

DCSEU Solar for All FY21 Program RFP: Questions and Answers

General Questions

Question 1: You mentioned that on January 6, subcontracts will be issued/signed, and I wanted to clarify will subcontracts be issued prior to that? Will you need them back signed by that date, or is that the date they would be issued?

Answer 1: The DCSEU anticipates making the FY21 subcontract templates (CREF and Single-Family) available for awardees in early December 2020 after the award notices are issued. Awardees should plan to review the appropriate template as soon as the template becomes available. Based on the current timeline, awardees will have approximately three-to-four weeks to review and sign subcontracts and provide proof of insurance. If awardees are unable to sign subcontracts and/or provide proof of insurance by January 6, 2021, the DCSEU will have to consider reallocating funds to other awardees in order to meet the FY21 program goals and timeline.

Question 2: If we submit for a project but the owner decides not to move forward after awarded, is there any penalty?

Answer 2: There is no financial penalty if a (Single Family homeowner or CREF) site owner decides to not move forward with a Solar for All project. However, there's no guarantee awardees will be permitted to substitute a new project for a project that falls out of the awardee's approved portfolio. The DCSEU will review and approve substitute projects on a case-by-case basis.

Question 3: After the intent of awards, you said we would get access to the 2021 VEIC subcontract. What is the scope for our review and potential for any issues or changes we would request to the subcontract? Is there a two-week period where we can review the subcontract after being awarded? What is the rigidity of those changes that we anticipate to that contract?

Answer 3: Please refer to the answer for Question 1. Many items in the subcontract will be non-negotiable. Bidders are strongly encouraged to list in their bids any exceptions bidder anticipates requesting to the subcontract.

Question 4: Can you please send the link to the portal that we need to set ourselves up in?

Answer 4: Here is the link to the DCSEU Portal:
<https://portal.dcseu.com/SitePages/Home.aspx>. Please log into the portal in advance and contact the DCSEU with any questions. Please address any questions to proposals@dcseu.com. Please give your team time to learn to navigate around the portal and understand how to upload and submit your bid. The DCSEU will only consider bids uploaded to the portal. The DCSEU cannot accept late bids (bids submitted after 5:00pm EST on 11/12/20), or bids that are emailed or mailed to the DCSEU.

Question 5: When is the estimated start day for the chosen contractors?

Answer 5: For both the selected CREF and SF Subcontractors, the DCSEU plans to sign contracts by January 6, 2021. Project Documentation is required on February 1, 2021 so the DCSEU can issue work orders. Work orders are the documents that authorize commencement of services.

Question 6: Cyber insurance requirement is double last year's, correct?

Answer 6: That is correct, the cyber insurance requirement has doubled from last year.

Question 7: Can DCSEU please confirm and explain the new requirement for \$2 million in cyber liability insurance? It does not appear that DOEE is including this as a requirement in all recent contracts or subcontracts. Why are the insurance requirements increasing? Is this based on something that has happened in the previous iterations of the program?

Answer 7: The appropriate type and amount of insurance coverage for all DCSEU Solar for All Subcontracts are determined and specified in writing by the District's Office of Risk Management in consultation with the DCSEU.

CREF Related Questions

Question 1: Is there a preferred size for CREF facilities? Is there a sweet spot for the size of projects and the production preferred?

Answer 1: There is no preferred size, only the minimum of 30 kW.

Question 2: Is there any limit to the number of projects we can submit, and after 15 years, can the owner then sell the electricity to a subscriber organization?

Answer 2: There is no formal limit on the number of CREF projects that can be included in your proposal. Please note, that the DCSEU may opt to fund a whole or a portion of your portfolio depending on which project(s) will provide optimal output and has the potential to meet development milestones. At the end of the 15-year commitment, the system owner will be free to sell the electricity to a subscriber organization or another party.

Question 3: This year it's shortened by five years from last year, does that mean that the calculation of the penalty will be based on applying the pro rata share of kilowatt hours produced over that fifteen-year period opposed to a longer period?

Answer 3: That's correct. The penalty calculation in the 2021 CREF proposal reflects a 15-year term.

Question 4: We've gone from fifteen to twenty to now fifteen years. What was the thinking underlying the change?

Answer 4: This change was made in response to installer feedback that site owners were often reluctant to commit to a 20-year term. In response, the DCSEU shifted the timeline back to fifteen years for the CREF program. The term for the SF program remains 20 years.

Question 5: In Exhibit B, page 23, A. Access to Solar Facility, reads that the terms duration is 20 years. Is this correct, or is it the 15 years as mentioned throughout the RFP document?

Answer 5: This specific notation should read 15 years.

Question 6: There seems to be additional emphasis on operating assets. In this light does DCSEU intend to evaluate and score operating experience in a manner similar to development and construction experience? If so, is operating experience weighted equally, less, or more than development and construction experience?

Answer 6: There is no additional emphasis on operating assets for the CREF program this program year, as this was also included in the FY2020 solicitation. The DCSEU will evaluate and score proposals according the criteria and points listed in Table 3 (Bid Summary Table) of the RFP. Accordingly, each bidder will be eligible to receive up to 30 points (out of the 112 points total) for the bidder's qualifications and team experience, which includes up to ten points (out of the 30 points) for each of the following criteria: operating capacity deployed in DC and across the U.S., prior experience/past performance, and qualification and experience.

Question 7: In DCSEU SFA Program Restrictive Covenants, Section D states that covenants "shall run with the land." Will the DCSEU require site control documents to be recorded with the District of Columbia's recorder of deeds?

Answer 7: Under milestone 4, the recording of the site control covenants and contracts, and any amendments with the Recorder of Deeds will be a requirement in the 2021 subcontract.

Question 8: Is the DCSEU valuing 20-year projects over 15-year projects? If so, how is that value increase/decrease reflected in the scoring?

Answer 8: The duration requirement is set at 15 years. A greater commitment will not be viewed as more or less favorable. (DOEE feedback requested)

Question 9: Does DCSEU envision incorporating liquidated damages for lost kWh production beyond the current penalty calculation?

Answer 9: For CREF projects, the DCSEU conducts a comprehensive analysis of the PV system upon substantial completion and is conservative with the estimates for production. The subcontractor may be liable for additional damages if the subcontractor fails to timely pay the penalty due to the DCSEU for underproduction.

Question 10: Are you able to share any information on the winning bids from prior RFPs such as system size and incentive rate? That way new bidders have the same amount of information as past bidders.

Answer 10: As a general practice, the DCSEU does not disclose specific information about prior winning bids. However, the DCSEU will share the following information:

- The maximum price per watt allowed under the prior RFP was \$1.25 per watt for a 20-year operating period (note: the operating period for FY2021 has been reduced by 5 years);
- In FY2020, the price per watt incentives were all below \$1.20/watt; and
- The portfolio sizes ranged from 300kw to up to 2.5MW

Single Family FY21 Webinar Q&A

Question 1: If the contract has not been provided for the subcontractor to sign by the proposed date 12/01/2020, and been signed by the proposed date of 1/6/2021, will Milestone #1 requirements (which includes stamped plan sets for each project) and/or other dates be extended accordingly?

Answer 1: As noted in the RFP, the DCSEU reserves the right to make adjustments to the schedule as needed. The DCSEU plans to adhere to the schedule listed in the RFP and will examine the possibility of timeline adjustments if unforeseen circumstances should arise.

Question 2: Can DCSEU please explain the new requirement that "Single-Family Project(s) Information" is due by February 1? If this includes all client addresses etc., that will undercut the ability to build a pipeline of clients.

Answer 2: The DCSEU expects to receive information by this date to start issuing work orders. The information required is the name and address of the homeowner and the preliminary size of the installation. We understand that clients may drop out of the program and will allow for the selected subcontractor to add other homeowners into the program, as long as they are able to meet the development milestones.

Question 3: Will DCSEU share its client pipeline with contractors? If so, when and how?

Answer 3: Yes, the client pipeline will be shared after subcontractors have fully executed contracts and met all insurance requirements.

Question 4: Can DCSEU please clarify (or provide) the CBE Agreement and minimum CBE expenditure for 2021?

Answer 4: In 2021, the DCSEU has a goal to distribute 38% of funds to Certified Business Enterprises (CBEs). CBEs will be awarded additional points depending on their CBE status, and the DCSEU will take their CBE status into consideration when scoring a bidder's proposal.