



East Bay Community Energy
Disadvantaged Community & Community Solar Green Tariff
Request for Offers

Issuance Date: September 13, 2021

Final Response Deadline: December 10, 2021

Table of Contents

1. Overview	2
a. Purpose	2
b. Background	2
c. Objectives	2
d. Expected Schedule	3
e. RFO Process	4
f. Supplier Diversity	5
g. Disclaimers for Rejecting Offers and/or Terminating this RFO	5
2. RFO Goals	5
3. Eligibility	5
a. Project Design Requirements	6
b. Project Viability Requirements	8
c. Participation in Other Procurement	9
d. Participation in Future Solicitations	9
4. Evaluation Criteria and Selection Process	9
a. Quantitative Evaluation Criteria	9
b. Qualitative Evaluation Criteria	9
5. Guidelines for Offer Development	10
a. Price	10
b. Compliant Submission Specifications	10
c. Collateral Requirements	12
6. Required Information	12
a. Submission Overview	12
b. Required Forms	12
7. Communications	15
8. Respondent Representations	15
9. Termination of RFO-Related Matters	16
10. Attachments	16

1. Overview

a. Purpose

East Bay Community Energy (“EBCE”) is soliciting competitive proposals for the sale and purchase of renewable energy up to EBCE’s program capacity allocations for both the Disadvantaged Communities Green Tariff (“DAC-GT”) and Community Solar Green Tariff (“CSGT”) programs, consistent with the terms and provisions in this Request for Offers (“RFO”). Note that EBCE may in program marketing materials refer to DAC-GT as “EBCE Solar Discount Program” and CSGT as “EBCE Community Solar Discount Program.”

b. Background

EBCE is a Joint Powers Authority formed on December 1, 2016, pursuant to California Government Code §§ 6500 et. seq. On August 10, 2017, EBCE filed its Community Choice Aggregator (“CCA”) Implementation Plan with the California Public Utilities Commission (“CPUC”). On September 7, 2017, the CPUC provided PG&E notice of the receipt of EBCE’s Implementation Plan, and on November 8, 2017, the CPUC certified EBCE’s Implementation Plan. EBCE began serving commercial, industrial, and municipal customers in June 2018, and began serving residential customers in November 2018. EBCE currently serves the County of Alameda, and each of the following cities incorporated therein: Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Oakland, Piedmont, San Leandro, and Union City. In April 2021, the cities of Newark, Pleasanton and Tracy joined EBCE’s service territory. The city of Tracy is located in San Joaquin County.

EBCE’s audited financial statements for 2018-2020 are available for review and will be provided in the RFO Materials section of the RFO webpage www.ebce.org/communitysolarRFO.

c. Objectives

EBCE is issuing this RFO to procure up to 5.726 MW for the DAC-GT program and 1.5625 MW for the CSGT program, as authorized in CPUC Resolution E-5124.¹

EBCE seeks Offers for the sales of RPS-eligible energy for a contract term of 10, 15, or 20 years.

EBCE seeks energy and related products from new construction resources located in its service area. EBCE prefers deliveries beginning as soon as possible, particularly for the CSGT program. Eligibility and preferences are described in greater detail in **Section 3: Eligibility** and **Section 4: Evaluation Criteria and Selection Process**.

¹ Resolution E-5124, available at <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M378/K421/378421442.PDF>, approved an allocation to EBCE of 5.726 MW for DAC-GT and 1.5625 MW for CSGT; however, the Resolution also permitted CCAs to solicit above this amount as a practical matter, provided that costs related to surplus capacity are paid for by EBCE at the full contract price and recovered from EBCE’s generation rate base. EBCE does not intend to procure above its allocated program capacity at this time.

d. Expected Schedule

The RFO schedule is subject to change at EBCE’s discretion and EBCE will attempt to notify RFO Respondents of any schedule changes via email. Any changes will also be reflected on the RFO webpage www.ebce.org/communitysolarRFO. EBCE bears no liability or responsibility to any Respondent for any change in the schedule or for failing to provide notice of any change.

The expected schedule for this RFO is as follows; all time listed in **Pacific Prevailing Time (PPT)**. As described in section E, “RFO Process,” below, the CSGT program offer due date occurs later, so as to accommodate the need for additional time for outreach to potential CSGT project Community Sponsors.

Expected DAC-GT and CSGT Program RFO Schedule

Note: Activities related to Community Sponsorship are highlighted in blue.

Date /Time	Event
Ongoing	Respondents may register online to receive notices regarding the RFO.
August 10, 2021	CSGT Info Session I. Information Session for Prospective Community Sponsors.
September 13, 2021	Issuance. EBCE issues RFO.
September 14, 2021	CSGT Event. Additional Information Session for Prospective Community Sponsors.
September 20, 2021	Questions Due. Deadline to submit questions for Respondent Webinar.
September 24, 2021	Webinar. Respondent Webinar for RFO at 2:00 p.m. PPT.
September 28, 2021	Event. “Meet-and-Greet” for Prospective Community Sponsors and Solar Project Developers.
October 15, 2021	Final Questions. Final deadline to submit questions.
October 20, 2021	Final Q&A Posted. EBCE to post Q&A document, inclusive of <u>all</u> questions.
October 22, 2021	Notice of Intent to Offer due by 5:00 p.m. PPT. Final deadline to submit NOI.
October 26, 2021	CSGT Event. Additional Meet-and-Greet for Prospective Community Sponsors and Project Developers; Q&A about Letters of Commitment
December 10, 2021	DAC-GT and CSGT Offers due by 5:00 p.m. PPT on December 10, 2021. Offers, including all required files and related information, must be submitted via Dropbox.
February 7, 2022	DAC-GT and CSGT Selection. Anticipated date EBCE will notify Sellers via email of selection or waitlist status. EBCE may select Offers according to the eligibility and evaluation criteria described in Sections 3 and 4.
March 16, 2022	Presentation to EBCE Board. Target date for approval of DAC-GT and CSGT Offers by EBCE Board of Directors.
March 22, 2022	Standard Contracts Sent. Anticipated date EBCE will send standard contract for execution to all Sellers.
April 1, 2022	Target Execution Date. Seller submittal of executed standard contract for DAC-GT and CSGT.
May 2022	Advice Letter Filing of Executed PPAs. Anticipated date EBCE will submit DAC-GT and CSGT PPAs for CPUC Approval via Tier 2 advice letter.

e. RFO Process

By responding to this RFO, Respondents agree to be bound by all terms and conditions of the RFO including any changes or supplements that may be issued by EBCE.

Webinar: EBCE will hold a Respondent Webinar on September 24, 2021 at 2:00 p.m. PPT to review key information in this protocol related to the solicitation and form agreement terms. Questions submitted in advance of the webinar, by September 20, 2021, will be answered if time allows. The information to register for the webinar will be available on the RFO webpage. Attendance is not mandatory but encouraged.

Community Sponsor Information Sessions (CSGT program only): EBCE will hold optional information sessions for potential Community Sponsors for the CSGT program. Prospective Community Sponsors are not required to attend the sessions. The sessions are intended to serve as a forum and opportunity for potential Community Sponsors to learn more about the program requirements and ask questions.

“Meet-and-Greet” with Solar Developers and Prospective Community Sponsors (CSGT program only): As Community Sponsorship is a requirement of the CSGT program, EBCE will help facilitate partnerships between potential Sponsors and solar project developers, starting with a “meet-and-greet” event in September. Participation is not required, but encouraged.

Notice of Intent to Offer: All Respondents who wish to submit Offers must complete and submit a Notice of Intent to Offer (“NOI”) via online form available at <https://ebce.org/communitysolarrfo/> in order to receive a unique submission folder link on Dropbox. EBCE will provide a submission folder link within two business days of NOI being returned. NOI must be submitted **no later than 5pm PPT on October 8**; early submission is welcomed and appreciated. The NOI form and instructions can be found on EBCE’s website at <https://ebce.org/communitysolarrfo/>.

Offers Due: Offers must be submitted via the Respondent-specific Dropbox folder that will be designated and shared upon return of a completed NOI. Offers are due no later than 5:00 p.m. PPT on October 29, 2021 for the DAC-GT program, and no later than 5:00 p.m. PPT on December 10, 2021, for the CSGT program. Offers must include all documents described in **Section 6: Required Information**.

Offer Selection: EBCE will evaluate Offers in accordance with the eligibility requirements described in **Section 3: Eligibility** and the terms described in **Section 4: Evaluation Criteria and Selection Process**.

Presentation to Board: EBCE will present contracts for transactions it hopes to execute to its Board of Directors in advance of execution. Confidential terms, including pricing and other market sensitive terms, will be redacted for public review.

Execution of Contracts: EBCE will seek to execute contracts following Board approval of proposed transactions. In the event that the Board requires additional information related to any transaction, those transactions will be held/their execution will be delayed. EBCE maintains the right to execute some agreements along an earlier timeline if commercial terms are agreed to faster than described in the RFO schedule.

f. Supplier Diversity

Pursuant to California Senate Bill 255, Community Choice Aggregators (CCAs) are required to report to the California Public Utilities Commission on their diverse suppliers, as defined by CPUC General Order 156. Consistent with the California Public Utilities Code and California Public Utilities Commission policy objectives, Respondents that execute a PPA with EBCE will be required to complete a Supplier Diversity questionnaire. EBCE will not consider race, sex, color, ethnicity, or national origin in procurement decisions; providing such information in an Offer will not impact the selection process or good standing of executed PPAs.

EBCE encourages all eligible parties to get certified with the CPUC as a woman, minority, disabled veteran and/or LGBT owned business enterprise (WMDVLGBTBE).

For overview information on the CPUC Supplier Diversity Program, please visit the program homepage (<https://www.cpuc.ca.gov/supplierdiversity/>). For information on the certification process and requirements, please visit the Certifications page (<https://www.cpuc.ca.gov/Certifications/>).

g. No Obligation for EBCE to Enter into A PPA/Rejection of Offers/Modification of RFO Terms

This RFO does not constitute an offer to buy from EBCE and creates no obligation for EBCE to execute any PPA or enter into any transaction as a result of the RFO. EBCE retains the right at its sole discretion to reject any Offer at any time for any reason whatsoever prior to execution of a PPA, including on the grounds that such Offer does not conform with the terms and conditions of the RFO or that such Offer is not competitive or appears to be the result of market manipulation.

EBCE retains the right to modify this RFO and/or its form Term Sheets and/or form PPAs as it deems appropriate to implement the RFO, comply with applicable laws, or best meet the organization's evolving understanding of its procurement needs.

EBCE will not be liable in any way by reason of such withdrawal, rejection, suspension, delay, or termination to any RFO Respondent, whether submitting an Offer or not.

2. RFO Goals

EBCE seeks to procure up to 5.726 MW for DAC-GT and 1.5625 MW for CSGT. Pursuant to CPUC Resolution E-5124, EBCE's program capacity has been allocated based on the proportional share of EBCE residential customers who are located in DACs.

All projects, regardless of program, must be located within a DAC-eligible census tract within EBCE's service area. These census tracts are identified in Attachment F. Additional eligibility criteria apply and are described below.

3. Eligibility

All Offers must meet the project design and viability requirements detailed in each of the following sections. Some of this information will be captured in relevant fields within the Offer Form(s). Some of this information must be provided in a written Project Narrative detailing the project site; instructions for the Project Narrative are detailed in **Section 6: Required Information** and in Attachment C.

Respondents attest that all eligibility requirements are met and acknowledge that EBCE retains the right to request documentation at any time to verify project details or status.

a. Project Design Requirements

1. DAC-GT Eligibility

- a. Location: The Project must be located in EBCE’s service area and within a top 25% CalEnviroScreen 3.0 (or the latest version)² designated census tract, as identified in Attachment F. Projects with any portion of their site boundary intersecting a DAC census tract will be deemed to have met this locational requirement.
- b. Eligible Resources:
 - i. The Project must be a new solar or wind, Renewable Portfolio Standard (“RPS”)-eligible, in-front-of-the-meter generating facility.
 - ii. Facilities must be in compliance with the Green-e Energy National Standard. EBCE encourages new resources to apply for pre-certification.
 - iii. The Project must comply with the California Air Resources Board’s Voluntary Renewable Electricity Program.
 - iv. Behind-the-meter projects, nonrenewable technologies, and other complimentary technologies (e.g., energy storage) are not eligible.
- c. Project size: The project’s nameplate capacity and the offer’s Contract Capacity shall be no smaller than 500 kW and no larger than 5.726 MW-AC. All projects, regardless of size, shall be in front of the meter.
- d. Commercial Operation Date: EBCE has a preference for projects beginning deliveries by 2025 or as soon as possible.
- e. Workforce Development: EBCE is committed to creating community benefits, which includes engaging a skilled and trained workforce. Workforce development and job training (e.g., local hiring and targeted hiring) are a requirement of the DAC-GT and CSGT programs. The following requirements apply:
 - i. A detailed Workforce Development Plan must be included with offer submission as part of the Project Narrative, as described in Section 6: Required Information.
- f. Pro Forma PPA Negotiation: If selected, Seller must be willing to execute the Pro Forma PPA without negotiation or modification apart from populating the Pro Forma PPA with Project-specific characteristics and information.

2. CSGT Eligibility

- a. Location: Projects must be located within a top 25% CalEnviroScreen 3.0³ (or the latest version of the tool) designated community located within EBCE’s service area and not more than 5 miles away from the DAC census tracts in which subscribing customers reside. DAC census tracts in EBCE’s service area are identified in Attachment F. Projects

²See <https://oehha.ca.gov/calenviroscreen>. EBCE will use the latest version of the CalEnviroScreen tool that applies as of the date RFO activities begin, according to the RFO Schedule in Section 1.

³ See <https://oehha.ca.gov/calenviroscreen>. EBCE will use the latest version of the CalEnviroScreen tool that applies as of the date RFO activities begin, according to the RFO Schedule in Section 1.

with any portion of their site boundary intersecting a DAC census tract will be deemed to have met the requirement to be located in a DAC.

- b. Eligible Resources:
 - i. The Project must be a new, solar, RPS-eligible, in-front-of-the-meter generating facility.
 - ii. Facilities must be in compliance with the Green-e Energy National Standard. EBCE encourages new resources to apply for pre-certification.
 - iii. The Project must comply with the California Air Resources Board's Voluntary Renewable Electricity Program.
 - iv. Behind-the-meter projects, nonrenewable technologies, and other complimentary technologies (e.g., energy storage) are not eligible.
- c. Project size: The project's nameplate capacity and the Seller's Contract Capacity shall be no larger than 1.5625 MW-AC. All projects, regardless of size, shall be in front of the meter.
- d. Commercial Operation Date: EBCE has a preference for projects beginning deliveries by 2025 or as soon as possible.
- e. Permission to Operate (CSGT only): 25% of project capacity must be subscribed by eligible low-income residents prior to the resource declaring Commercial Operation Date. Commercial Operation Date acceptance will be withheld until subscriber requirements are met.⁴
- f. Community Sponsorship (CSGT only): The Project must submit a letter of commitment from a non-profit community-based organization ("CBO"), local government agency, or school that would serve as a sponsor for the CSGT project. The letter must contain, at a minimum:
 - i. Demonstration of substantial interest of community members in subscribing to the Project;
 - ii. Estimated number of subscribers, with justification to ensure Project is sized to likely demand;
 - iii. A preliminary plan to conduct outreach and recruit subscribers (which may be conducted in conjunction with the developer and/or EBCE); and
 - iv. Siting preferences, including community-suggested host sites, and verification that the site chosen for the bid is consistent with community preference.
- g. Workforce Development: EBCE is committed to creating community benefits, which includes engaging a skilled and trained workforce. Workforce development and job training (e.g., local hiring and targeted hiring) are a requirement of the DAC-GT and CSGT programs. The following requirements apply:
 - i. A detailed Workforce Development Plan must be included with offer submission as part of the Project Narrative, as outlined in the required forms section of this document.
- h. Pro Forma PPA Negotiation: If selected, Seller must be willing to execute the Pro Forma PPA without negotiation or modification apart from populating the Pro Forma PPA with Project-specific characteristics and information.

⁴Pursuant to CPUC Decision 18-10-007 at p. 4.

b. Project Viability Requirements

i. Interconnection

Respondents submitting Offers for DAC-GT and CSGT projects must have, at the minimum, a completed and returned Phase I Impact Study, or equivalent, at the time of Offer submittal.

Respondents submitting Offers must remain active in the applicable interconnection queue until the project's required network updates have been completed. Respondents must provide any status updates and details as they are received in relation to interconnection and the related studies.

DAC-GT and CSGT projects will need to ensure they can participate in CAISO markets prior to contract start under any agreement executed with EBCE. No documentation is required to be submitted, though it may be requested.

Energy-Only Products

Respondents submitting Offers for energy-only products are not required to demonstrate deliverability.

Products Including Resource Adequacy

Respondents submitting product Offers that include RA are required to demonstrate that the project meets one of the conditions below:

1. A valid interconnection request for Partial or Full Capacity Deliverability Status has been submitted to the CAISO with a deliverability status that matches the Offer.
2. A valid interconnection request for Partial or Full Capacity Deliverability status where a Phase II report has been issued (or, for Cluster 14, is expected to be issued during the RFO evaluation period) and the project has maintained its request for Partial or Full Capacity Deliverability status.
3. Evidence of allocated or retained deliverability per the CAISO annual post Phase II deliverability allocation (TPD) process that indicates the project will be deliverable pursuant to the CAISO Tariff.
4. An executed Interconnection Agreement or Amendment to an Interconnection Agreement is in place and full effect reflecting, at a minimum, the offered deliverability status and evidence of retained deliverability per the CAISO's deliverability allocation process.
5. Documentation has been obtained that the project has received deliverability through the CAISO's Distributed Generation Deliverability (DGD) assessment process pursuant to the CAISO Tariff.

i. Site Control

Respondents attest they have secured site control for the entire delivery term of their Offer(s) to EBCE. Respondents must complete the required fields in the Facility Info tab of the Offer Form, as well as required narrative detail in the Project Narrative. Examples of site control include: (1) ownership of the site, a leasehold interest, or a right to develop a site for the purpose of constructing a generating facility; (2) an option to purchase or acquire a leasehold site for purposes of constructing a generating facility; and (3) any other arrangement that amounts to the same right to develop the property, in EBCE's sole discretion.

ii. Commencement of Commercial Operation Date

The project must be able to begin commercial operation and/or begin deliveries under the contract no later than April 1, 2025. EBCE prefers projects with earlier CODs.

c. Participation in Other Procurement

Respondents in this solicitation are not barred or limited from offering their projects or products in other procurements provided that, upon shortlisting the Respondent will be required to execute an exclusivity agreement with EBCE for the shortlisted volume.

d. Participation in Future Solicitations

Products and projects that are not selected in this RFO may be offered again into future solicitations.

4. Evaluation Criteria and Selection Process

When Respondents have met the eligibility requirements described above, EBCE will employ the evaluation criteria described in this section to select or shortlist Offers, using quantitative and qualitative evaluation criteria to score projects. Eligible offers will be ranked in order of total score. EBCE will award PPAs to the highest-scoring projects in rank order, up to its available program capacity of 5.726 MW for DAC-GT and 1.5625 MW for CSGT. Evaluation criteria and weightings to be applied during the scoring process are described below.

Quantitative Evaluation Criteria: (weighting: 50%)

1. Project Economics

The sole quantitative evaluation criterion will be price.

Additionally, in accordance with Resolution E-4999, the DAC-GT and CSGT programs will utilize a cost containment mechanism; offers above the CPUC-determined price cap will not be considered. The CPUC-determined price cap is 200% of the maximum executed contract price in the previous Renewable Auction Mechanism's as-available peaking category or the previous Green Tariff, whichever is higher. EBCE reserves the right to not select Projects below this price cap.

Qualitative Evaluation Criteria: (weighting: 50%)

1. Workforce Development Plan (weighting within category: DAC-GT: 40%, CSGT: 40%)

EBCE will prioritize projects demonstrating strong commitments to workforce development. Workforce Development Plans will be evaluated according to how well they align with the following best practices, adapted from the Low-Income Solar Policy Guide.⁵ Workforce Development Plans that include payment of prevailing wage and Project Labor Agreements are also desirable.

- Outreach to community colleges, job training organizations, housing authorities and other entities that serve lower-income and minority populations;

⁵ Developed by GRID Alternatives, Vote Solar, and the Center for Social Inclusion, and available at <https://www.lowincomesolar.org/best-practices/workforce-development/>

- Hands-on training opportunities that prepare individuals for jobs in the industry;
- Tracking tools to analyze and track job placements or further training obtained;
- Inclusion of appropriate wrap-around services and soft skills development such as funding for childcare and transportation; professional skills like resume development and time management; and life skills including computer literacy and financial planning;
- Local hiring and procurement;
- Development of partnerships within the industry to promote hiring.

2. Community Sponsorship (CSGT only – weighting within category: 25%)

EBCE will take the strength of Community Sponsors’ Letters of Commitment into consideration when evaluating projects. Commitment Letters must meet the requirements described in Section 3.A.2. above.

Letters that also demonstrate the following will be scored most highly:

- Clear outreach goals, including outreach strategies for reaching multi-lingual customers or those with limited access to the internet.
- Evidence of interest from community members. Examples of evidence of interest might include things such as online signatures from community members who support hosting a project in their community, or simply attestation by the Community Sponsor that such interest exists.

3. Development Status and Prior Experience (weighting within category: DAC-GT: 60%, CSGT: 35%)

EBCE will assess Offers based on project development status, including but not limited to progress towards interconnection, deliverability, siting, zoning, permitting, and financing requirements. Additionally, EBCE will prioritize Offers from Respondents whose project development teams have previously completed at least one other project of a similar technology type and capacity.

5. Guidelines for Offer Development

a. Price

Respondents must submit Offers with their best and final price using the respective product tabs in the Offer Forms contained in Attachments D.1 and D.2. EBCE will not consider updated or “refreshed” price offers submitted after the Offer submittal deadline. The Product price must be stated in annual \$/MWh for the term of the PPA.

The price submitted for an Offer must include (1) all awards, subsidies, tax credits applicable to the Project; (2) any costs incurred by the Respondent, including any interconnection costs; (3) the acceptance of the non-price terms and conditions of the PPA; and (4) all other benefits the Respondent expects to apply.

b. Compliant Submission Specifications

All Offers must meet the following specifications in order to be considered for selection. Please ensure that Offers conform to the appropriate specifications for the project submitted. Any deviations from the following list will be treated as non-compliant and excluded from consideration.

Products	Energy, Green Attributes, and Resource Adequacy (if applicable)
Location	The project must be physically located in and connecting electrically to a circuit, load, or substation within PG&E’s service territory and located within EBCE’s service area in an eligible DAC census tract. Eligible DAC census tracts within EBCE’s service area are identified in Attachment F. Projects with any portion of their site boundary intersecting a DAC census tract in EBCE’s service area will be deemed to have met this locational requirement.
Term	Terms may be offered for 10, 15, or 20 years.
Price	Prices must be offered at the project Pnode with a 0% annual escalator, and must be stated in annual \$/MWh. The price submitted for an Offer must include (1) all awards, subsidies, tax credits applicable to the Project; (2) any costs incurred by the Respondent including any interconnection costs; (3) the acceptance of the non-price terms and conditions of the PPA; and (4) all other benefits the Respondent expects to apply.
Installed Capacity (MW)	For DAC-GT, nameplate capacity no less than 500 kW and no greater than 5.726 MW-AC. For CSGT, nameplate capacity no greater than 1.5625 MW-AC. (The CSGT program has no minimum project size requirement.)
Expected Commercial Operation Date (COD)	On or prior to April 1, 2025.
Scheduling Coordinator	EBCE is open to proposals on whether Buyer or Seller bears the SC role; please state your assumptions where prompted in the Project Narrative (Attachment C). EBCE prefers Sellers be the scheduling coordinator.
Ownership	All projects will be owned by the Respondent, with EBCE contracting the output of the resource for the duration of the term.
Number of Offers	An “Offer” refers to the submission of all required information and details of any additional variations for <u>one product from one site</u> . Respondents may submit alternative configurations, durations, or pricing schemes. Respondents are not limited in either the number of Offers they may submit or the number of variations they may submit for any one Offer.
Site Control	Respondents attest they have secured site control for the entire delivery term of their Offer(s) to EBCE.
Interconnection	Respondents submitting Offers for DAC-GT and CSGT projects must have, at the minimum, a completed and returned Phase I Impact Study, or equivalent, at the time of Offer submittal.

Workforce Development	Respondents must submit a Workforce Development Plan.
Community Sponsor Commitment Letter (CSGT only)	Respondents must submit a Letter of Commitment from an eligible Community Sponsor.

c. Collateral Requirements

The collateral requirements associated with each project type are described below.

Project Type	Project Development Security or Pre-Delivery Term Security	Delivery Term Performance Security
DAC-GT Projects with Contract Capacity less than or equal to three (3) MW	\$20/kW of Contract Capacity	\$60/kW of Contract Capacity
DAC-GT Projects with Contract Capacity greater than three (3) MW	\$60/kW of Contract Capacity	\$60/kW of Contract Capacity
CSGT Projects	\$20/kW of Contract Capacity	\$60/kW of Contract Capacity

6. Required Information

a. Submission Overview

All information submittals related to this RFO must be made via the Respondent's unique Dropbox submission folder; in order to receive a Dropbox folder, Respondents must submit an NOI (available via online form at <https://ebce.org/communitysolarrrfo/>). All Q&A questions from bidders shall also be submitted to communitysolarRFO@ebce.org. Offers are due no later than 5:00 p.m. PPT on October 29, 2021 for the DAC-GT program, and no later than 5:00 p.m. PPT on December 10, 2021, for the CSGT program. Offers must include all documents described in this section.

b. Required Forms

The following documents must be completed and submitted to constitute a complete Offer to this solicitation. The relevant documents are included as Attachments to this solicitation and noted below. Submissions must include the following attachments, as detailed in the sections following:

- i. Participation Agreement (Attachment B)
- ii. Project Narrative, including Workforce Development Plan (for DAC-GT and CSGT) and Community Sponsor Letter of Commitment (for CSGT only) (Attachment C)
- iii. Completed Offer Form (Attachments D.1 and/or D.2)
- iv. Completed PPA (Attachment E.1 and/or E.2)
- v. Interconnection Studies
- vi. Site Map

1. **Participation Agreement** (Attachment B)
 - Respondent must have a duly authorized officer of the Respondent entity execute the agreement. **Only one Participation Agreement is required per Respondent.**
 - a. *Note: The Participation Agreement covers all requested information, including Respondent attestation to the truthfulness of project details. Submitting a falsified Participation Agreement will result in forfeiture of shortlist deposit or other collateral and elimination from the RFO.*
 - File Format: PDF
 - File Name: EBCE RFO Participation Agreement_RespondentCompanyName

2. **Project Narrative** (Attachment C)
 - Respondents should submit a brief narrative of the proposed project and vendor qualifications. This narrative will be primarily used as a reference for specific project details that are not fully captured in the Offer Form templates and for further assessment of proposals.
 - The project narrative must include the following sections in the order listed below:
 - a. Project summary
 - Brief summary of project including location, sizing, and any relevant high-level details (1-2 paragraphs)
 - b. Project details summary table
 - Should include project name, location city and county, capacity size, energy sizing (duration), COD, and pricing (\$/kWh)
 - c. Detailed site description
 - Detailed description of the current land use of the project footprint, including a detailed site map
 - Describe the project's proposed interconnection, including proximity to transmission interconnection and any new interconnection facilities that would need to be built
 - d. Project risk
 - Brief overview of project risks, particularly related to status of:
 - Project interconnection
 - Site control and permitting
 - Environmental zoning, studies, and permitting
 - Financing
 - e. Community experience
 - Describe what benefits the project provides the community in which it is located, including EBCE member agency partnership or co-investment, and grant eligibility
 - Describe completed or planned community outreach and communications strategy
 - Describe bidder's previous experience in community engagement, either in the community in which the project is located, or others
 - f. Developer experience
 - Brief description of developer experience, particularly as relates to previously completed projects of a similar scope and scale
 - g. Workforce Development Plan
 - Description of how workforce development and job training will be incorporated into project development efforts, including how the

project meets the Workforce Development Plan evaluation criteria described in **Section 4: Evaluation Criteria and Selection Process**.

h. Offer variants

- Description of additional variants the Respondent would like EBCE to consider.
- If the Seller would like to propose offer variants beyond the one proposed in the Offer Form Template, these variants may be described in text in this section. These additional variants may not be submitted as offer form templates and will not be evaluated in the quantitative evaluation phase but may be assessed for additive value if the initial proposal is chosen for shortlisting consideration.
 - Alternative offers that might be proposed in this section include distinct CODs, alternative pricing schemes, alternative SC arrangements, or any other arrangements that may provide additional value.

i. For CS-GT projects only, the project must attach the sponsor Letter of Commitment, as referred to in **Section 3: Eligibility**, which must contain at minimum:

- Demonstration of substantial interest of community members in subscribing to Project;
- Estimated number of subscribers, with justification to ensure Project is sized to likely demand;
- A preliminary plan to conduct outreach and recruit subscribers, including monolingual and hard to reach customers, (which may be conducted in conjunction with the developer and/or EBCE); and
- Siting preferences, including community-suggested host sites, and verification that the site chosen for the bid is consistent with community preference.

○ File Format: Word or PDF

○ File Name: EBCE Project Narrative_RespondentCompanyName

3. **Completed Offer Form** (Attachments D.1, D.2)

○ Please provide all applicable information requested in the Offer Form tabs for the product(s) offered at each unique site. In the event that multiple sites are offered, a unique Offer Form must be completed for each site.

○ File Format: Microsoft Excel

○ File Name: EBCE Offer Form #_ RespondentCompanyName_SiteName

4. **Completed PPAs** (Attachment E.1, E.2)

○ EBCE is including the Pro Forma PPA that EBCE intends to use as the basis for contracting with successful Sellers.

○ The Pro Forma PPA is the same for all counterparties, and EBCE will only accept changes to the Pro Forma PPA related to Project-specific characteristics and information.

○ EBCE will consider limited requests for adjustments and edits to its form agreements, provided that such requested edits are incorporated as redline edits to the Pro Forma PPA Word document and submitted as part of the submission package. While EBCE will consider limited requests for adjustments and edits to its form agreements, EBCE will prioritize adherence to EBCE's standard contract terms.

○ File Format: Word

- File Name: ProFormaPPA_RespondentCompanyName_Redlines

5. Interconnection Studies (if applicable)

- Most recent interconnection study results (Phase I or II, or equivalent)
 - a. *Note: If project receives Phase II report or any reassessment/update during the RFO evaluation process, Respondent must update EBCE and provide report.*
- If applicable, documentation that the project has obtained FCDS, PCDS, or is in the process of obtaining that deliverability. Evidence may be provided in one of these forms:
 - a. An executed Interconnection Agreement or Amendment to an Interconnection Agreement that reflects the deliverability status;
 - b. A completed deliverability assessment in the annual process that indicates the project is deliverable pursuant to the CAISO Tariff;
 - c. Documentation that the project has received deliverability through the CAISO's Deliverability for Distribution pursuant to the CAISO Tariff; or
- File Format: Word or PDF
- File Name: DocumentName_RespondentCompanyName_SiteName

6. Site Map

- Respondents must provide a high-resolution map showing the site location and key project facilities. The map should show:
 - a. the project boundary
 - b. generation-tie route from the project to the first point of interconnection with the electric grid.
 - c. Locations of DAC census tracts within the project side boundaryMore detailed site plans or site designs are accepted but not required.
- File Format: Option between (1) PDF, (2) Google kml/kmz, (3) ESRI geodatabase (mdb or gdb), (4) shapefile with a file extension .shp plus at least the three supporting files (.shx, .dbf, .sbn).
- File Name: Site Map_RespondentCompanyName_SiteName

7. Communications

EBCE has developed a solicitation website at www.ebce.org/communitysolarRFO where Respondents may register for notifications, register for the Respondent Webinar, and where all RFO documents, information, announcements, and Q&A will be posted and made publicly available.

To promote efficiency and accuracy in communications, all Respondents must submit any inquiries via email to communitysolarRFO@ebce.org. EBCE will not respond to any material questions submitted after the final question deadline of September 29, 2021. All answers will be compiled into a document and posted to the RFO website by October 5, 2021. EBCE reserves the right to combine, rephrase, or not respond to some questions.

8. Respondent Representations

By submitting an Offer, Respondent agrees to be bound by the conditions of the RFO Protocol, and makes the following representations, warranties, and covenants to EBCE, which representations, warranties, and covenants will be deemed to be incorporated in their entirety into each of Respondent's submittals and are deemed to be material to EBCE's consideration of the proposals:

1. Respondent agrees that EBCE is not liable to any Respondent or party in law or equity for any reason whatsoever for any acts or omissions arising out of or in conjunction with this request for

submittals and that Respondent has no legal recourse against EBCE, its Members, EBCE's directors, officers, employees, and agents for rejection of their submittal(s).

2. Respondent acknowledges that it has had the opportunity to seek independent legal and financial advice of its own choosing with respect to this RFO and agrees to be bound by the terms and specifications of this RFO and any addenda subsequently issued prior to the due date of the submittal.
3. Respondent has obtained all necessary authorizations, approvals, and waivers, if any, required by Respondent to submit its bid pursuant to the terms of this RFO and to enter into a final agreement with EBCE.
4. Respondent acknowledges that EBCE reserves the right to enter into transactions with more than one Respondent, can choose not to proceed with any Respondent with respect to one or more Offer, and can choose to suspend this RFO or issue a new RFO that would supersede and replace this RFO.
5. Respondent warrants that it has no employees in its employ who in any capacity have a position at EBCE that enable them to influence the selection of a Respondent or any competing RFO, nor does Respondent have in its employ any EBCE Director, including any Regular or Alternating Directors (collectively "EBCE Director") or EBCE employee who is the spouse or economic dependent of such an EBCE employee. A list of current EBCE Directors can be found on the EBCE's website (<https://ebce.org/who-we-are/>). This list may be updated from time to time.
6. Respondent's submission complies with all applicable laws.
7. Respondent warrants that all information submitted by Respondent to EBCE in connection with this RFO is true and accurate as of the date of the Respondent's submission. Respondent also covenants that it will properly update any submitted information immediately upon any material change thereto.
8. Respondent acknowledges and accepts that EBCE does not intend to provide collateral or performance security in connection with any PPA.

9. Termination of RFO-Related Matters

EBCE reserves the right at any time, in its sole discretion, to terminate the RFO without prior notification to Respondents and without liability of any kind. Grounds for termination may include, without limitation, that no Offers are deemed cost competitive or as a result of an inability to reach final commercial agreement between parties.

In the event of termination of the RFO for any reason, EBCE will not reimburse Respondents for any expenses incurred in relation to the RFO.

10. Attachments

The following Attachments will be hosted on the RFO webpage at www.ebce.org/communitysolarRFO and hereby made part of this RFO.

- Attachment A: Notice of Intent to Offer (Online Form)
- Attachment B: RFO Participation Agreement (Word)
- Attachment C: Project Narrative Template (Word)
- Attachment D: DAC-GT and CSGT Offer Form (Excel)
- Attachment E.1: DAC-GT Pro Forma PPA (Word)

- Attachment E.2: CSGT Pro Forma PPA (Word)
- Attachment F: Disadvantaged Community Census Tracts (PDF)
- EBCE Audited Financials: 2018, 2019, 2020 (PDF)