested Proposers should submit a Statement of Qualifications and Interest and signed NDA available on the RFP website. The Statement of Qualifications and Interest requests basic company information and completed project history. PCE staff will review submissions and release Project Packages, defined below, to those that meet the requirements specified in Section 2.3 Minimum Proposer Requirements.

Only Proposers who have submitted a Statement of Qualifications and Interest and are deemed qualified will receive Project Packages and be eligible to participate in the RFP.

The Statement of Qualifications and Interest must be submitted by September 22, 2023

6.3 Acknowledgment of RFP Terms

By participating in Peninsula Clean Energy's RFP process, a Proposer acknowledges that it has read, understands, and agrees to the terms and conditions set forth in these RFP instructions. Peninsula Clean Energy reserves the right to reject any proposal that does not comply with the requirements identified herein. Furthermore, Peninsula Clean Energy may, in its sole discretion and without notice, modify, suspend, or terminate the RFP without liability to any organization or individual. The RFP does not constitute an offer to buy or create an obligation for Peninsula

Clean Energy to enter into an agreement with any party, and Peninsula Clean Energy shall not be bound by the terms of any proposal until Peninsula Clean Energy has entered into a fully executed agreement. Only electronic submittals will be accepted.

6.4 Checklist of Submission Materials

The following represents a complete submission package:

- For all Proposers
 - Statement of Interest and Qualifications
- For EPC Proposers (deemed qualified)
 - Proposal Form
 - Safety Questionnaire
 - PCE's EPC Contract with Redlines
 - NDA(s)
 - Workforce Narrative
 - Ethical Vendor Narrative
 - Supplier Diversity Questionnaire (optional)
- For Master PPA Proposers (deemed qualified)
 - Proposal Form
 - Safety Questionnaire
 - Proposer's standard PPA Contract
 - NDA(s)
 - Workforce Narrative
 - Ethical Vendor Narrative
 - Supplier Diversity Questionnaire (optional)

7 ADDITIONAL REQUIREMENTS

7.1 Insurance Requirements

By submitting a proposal, each proposer certifies under penalty of perjury that:

- Its submission is not the result of collusion or any other activity that would tend to directly or indirectly influence the selection process; and
- Proposer is able or will be able to comply with all requirements of this solicitation at the time of contract award; and

- Neither proposer, its employees, nor any affiliated firm providing the requested goods and services has prepared plans, specifications, terms or requirements for this solicitation, or has any other actual or potential conflict of interest; and
- Proposer is aware of the provisions of Section 1090 et seq. and Section 87100 et seq. of the California Government Code relating to conflict of interest of public officers and employees, and is unaware of any financial or economic interest of any County officer or employee relating to this solicitation.

8 REVIEW AND SELECTION PROCESS

PCE has established qualifying criteria to propose on this Project, including minimum criteria and experience with similar projects as outlined in Section 2.3 Minimum Proposer Requirements. The most qualified proposals will be evaluated and ranked according to “Best Value” for the PCE and its customers based upon several substantive variables, including but not limited to: price (inclusive of potential impacts from change orders), vendor experience and qualifications, equipment and warranties, performance guarantee, schedule, local business participation, and overall thoroughness of proposal and responsiveness to this RFP.

Additionally, PCE reserves the right to conduct independent investigation into each vendor, including contacting other entities for whom the vendor has performed work to research the firm’s quality of work, timeliness of performance, adherence to safety requirements, adherence to predetermined schedule, and maintenance of budget. PCE may, at its sole discretion, factor the findings into its final selection of a Proposer. Top ranked proposers may be asked to interview with PCE and interviews will be factored into final rankings. The top ranked Proposer will be offered the opportunity to negotiate a Contract with PCE based on the contract terms documents provided. If the top ranked Proposer is unable to successfully negotiate a Contract with PCE, PCE may enter into negotiations with the second highest ranked Proposer. PCE intends to award the contract to a single firm; however, PCE reserves the right to award the contract to more than one firm if this is deemed in the best interest of PCE and its customers.

Proposals will be evaluated and scored according to the following criteria:

Criterion	How Measured	Percent Weight
Pricing, inclusive of an estimation of potential impact of Change Orders and any other potential cost adders	Pricing as proposed in the Proposal Form combined with caveats/assumptions on pricing, approach to managing and pricing of any required changes to system designs and potential cost adders.	35%
Experience and Qualifications	Evaluation of proposing firm and individual team members' experience and qualifications, including track record of successfully completing projects on time and within/under budget, and excellent references from prior customers.	20%
Contract Terms	Assessment of the impact to PCE by firm's proposed terms or changes to PCE's proposed contract terms.	20%
Fit	Qualitative assessment of how well the firm's project team and organizational goals/mission align with PCE team and goals/mission. This includes degree to which Respondent is likely to be a positive reflection on PCE with PCE's host site customers.	10%
Creativity and Adaptability	Response demonstrates a creative and proactive approach to meeting project's specific and broad goals.	5%
Fulfills PCE's Sustainable Workforce and DEAI Policies et al	Fulfills PCE's Sustainable Workforce Policy Fulfills PCE's DEAI Policy Labor rates meet at least prevailing wage requirements	10%
	TOTAL	100%

9 AGREEMENT TERMS

Awardees will be required to enter into a contract with Peninsula Clean Energy.

Those proposing as **EPC Contractors** and who are deemed qualified will receive PCE's EPC Term Sheet. At the time of shortlisting, EPC Contractors will receive PCE's EPC Contract Template. Modification of the EPC Term Sheet may be proposed by the Proposer for consideration by Peninsula Clean Energy, but are not guaranteed to be accepted. Proposers should provide any modifications as redlines in their proposal submission. (See Section 5.1.10 above)

Those proposing as **Master PPA Providers** should provide a copy of their PPA agreement or proposed agreement for PCE's review as part of their proposal submission. (See Section 5.1.10 above)

Contracts will require approval by PCE's Board of Directors.

10 SUPPLIER DIVERSITY

Consistent with its strategic goals, Peninsula Clean Energy has a strong commitment to foster a work environment that espouses sustainable business practices and cultivates a culture of innovation, diversity, transparency, integrity, and commitment to the organization's mission and the communities it serves. As part of that goal, Peninsula Clean Energy strives to ensure its use of vendors and suppliers who share its commitment to sustainable business and inclusionary practices.

To help ensure an inclusive set of vendors and suppliers, Peninsula Clean Energy's policy requires it to:

1. Strive to use local businesses and provide fair compensation in the purchase of services and supplies;
2. Proactively seek services from local businesses and from businesses that have been Green Business certified and/or are taking steps to protect the environment; and
3. Engage in efforts to reach diverse communities to ensure an inclusive pool of potential suppliers.

General Order 156 (GO 156) is a California Public Utilities Commission ruling that requires utility entities to procure at least 21.5% of their contracts with majority women-owned, minority-owned, disabled veteran-owned and LGBT-owned business enterprises' (WMDVLGBTBEs) in all categories. Qualified businesses become GO 156 certified through the CPUC and are then added to the GO 156 Clearinghouse database.

The CPUC Clearinghouse can be found here: www.thesupplierclearinghouse.com. While Peninsula Clean Energy is not legally-required to comply with GO 156, Peninsula Clean

Energy's policies and commitment to diversity are consistent with the principles of GO 156, and, therefore, Proposers to this RFP are asked to voluntarily disclose their GO 156 certification status as well as their efforts to work with diverse business enterprises, including those owned or operated by women (WBE), minorities (MBE), disabled veterans (DVBE), and lesbian, gay, bisexual, or transgender people (LGBTBE).

As a public agency and consistent with state law, Peninsula Clean Energy will not use any such provided information in any part of its decision-making or selection process. Rather, Peninsula Clean Energy will use that information solely to help evaluate how well it is conforming to its own policies and goals. Pursuant to California Proposition 209, Peninsula Clean Energy does not give preferential treatment based on race, sex, color, ethnicity, or national origin.

11 PENINSULA CLEAN ENERGY LEGAL OBLIGATIONS

Peninsula Clean Energy is not obligated to respond to any proposal submitted as part of the RFP. All parties acknowledge that Peninsula Clean Energy is a public agency subject to the requirements of the California Public Records Act, Cal. Gov. Code section 6250 et seq. Peninsula Clean Energy acknowledges that another party may submit information to Peninsula Clean Energy that the other party considers confidential, proprietary, or trade secret information pursuant the Uniform Trade Secrets Act (Cal. Civ. Code section 3426 et seq.), or otherwise protected from disclosure pursuant to an exemption to the California Public Records Act (Government Code sections 6254 and 6255) ("Confidential Information"). Any such other party acknowledges that Peninsula Clean Energy may submit to the other party Confidential Information. Upon request or demand of any third person or entity not a party to this RFP ("Requestor") for production, inspection and/or copying of information designated as Confidential Information by a party disclosing such information ("Disclosing Party"), the party receiving such information ("Receiving Party"), as soon as practical but within three (3) business days of receipt of the request, shall notify the Disclosing Party that such request has been made, by telephone call, letter sent via email and/or by US Mail to the address or email address listed on the cover page of the RFP. The Disclosing Party shall be solely responsible for taking whatever legal steps are necessary to protect information deemed by it to be Confidential Information and to prevent release of information to the Requestor by the Receiving Party. If the Disclosing Party takes no such action, after receiving the foregoing notice from the Receiving Party, the Receiving Party shall be permitted to comply with the Requestor's demand and is not required to defend against it.

12 GENERAL TERMS AND CONDITIONS

1. **Peninsula Clean Energy's Reserved Rights:** Peninsula Clean Energy may, at its sole discretion: withdraw this Request for Proposal at any time, and/or reject any or all materials submitted. Proposers are solely responsible for any costs or expenses incurred in connection with the preparation and submittal of the materials for this RFP.
2. **Public Records:** All documents submitted in response to this RFP will become the property of Peninsula Clean Energy upon submittal and will be subject to the provisions of the California Public Records Act and any other applicable disclosure laws.
3. **No Guarantee of Contract:** Peninsula Clean Energy makes no guarantee that a contractor and/ or firm added to the qualified vendor list will result in a contract.
4. **Response is Genuine:** By submitting a response pursuant to this RFP, Proposer certifies that this submission is genuine, and not sham or collusive, nor made in the interest or on behalf of any person not named therein; the submitting firm has not directly or indirectly induced or solicited any other submitting firm to put in a sham proposal, or any other person, firm or corporation to refrain from submitting a submission, and the submitting firm has not in any manner sought by collusion to secure for themselves an advantage over any other submitting firm.