



**Office of
General Services**

Pre-Bid Webinar

Solicitation 23162

Community Solar (Statewide)

Housekeeping

1. If you have not done so already, please make sure that your phone is on **mute**
2. Please hold all questions until the end of the presentation
3. This PowerPoint presentation will be made available at the following address:

<https://ogs.ny.gov/procurement/biddocument/23162bid>



General Information

OGS Representatives

Name	Title
Todd Kayser	Contract Management Specialist 2
Todd Gardner	Team Leader
Sean Hume	Assistant Director



Webinar Agenda

Activity	Time(s) Approx.
Introduction - General Information	11:00 - 11:05 AM
Procurement Lobbying Law	11:05 - 11:10 AM
Solicitation Overview	11:10 - 11:20 AM
Bidder Minimum Qualifications	11:20 - 11:35 AM
Pricing Attachment 1- Overview	11:35 - 11:40 AM
How This Contract Will Be Awarded	11:40 - 12:00 PM
Administrative Bid Requirements	12:00 - 12:15 PM
Request For Quote Process	12:15 - 12:30 PM
Questions – time permitting	12:30 - 12:45PM



Key Event Calendar

Event	Date	Time
Closing Date for Bidder Inquiries	9/4/2019	3:00PM
Responses to Bidder Inquiries (Estimated)	9/11/2019	3:30PM
Bid Opening / Due date for Bids	9/25/2019	11:00 AM ET

Changes may occur. The most recent version of the calendar will be available in the solicitation document on our website at:

<https://ogs.ny.gov/procurement/bid-opportunities>



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Today's Question and Answer Policy

Any questions asked today must be submitted in accordance with **Section 1.8, *Bidder Questions*** of the solicitation using the **Attachment 7 – *Bidder Questions Form***

Only the written responses published after today's conference will be the official, binding responses of the state. In the event of an inconsistency between this PowerPoint presentation and the solicitation, the solicitation and the attachments posted to the OGS Procurement Services website shall supersede information in this presentation

Today's verbal answers are not binding

Procurement Lobbying Law & What You Need to Know

Summary of Policy and Prohibitions on Procurement Lobbying

Pursuant to State Finance Law § 139-j and § 139-k, this Solicitation includes and imposes certain restrictions on communications between OGS and a Bidder during the procurement process (“restricted period”)

A Bidder is restricted from making contacts from the earliest posting, on a governmental entity’s website, in a newspaper of general circulation, or in the procurement opportunities newsletter of intent to solicit offers/bids, through final award and approval of the Procurement Contract by OGS and, if applicable, the Office of the State Comptroller to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a)

Who is a Designated Contact

PRIMARY CONTACT

Todd Kayser, Contract Management Specialist 2

E-mail: todd.kayser@ogs.ny.gov

SECONDARY CONTACT

Todd Gardner, Team Leader

E-mail: todd.gardner@ogs.ny.gov

TERTIARY CONTACT

Sean Hume, Assistant Director

E-mail: sean.hume@ogs.ny.gov



Solicitation Overview



**Office of
General Services**

Overview

This solicitation is issued by the New York State Office of General Services Procurement Services (OGS) to offer Authorized Users (AUs) with a means of acquiring subscriptions for smaller capacities (Residential and Non-Demand) for:

- Community Solar in a Value of Distributed Energy Resources (VDER) Solar farm (Lot 1) and,
- Community Solar in a Net Energy Metering (NEM) Solar farm (Lot 2)

Overview

For both Lots there is a two-tier Bidding process.

- The first tier, for the Centralized Contract, will be prices that Bidders will Bid to qualify for award of a Centralized Contract, these bid prices are non-competitive
- The second tier of bidding comes after the Centralized Contracts have been awarded to Contractors and involves prices bid in response to RFQs issued by Authorized Users, these prices are competitive
- Only bidders that are awarded tier 1 Centralized Contracts are able to respond to tier 2 Request for Quotes at a later date



Overview Lot 1 - VDER Community Solar projects

Subscriptions to VDER Community Solar projects will be offered in the 7 major utility service areas or Regions in New York state

Within each Region in Lot 1 there are two items:

- Item 1 Residential, typically referred to as SC-1, and
- Item 2 Non-residential, Non-demand typically referred to as SC-2
- Both Items are bid as a percent discount off the electricity portion of the AUs utility bill and defined in the solicitation as VDER-DR-CC, the VDER Discount Rate for Centralized Contract



Overview Lot 1 - VDER Community Solar projects

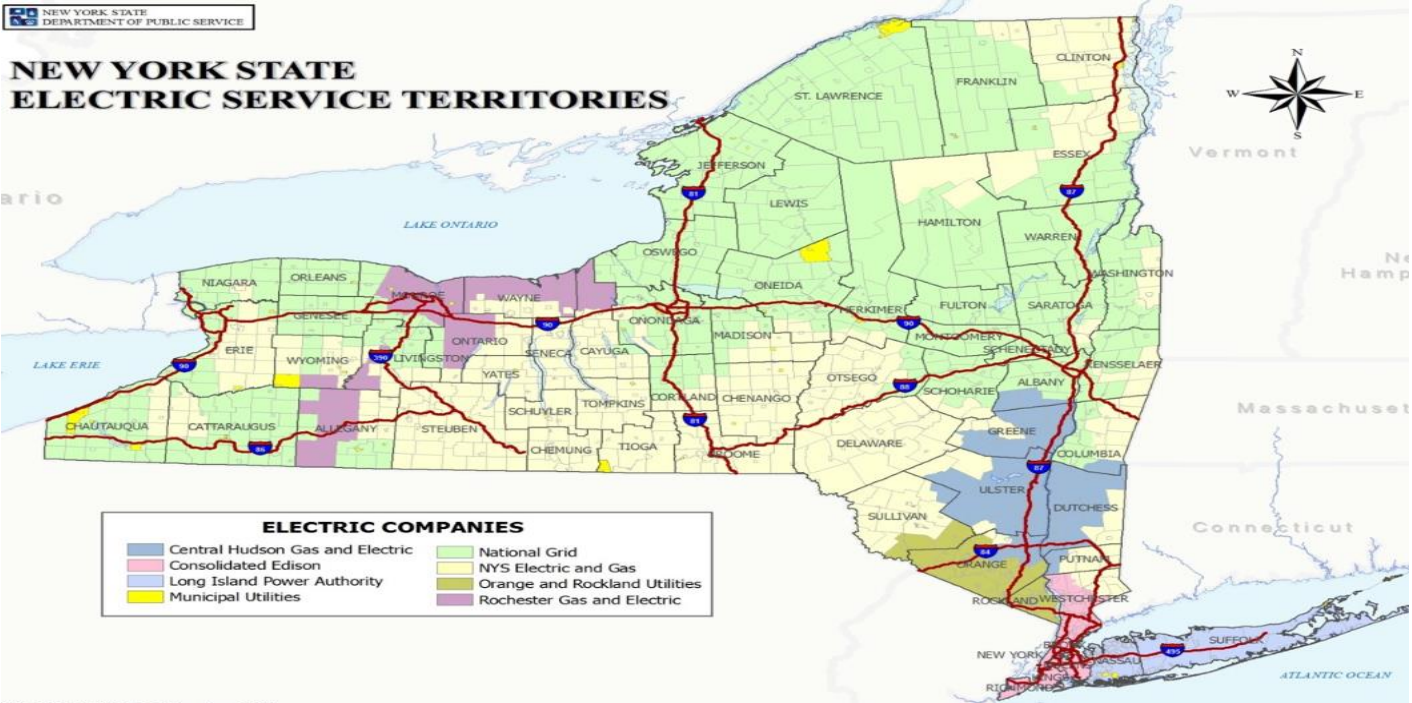
- VDER-DR-CC is the minimum percent discount to the monetary credit applied to the subscriber's utility bill for the electricity generated by the solar farm (non-competitive)
- The second-tier pricing is the 'VDER Discount Rate for the Request for Quote' (VDER-DR-RFQ) which is submitted during responses to a Request for Quote issued by Authorized Users in the future (competitive)
- The VDER-DR-RFQ for the Request for Quote shall not be less than the VDER-DR-CC for the Centralized Contract.



Overview – Lot 1 VDER Regions

NEW YORK STATE DEPARTMENT OF PUBLIC SERVICE

NEW YORK STATE ELECTRIC SERVICE TERRITORIES



Office of General Services

Overview Lot 2 - NEM Community Solar projects

Subscriptions to NEM Community Solar projects will be offered in 21 Regions based on utility service areas within each Independent System Operators (ISO) zones.

Within each Lot 2 region there are two Items:

- Item 1 – Residential \$ per kWh, bid as a price per kWh and is defined as NEM-SR-CC, (NEM Subscription Rate for Centralized Contract)
- Item 2 - Residential Discount Rate, bid as a percent discount off the AUs electric utility bill and defined as NEM-DR-CC, (NEM Discount Rate for Centralized Contract)

Overview Lot 2 - NEM Community Solar projects

The first tier pricing is;

- Item 1 NEM-SR-CC is the maximum subscription rate in dollars per kWh for the electricity generated by the subscription to the solar farm
- Item 2 NEM-DR-CC is the minimum percent discount to the monetary credit applied to the subscriber's utility bill for the electricity generated by the subscription to the solar farm.
- Both NEM-SR-CC and NEM-DR-CC are non-competitive pricing



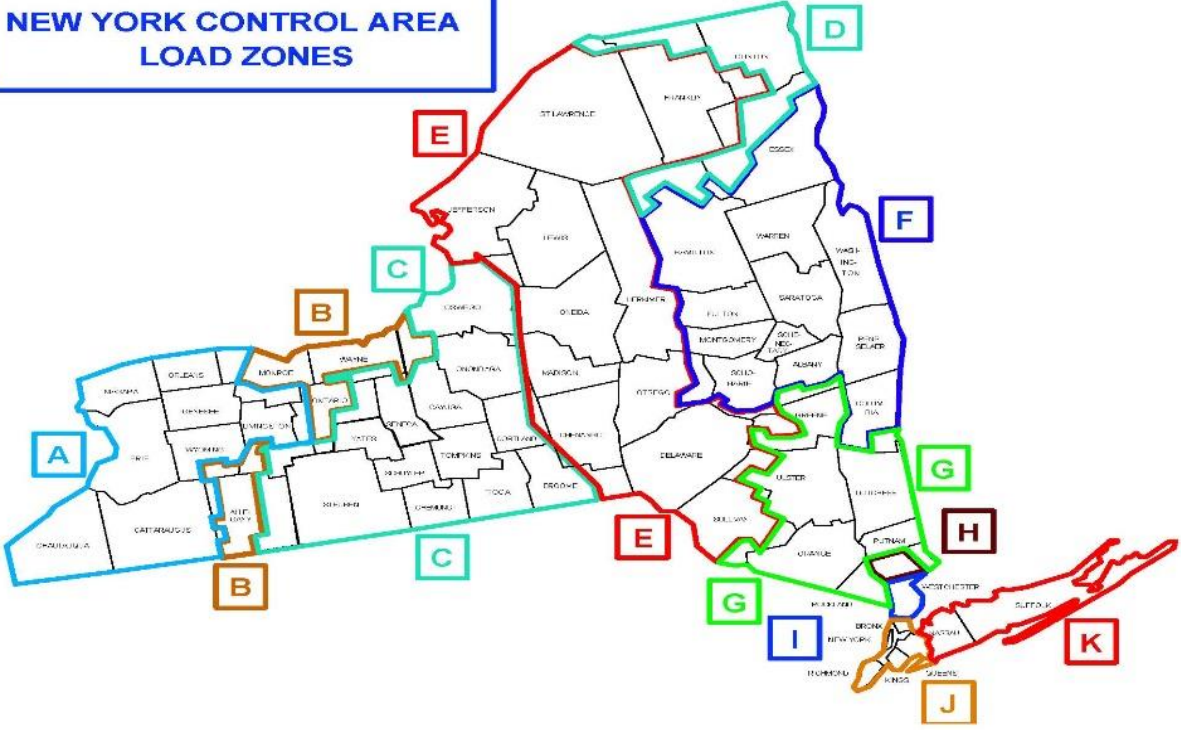
Overview Lot 2 - NEM Community Solar projects

The second-tier pricing is;

- Item 1 - 'NEM Subscription Rate for the Request for Quote' (NEM-SR-RFQ)
- Item 2 - 'NEM Discount Rate for the Request for Quote' (NEM-DR-RFQ)
- The second tier pricing is bid in response to a Request for Quote issued by Authorized Users in the future and is competitive pricing
- Lot 2 Item 1 the NEM-SR-RFQ (\$/kWh) shall not be greater than the NEM-SR-CC.
- Lot 2 Item 2 the NEM-DR-RFQ (% Discount) shall not be less than the NEM-DR-CC.

Overview – Lot 2 NEM Regions

NEW YORK CONTROL AREA
LOAD ZONES



Overview – Authorized Users

Awarded contracts may be utilized by all New York State agencies and other Authorized Users as authorized by §163(1)(k) of the State Finance Law, including but not limited to, local governments, public authorities, public school and fire districts, public and nonprofit libraries, and certain other nonpublic/nonprofit organizations.



Overview - Conclusion:

A contract resulting from this solicitation shall be an estimated quantity contract. No specific quantities are represented or guaranteed and the State provides no guarantee of individual Authorized User participation.

The individual value of each resultant contract is indeterminate and will depend upon the number of contracts issued and the competitiveness of the pricing offered.



Bidder Minimum Qualifications



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Minimum Qualifications:

1. The Bidder must be either:
 - a) The owner of the solar projects or,
 - b) An entity authorized by the owner to sell subscriptions to their solar project

2. The Bidder must list one Community Solar Project in Attachment 9 – *Minimum Qualifications* submittal form that:
 - a) It either owns or is authorized by the owner to manage and sell subscriptions for. If the Bidder is authorized by the owner to manage and sell subscriptions, then the Bidder must submit Attachment 11 – Owners Authorization form with their response to this Solicitation; and
 - b) Is an approved NY-SUN project, with the exception of regions that include Long Island (Lot 1, Region 6 and Lot 2, Region 21); and PSEG Long Island does not get NY-SUN incentives and is not obligated by the program.
 - c) Is accepting subscribers at the time of the Bid opening date.



Minimum Qualifications: (continued):

3. The Bidder must have maintained an organization, in continuous operation, for a minimum of two (2) years immediately preceding the Bid opening date.
4. The Bidder must provide a list of ten (10) references for residential, governmental or commercial utility accounts that were managed as part of a Community Distributed Generation or Community Solar project.



Minimum Qualifications - Conclusion:

- Bidder minimum qualifications are documented and supported using: Attachment 9 - Minimum Qualifications Submittal Form and Attachment 11 – Owners Authorization form
- Bidder is advised that the State's intent in having the requirements listed in the Solicitation are to ensure that only qualified and reliable Contractors perform the work of the resulting Contract

Attachment 1

Cost Proposal

Overview

Attachment 1 Cost Proposal

The bidder may provide pricing for one or both Lots

The bidder may provide pricing for any or all Regions in a Lot

The bidder may provide pricing for any or all Items in a Region

Attachment 1 Cost Proposal - Lot 1 VDER Subscriptions:

Bidder will indicate which regions and items they are bidding in Lot 1 as a percent discount

The percent discount bid in Attachment 1 should be sufficiently low in order to allow the bidder to provide higher percent discounts at the competitive RFQ process at a later date



Attachment 1 Cost Proposal - Lot 1 VDER Subscriptions:

Lot 1 - Subscriptions to VDER Community Solar Projects

Bidder Name:

Region	Utility Service Area	Lot-Region-Item	ITEM 1 Residential (% Discount)	ITEM 2 Non-residential, non demand (% Discount)
			VDER Discount Rate for Centralized Contract (VDER-DR-CC)	VDER Discount Rate for Centralized Contract (VDER-DR-CC)
1	National Grid	1-1-1		1-1-2
2	New York State Electric and Gas	1-2-1		1-2-2
3	Central Hudson Gas & Electric	1-3-1		1-3-2
4	Rochester Gas and Electric	1-4-1		1-4-2
5	Con Edison	1-5-1		1-5-2
6	PSEG Long Island	1-6-1		1-6-2
7	Orange and Rockland	1-7-1		1-7-2

Attachment 1 Cost Proposal - Lot 2 NEM Subscriptions:

Bidders will indicate which regions and items they are bidding in Lot 2

Lot 2 Item 1 is bid as a cost per kWh

The percent discount bid in Lot 2 Item 1 should be sufficiently high in order to allow the bidder to provide lower price per kWh at the competitive RFQ process at a later date

Lot 2 Item 2 is bid as a percent discount

The percent discount bid in Attachment 1 should be sufficiently low in order to allow the bidder to provide higher percent discounts at the competitive RFQ process at a later date



Attachment 1 Pricing - Lot 2 NEM Subscriptions:

Lot 2 - Subscriptions to NEM Community Solar Projects

Bidder Name:

Lot 2 Regions	ISO Zone	ISO Zone Name	Utility Service Area	OGS Item Number	ITEM 1 Residential (\$ per kWh)		ITEM 2 Residential (% Discount)
					NEM Subscription Rate for Centralized Contract (NEM-SR-CC) (\$ per kWh)	OGS Item Number	NEM Discount Rate for Centralized Contract (NEM-DR-CC) (% Discount)
1	A	West	National Grid	2-1-1		2-1-2	
2	A	West	New York State Electric and Gas	2-2-1		2-2-2	
3	B	Genesee	National Grid	2-3-1		2-3-2	
4	B	Genesee	Rochester Gas and Electric	2-4-1		2-3-2	
5	C	Central	National Grid	2-5-1		2-5-2	
6	C	Central	New York State Electric and Gas	2-6-1		2-6-2	
7	D	North	National Grid	2-7-1		2-7-2	
8	D	North	New York State Electric and Gas	2-8-1		2-8-2	
9	E	Mohawk Valley	Central Hudson Gas & Electric	2-9-1		2-9-2	
10	E	Mohawk Valley	National Grid	2-10-1		2-10-2	
11	E	Mohawk Valley	New York State Electric and Gas	2-11-1		2-11-2	
12	F	Capital	National Grid	2-12-1		2-12-2	
13	F	Capital	New York State Electric and Gas	2-13-1		2-13-2	
14	G	Hudson Valley	Central Hudson Gas & Electric	2-14-1		2-14-2	
15	G	Hudson Valley	New York State Electric and Gas	2-15-1		2-15-2	
16	G	Hudson Valley	Orange and Rockland	2-16-1		2-16-2	
17	H	Millwood	Central Hudson Gas & Electric	2-17-1		2-17-2	
18	H	Millwood	Con Edison	2-18-1		2-18-2	
19	I	Dunwoodie	Con Edison	2-19-1		2-19-2	
20	J	New York City	Con Edison	2-20-1		2-20-2	
21	K	Long Island	PSEG Long Island	2-21-1		2-21-2	



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Attachment 1 Pricing - Bid Overview: Conclusion

“A Bidder is responsible for the accuracy of its Bid. A Bidder is directed to take extreme care in developing their Bid and to carefully review their Bid prior to submittal, as requests for withdrawals of any type are not likely to be granted.”

How This Contract Will Be Awarded

Method of Award:

In accordance with New York State Finance Law Article 11 State Purchasing, it is the intent of OGS to award contracts by Region using non-competitive pricing to responsive and responsible Bidders who meet minimum qualifications (Section 2 Bidder Qualifications), pass a reference check (Section 5.2 Reference Check) and offer reasonable prices (Section 5.3 Reasonableness of Price) as determined by OGS.

Method of Award – Reasonableness of Pricing:

Reasonableness of price for **Lot 1 Items 1 and 2, Lot 2 Item 2**

Step 1 – For each item indicated, the responsive and responsible Bidders' Discount Rate for the Centralized Contract will be averaged to create an “*Average Discount Rate*”. OGS reserves the right to remove an unrealistically low or high Bid from the calculation of the “*Average Discount Rate*” if, in the judgement of OGS, the Bid would skew the results.

Step 2: Each Bidder's Discount Rate will be compared to the “*Average Discount Rate*” for the item and Region. If a Bidder's Discount Rate is at or greater than the “*Average Discount Rate*” divided by 150%, the Bid shall be deemed to have passed for that Item and Region. If a Bidder's Discount Rate is less than the “*Average Discount Rate*” divided by 150%, the Bid for that Item and Region shall be deemed to have failed and will not be considered for an award.



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Method of Award – Reasonableness of Price:

Reasonableness of Price for Lot 2 Item 1

Step 1: For each Region, the responsive and responsible Bidders' "NEM Subscription Rate for the Centralized Contract" (NEM-SR-CC) for Item 1 will be averaged to create an "*Average Subscription Rate*". OGS reserves the right to remove an unrealistically low or high Bid from the calculation of the "*Average Subscription Rate*" if, in the judgement of OGS, the Bid would skew the results.

Step 2: Each Bidder's NEM-SR-CC will be compared to the "*Average Subscription Rate*" for the Item and Region. If a Bidder's NEM-SR-CC is at or less than the "*Average Subscription Rate*" multiplied by 150%, the Bid shall be deemed to have passed for that Item and Region. If a Bidder's "NEM-SR-CC" is greater than the "*Average Subscription Rate*" multiplied by 150%, the Bid for that Item and Region shall be deemed to have failed and will not be considered for an award.



Method of Award – Reference Checks:

Utilizing Attachment 9, Bidder will provide contact information for ten (10) Photovoltaic Systems Projects submitted for verifiable sales. Procurement Services will contact three of the customers to perform a reference check which will be evaluated on a Pass/Fail basis. The references will be evaluated as follows:

- Five references will be contacted to obtain either an “Excellent”, “Good” or “Poor” rating for the Contractor’s performance;
- If one of the references cannot be reached or cannot provide a rating, then the remaining references will be contacted until five ratings are obtained;
- If an attempt has been made to contact all ten of the references and there are still references that cannot be reached or cannot provide a rating, then a ‘No Rating’ will be assigned to those references which could not be reached or could not provide a rating

Method of Award – Reference Checks:

The performance ratings will then be assigned the following scores for the purposes of evaluating whether the ratings are a pass/fail:

- Excellent = 20 points
- Good = 10 points
- Poor = 0 points
- No Rating = 0 points



Method of Award – Reference Checks:

The performance ratings will then be averaged together to create an overall score which will be evaluated as follows:

- If a Bidder's average performance rating is 10.0 or greater, the bids for all Regions and Items bid will be considered a “pass”
- If a Bidder's average performance rating is less than 10.0, the bids for all Regions and Items bid will be considered a “fail” and will not be evaluated further (See Section 5.2 Reference Check)

Method of Award:

OGS reserves the right to make contract awards in phases and have contracts start on a rolling basis based on the number of bids received

Bids that do not require clarification or the submission of additional supporting documentation from the bidder will be awarded first, in phases to responsive and responsible bidders (See Section 5.1 Method of Award)



Method of Award - Notification of Award:

OGS will send written notice of tentative Contract award(s) to all bidders meeting the minimum qualifications and found to be responsive and responsible.

Non-awardees will also be notified that their bid was not selected for award



Method of Award - Responsiveness:

To be considered responsive, a Bidder must submit a complete bid that satisfies and addresses all requirements stated in this Solicitation



Administrative Bid



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Administrative Bid - Bidder Responsibility:

OGS conducts a review of prospective Contractors (“Bidders”) to provide reasonable assurances that the Bidder is responsive and responsible. A For-Profit Business Entity Questionnaire (hereinafter “Questionnaire”) is used for non-construction Contracts and is designed to provide information to assess a Bidder’s responsibility to conduct business in New York based upon financial and organizational capacity, legal authority, business integrity, and past performance history



Administrative Bid - Bidder Responsibility:

OGS recommends each Bidder file the required questionnaire online via the New York State VendRep System. To enroll in and use the VendRep System, please refer to the VendRep System Instructions and User Support for Vendors available at the Office of the State Comptroller's (OSC) website at:

<http://www.osc.state.ny.us/vendors/index.htm> or to enroll, go directly to the VendRep System online at <https://portal.osc.state.ny.us>



Administrative Bid - Insurance Requirements:

Attachment 4 of the solicitation lists the complete insurance requirements for this solicitation

The Bidder shall be required to procure, at its sole cost and expense, all insurance required by Attachment 4, including:

- Commercial General Liability
- Workers' Compensation
- Disability Benefits



Administrative Bid - New York State Contract Reporter:

To ensure Bidder receives all updates and responses to the latest version of this solicitation:

- 1) You must register with the New York State Contract Reporter (NYSCR) at <https://www.nyscr.ny.gov> in order to receive notifications about this solicitation
- 2) Navigate to the “I want to find contracts to bid on” page to register for your free account



Administrative Bid - New York State Contract Reporter:

- 3) Any updates to the solicitation documents will also be available through the NYSCR
- 4) The questions and answers document will also be available through the NYSCR
- 5) If you do not opt-in to receive notification updates regarding a particular ad, you will not receive email notifications regarding updates

Administrative Bid - Format of Bid Submission:

1. The requirements for the bid are detailed in **Section 4.8 'Format of Bid Submission'** and **4.9 'Proposal Content'**
2. Should any amendments be issued, please make sure that the latest documents are submitted with your Bid along with the signed Purchasing Memo issued for the amendment

To be notified of amendments and other changes, you must register with the NYS Contract Reporter and choose the option to receive notifications



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Administrative Bid – Bid Package:

A complete Bid package must be received by OGS Procurement Services by the date and time of the Bid opening. Late bids shall be handled in accordance with Appendix B, Late Bids

Any bid pricing or portions thereof submitted on a USB flash drive that are incomplete or that cannot be opened/accessed may be rejected



Administrative Bid - Submission:

All bids must have a label on the outside of the box or package itemizing the following information:

1. BID ENCLOSED (preferably bold, large print, all capital letters)
2. SOLICITATION **#23162**
3. Bid Opening due date and time (9/25/2019 at 11:00 AM)
4. The number of boxes or packages (i.e., 1 of 2, 2 of 2)



Administrative Bid - Submission:

All bids shall be delivered to the following address on or before 11:00 AM ET on or before the bid opening date of 9/25/2019:

**State of New York Executive Department
Office of General Services
Procurement Services
Corning Tower - 38th Floor Reception Desk
Empire State Plaza
Albany, NY 12242**



**Office of
General Services**

Bid Package, Cont'd:

Bidders are responsible for the accuracy of their bids. All Bidders are directed to take extreme care in developing their bids. Bidders are cautioned to carefully review their Bids prior to Bid submission. A bid that fails to conform to the requirements of the Solicitation may be considered non-responsive and may be rejected

The list of a complete bid may be found in **Section 4.9 Proposal Content**



Post Award: Request for Quote



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Request for Quotes

Authorized Users who utilize this contract must use the RFQ template to solicit RFQs

The RFQ template must be filled out by the AUs and must be distributed to all of the contractors awarded the region, lot(s) and item(s) contained in the RFQ

RFQs (scope) may contain multiple lots and items, but may only contain one region



Request for Quote

Attachment 12 - RFQ Template has been created to assist Authorized Users in the solicitation of quotes

The OGS Centralized Contract requires that an RFQ be completed and an award made on the basis of “Low cost”

Request for Quote

The Authorized User may determine, at its discretion, whether or not to make an award for the Request for Quote after review and evaluation of quote responses

Please note that Contractors are not required to respond to a Request for Quote



Reminders:

- 1) Here's how to contact us:
 - Reach out to the designated contacts listed on page 1 in the Solicitation
- 2) Where to find the Solicitation information:
 - <https://nyspro.ogs.ny.gov/content/finding-bid-opportunities>
- 3) Bidder questions are due:
 - 9/4/2019 at 3:00 PM EST
- 4) When the bids are due:
 - 9/25/2019 at 11:00 AM EST



Questions?



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