

## Solicitation 23162, Community Solar - Responses to Inquiries

Inquiry Number	Solicitation Document Name	Document Section (Number & Name)	Question	Procurement Services Response
1	Solicitation Document	Section 5.6 - Procurement instructions for Authorized Users	How will OGS be going about originating projects for the 2nd tier round?	Based on need, Authorized Users (AUs) of the contract will submit an RFQ to all contractors awarded contracts in the Lot region - Item number that the Authorized User's facility is located in.
2	Solicitation document	Section 5.5 - Periodic Recruitment	How often will OGS be opening up the qualification to bid if we don't currently have projects accepting subscriptions?	The periodic recruitment is optional and at the discretion of OGS. Whether a periodic recruitment is held is at the sole discretion of OGS. The timing or frequency of periodic recruitments, if any, are not known at this time.
3	Solicitation document	Section 1.2 - Scope	Can the AUs be anchor tenants?	No. The purchase of subscriptions as a host or an anchor tenant or the development of a community solar project that would require the payment of prevailing wage rates is outside the scope of this contract.
4	Solicitation document	Section 2 - Bidder Qualifications and Section 5 - Method of award	Do projects just need to be accepted into the MW Block program to qualify?	To meet minimum bid qualifications, the project must be an approved NY-SUN project (with the exception of regions that include Long Island - Lot 1, Region 6 and Lot 2, Region 21) and must be accepting subscribers at the time of the Bid opening date.
5	Policy developed by the NYS Public Service Commission and enacted through NYSERDA's NY-Sun program		Under what circumstances would a Community Solar array qualify for NEM?	Whether the project is NEM or VDER is determined by the developer in accordance with the rules established by the NYS Public Service Commission.
6	Solicitation document	Section 1.3	Is the intent to subscribe as many authorized users/accounts as possible immediately or stagger the enrollment over a certain length of time?	The number and timing of the second tier transactions will be driven by Authorized User need. Any 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.

7	Solicitation document	Section 2.1 - Minimum Qualifications and Section 5.5 - Periodic Recruitment	For a solar developer who has community solar projects in progress: can we still qualify for this RFP if we will have an operating community solar array within the next year? We do not yet have one completed.	No, the minimum qualifications require that a bidder have a minimum of one qualifying community solar project currently accepting subscriptions.
8	Solicitation document	Section 2.1 , 2b	Are all projects receiving tranches under both the NEM and VDER programs in NY "approved NY-SUN" projects?	No. An "approved NY-Sun project" means a project that has applied for and been approved for NY-Sun incentives by NYSERDA. Projects secure a spot in a VDER tranche (which are managed by the utilities and overseen by Department of Public Service) prior to applying for NY-Sun incentives.
9	Solicitation document	Section 4.15	Will all bid documentation including additional supporting documentation submitted for this bid be available to the public to view?	OGS does not post bid submissions for public view, however some information contained in the bid, such as contractor information, pricing and terms and conditions are posted on the OGS website. In addition, other bid documentation may be requested through the Freedom of Information Law. See the information at this link: <a href="https://ogs.ny.gov/freedom-of-information-law">https://ogs.ny.gov/freedom-of-information-law</a> .
10	Appendix B	Section 2.a	Who are the users of the contract/who will be buying the subscriptions?	This contract will be used by Authorized Users of OGS Centralized Contracts, which includes, but is not limited to, New York State Agencies, political subdivisions, local governments, public authorities, public school and fire districts, public and nonprofit libraries, and certain other nonpublic/nonprofit organizations. The legal definition of "Authorized User" is set forth in State Finance Law section 163(1)(k).

11	Solicitation document	Section 1.1 Overview	How does the contract work? How do purchasers buy subscriptions?	<p>The contract involves a two tier bidding process. The first tier involves the prequalification of Contractors for regional pricing that is bid in response to this Solicitation, and the second tier involves the award of a Request for Quotes (RFQ) issued by Authorized Users for pricing for a specific Community Solar projects based on need. Contractors do not need to identify specific Community Solar projects until the RFQ process (second tier) except to meet minimum qualifications. The RFQ process maximizes flexibility and competition. After completion of the second tier RFQ process, AUs may enter into subscriptions in order to receive either discounted monetary or volumetric credits on their utility bills.</p>
12	Solicitation document	Section 1.1 Overview and Section 3 Specifations # 4	In response to RFQs am I limited to only the project identified in my initial bid?	<p>No, Contractors do not need to identify specific Community Solar projects until the RFQ process (second tier) except to meet the minimum qualifications.</p>