



**TOWN OF BRIGHTON, NEW YORK**

**TOWN OF IRONDEQUOIT, NEW YORK**

**TOWN OF PITTSFORD, NEW YORK**

**VILLAGE OF PITTSFORD, NEW YORK**

**REQUEST FOR PROPOSALS (“RFP”)  
Community Choice Aggregation Administrator**

**PROPOSAL SUBMISSION DEADLINE**

**Friday, April 5, 2019**

**4:00 pm**

**Issuance Date: March 1, 2019**

## **SECTION I – PURPOSE AND BACKGROUND**

### **A. PURPOSE**

In this Request for Proposals (“RFP”), the Towns of Brighton, Irondequoit and Pittsford and the Village of Pittsford (the “Municipalities”) intend to review the relevant experience of qualified firms (“Firm”) to administer a Community Choice Aggregation (“CCA”) program. The Municipalities seek a Firm with experience procuring a 100% renewable clean energy product as defined by the New York State Energy Research & Development Authority (“NYSERDA”).

### **B. SCHEDULE**

Issuance of RFQ/P:	Friday, March 1, 2019
Deadline for Submissions:	Friday, April 5, 2019

### **C. BACKGROUND**

New York State municipalities are permitted to participate in a CCA program subject to local authorization, pursuant to the New York State Public Service Commission’s Order Authorizing Framework for Community Choice Aggregation Opt-Out Program, issued on April 21, 2016 in Case 14-M-0224 (“PSC CCA Order”).

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In 2018, each of the Municipalities adopted local laws creating its own CCA Program. The Town of Brighton adopted its legislation (Community Choice Aggregation Local Law of 2018) on March 28, 2018, after holding a March 14, 2018 public hearing. The Town of Irondequoit adopted its legislation on August 21, 2018 (Local Law 8 of 2018), after holding a public hearing on July 17, 2018. The Town of Pittsford held two public meetings, in April and June 2018 and adopted a local law on September 17, 2018 (Local Law 4 of 2018), after having held a public hearing that same evening. And, the Village of Pittsford adopted a local law on December 11, 2018 after holding a public hearing that same evening.

The Municipalities, through their legislative bodies, have adopted a Memorandum of Understanding (“MOU”) to work collectively - in compliance with each municipality’s respective procurement policy - to solicit, evaluate and select, a common CCA administrator to assist in securing a 100% renewable clean energy product. Ultimately, the decision of retaining a CCA administrator with reside with each individual municipality through their respective legislative Boards.

#### D. RESPONSIBLE RESPONDENT QUALIFICATIONS

Respondents may be non-profit or for-profit and should have experience procuring either a) renewable clean energy product as defined by NYSERDA; or b) experience in all aspects of implementation, organization and administrations of a CCA program. Respondents must be in good financial standing with federal agencies and the State of New York.

#### E. RIGHTS OF INDIVIDUAL MUNICIPALITIES

Each Municipality reserves the right to contract with a CCA administrator individually, or with all of the other Municipalities, or with one or more of the other Municipalities on the same terms and conditions as provided in the RFP and the responses thereto. Nothing herein shall preclude any of the Municipalities, together or individually, from negotiating contract terms with a CCA Administrator that each Municipality deems to be in its best interest.

### **SECTION 2 – STATEMENT OF QUALIFICATIONS**

This section outlines the information that must be included in your Qualifications Statement. Please respond with your information in the same order as the items in the section

1. Please indicate whether your firm purposes to undertake (a) procurement only; (b) implementation, organization and administration only; or (c) both.
2. Please provide a brief history of your Firm including the number of years in business, identification of company ownership, and the number of employees. Describe a minimum of three (3) projects of similar scope that best demonstrate the firm's qualifications to undertake all aspects of this project.
3. Provide a description of the project team's organization and roles. Please include resumes of the project team members. Include their qualifications and experience as related to the scope of series detailed below as well as their anticipated assignments related to this project. Specific information on their background, training, and experience with similar projects should be included.
4. To the extent that you would engage subcontractors or consultants for this project, or would work on this project in conjunction with any project organizer or you or a principal, officer or agent would enter or has entered into any contract (as such term is defined in General Municipal Law Article 18) with any other third party in connection with this RFP or your response to this RFP (any such subcontractor, consultant, organizer or other third party a "Third-Party"), please provide the name, location and contact information for each. Each Third Party will be required to provide a complete copy of its contract with the Respondent. Please state which elements of the Scope of Services, if

any, as described in Section 3 of this RFP, each Third Party would perform or participate in performing (“Third-Party Services”). For each Third Party please provide a brief history, including the number of years in business, identification of company ownership and the number of employees, together with the information specified in Items 1, 3, 5 and 6 of this Section 2 – Statement of Qualifications. With respect to each Third Party, please also provide (a) the information specified in Section 3 – Scope of Services for each element of the Scope of Services comprising the Third Party Services; and (b) to the extent relevant to the Third Party Services, the information requested in Item D1 of Section 4 – Elements of Response. If any Third Party has experience in the planning, implementation or administration of community aggregation programs in New York, please so indicate and describe such experience. If any contract between you and any Third Party requires approval from the New York State Public Service Commission or any other agency of the State of New York, please submit proof of such approval. The information required by this subsection 4 may be furnished directly by any Third Party as an addendum attached to your response to this RFP.

5. Please indicate if any additional staff would need to be hired in order to carry out this project.
6. An hourly rate of pay for the employees proposed for this project.
7. Provide a minimum of three (3) clients for whom your firm has administered a CCA program. Include the following information for each client:
  - Name and address of client;
  - Name and telephone number of contact person;
  - Summary of the services provided.

### **SECTION 3 – SCOPE OF SERVICES**

The Scope of Services should address respondent’s capacity to perform the following expected administrative functions:

1. Draft and submit Implementation Plan and Data Protection Plan, incorporating local goals and priorities. Provide sample Plans if desired, as appendices.
2. Educate and notify public, according to the PSC CCA Order.
3. Lawfully and securely procure, transfer, and store anonymized and customer-specific program data on behalf of the Municipalities, pursuant to an approved Data Protection Plan.
4. Analyze and report regularly to the Municipalities and Public Service Commission on program data, pursuant to the PSC CCA Order.
5. Calculate value proposition of prospective commodity savings and cost certainty.
6. Identify and procure available local and regional renewable generation in accordance with clean energy goals as established by the Municipalities.

7. Identify, develop, and report on opportunities to integrate other distributed energy resources (e.g., battery storage, energy efficiency, smart home/demand management programs).
8. Vet and pre-qualify prospective energy suppliers in accordance with criteria established by the Municipalities.
9. Develop commodity supply contracts and other agreements suitable to the Municipalities and their respective Attorneys.
10. Ensure compliance with legal and regulatory requirements.
11. Process customer enrollment and opt-outs.
12. Provide continued support to the Municipalities and customers after program launch including:
  - Customer service;
  - Monitoring and management of contractual obligations;
  - Regular program data and performance metrics reporting;
  - Program development and enhancement;
  - Continued analysis of relevant market and regulatory issues.

## **SECTION 4 – ELEMENTS OF THE RESPONSE**

All proposal submissions must include the following information to be considered complete. Each of the Municipalities reserve the right to reject any proposal for non-compliance with these requirements and specifications and/or to waive informalities. Please respond to the sections following the same order as in this RFP. For each step, be sure to detail what technical and support services you would have available.

### **A. COVER LETTER**

A transmittal letter on the respondent's business stationery from the individual(s) or a principal officer of the firm offering the proposal and certifying that the proposal will remain in effect for ninety (90) days after the proposal due date. The letter should contain a general description of the mission or focus of the organization and provide the name and address of the individual or firm, and contact information for the individual or officer (telephone number and email address).

### **B. STATEMENT OF QUALIFICATIONS as defined in Section 2**

### **C. SCOPE OF SERVICES as defined in Section 3.**

### **D. RELEVANT EXPERIENCE**

The Relevant Experience should address the respondent's knowledge and involvement in the following subsections. The response should include but is not limited to the example questions listed below each subsection.

1. Energy Markets:

New York State, regional, national and international energy markets.

*For Example:*

- a. Beyond commodity procurement, how would your experience help you to leverage the aggregation of consumer purchasing power for any additional supply-side market opportunities?
- b. What experience or credentials do you have in managing demand-side initiatives for residential and small business customers?
- c. Are there opportunities for CCA communities to participate in such as demand-side or efficiency markets as well, as a demand response resource, for instance?
- d. If so, how would participating customers share in the value created? How much impact would this program have on rates and how would such a program be managed and staffed? How would participation be encouraged?
- e. How else may CCA communities leverage their collective market power to incentivize efficiency and create value for consumers in the future?
- f. What regulatory, political, and/or economic challenges must be overcome to achieve these outcomes?

2. CCA Administration:

Planning, implementation, and administration of community aggregation programs in New York and/or other states. Please provide 3 client testimonials; respondents may submit as an appendix.

F. PROGRAM DESIGN

The Program Design should address the respondent's vision for the following subsections. The response should include but is not limited to the examples questions listed below each subsection.

1. Procurement Strategies:

Describe strategies and mechanisms to increase financial and environmental benefits for customers and the community.

*For Example:*

- a. Are there specific contract terms (length, fixed v. variable rates, consumer protections) you would advise the Municipalities to specify? What contractual requirements would you employ to ensure procurement of cleaner energy than the default utility supply?

- b. What sources of renewable energy are available to supply the program and what are the estimated relative prices?
- c. How will you assist the Municipalities in procuring local renewable energy and advancing the development of local projects? Are there renewable generators in the Municipalities that we can buy from?
- d. What is the likelihood that the Municipalities can procure 100% renewable energy *and* save customers on their bills?
- e. Will all customers in the Municipalities pay the same rate? If not, what factors impact each customer's rate?
- f. Are there savings and/or earnings opportunities afforded to some customers (based on location, income/credit profile, consumption) and not others?
- g. What rate advantages or disadvantages are there when other municipalities are added?

2. Program Roles:

Describe proposed roles and responsibilities for management including those for the Municipalities and other stakeholders. Specify staff resource allocations and provide related credentials.

*For Example:*

- a. How do you propose to work with local stakeholder groups?
- b. What role do you envision the Municipalities playing in program administration? What workload should each Municipality expect for its staff, legal counsel, and elected officials?
- c. Will each Municipality sign a separate contract with suppliers or will they act as a single inter-municipal entity?
- d. If a single municipality chooses to contract with you individually rather than as a group, will that affect the pricing structure or timeline for implementing the CCA?

3. Program Budget:

Describe the following:

- Proposed costs and fees to complete the Program Scope tasks.
- Ongoing administrative and other costs and fees throughout the term of the supply contract.
- Data acquisition and security fees.
- Payment schedule for proposed fees and costs and any schedule dependencies.
- Impact of costs and fees on the Municipalities and program rates.
- Preliminary projections of program rates and savings estimates. Provide methodology behind projections.

- If proposal includes plans to contract any work externally to meet the requirements described, it must be clearly stated in the proposal with all costs including of any subcontracted work, and names of subcontractors clearly delineated.

*For Example:*

- a. Who pays the administrative fees? Will they appear on customer bills?
- b. What upfront costs are the Municipalities expected to shoulder?

4. Implementation Timeline:

Outline proposed timeline for completion of each requirement. Respondents may submit as an appendix.

5. Ongoing Services:

What is the vision for the long-term success of this program beyond the initial contract?

*For Example:*

- a. How do you support community outreach beyond contract execution? Will you perform customer service throughout the term of the contract? Do you offer any additional outreach, complaint resolution, customer advocacy, or other services?
- b. Will there be a phone number and/or website provided for program customers?
- c. Will you perform any public-facing reporting to consumers regarding rate comparisons and savings estimates, new or updated program information, available services, etc.?
- d. Do you plan to offer additional programs to customers related to energy efficiency, renewable generation, demand management?

## **SECTION 5 – SUBMISSION GUIDELINES**

1. All respondents should carefully review the contents of this document. All of the Requirements and Specifications in this document may become part of an agreement to be signed by the Municipalities and the successful respondent.
2. All proposals must be submitted no later than 4:00pm on Friday, April 5, 2019
3. Proposals may be submitted electronically to [supervisor@irondequoit.org](mailto:supervisor@irondequoit.org) with “CCA Administrator” in the subject line. Proposals can also be mailed or personally delivered to the Town of Irondequoit c/o Supervisor’s Office at 1280 Titus Ave, Rochester, NY



14617. Irondequoit will promptly (within one business day) circulate each such proposal electronically to the other municipalities.

4. Inquiries concerning this RFP can be submitted to: Laura Smith, Attorney for the Town of Irondequoit by email at [lmsmith@hselaw.com](mailto:lmsmith@hselaw.com) with “CCA Administrator RFP” in the subject line. All questions must be submitted in writing. Questions must be submitted by 5:00 PM on March 22, 2019. Irondequoit will promptly (within one business day) circulate all such inquiries electronically to the other municipalities.
5. All costs incurred in the preparation of a proposal responding to this RFP will be the responsibility of the Responder and will not be reimbursed by the Municipalities.
6. Each of the Municipalities reserve the right to reject any proposal for non-compliance with these requirements and specifications and/or to waive informalities.
7. The proposal is not a contract offer. Selection of a proposal by any of the Municipalities is not a contract acceptance. A contract is a separate, written agreement between any of the Municipalities and a respondent which may be entered into after the selection process.
8. If Respondent wishes to keep any or all portions of its response confidential or wishes to assert that any or all information provided in response to this RFP is proprietary, said Respondent shall so specify in its response the portion or portions of the response which Respondent considers confidential or proprietary.

## SECTION 6 – EVALUATION CRITERIA

The Municipalities will evaluate proposals based on the weighted criteria described below. Assessment of capabilities will depend in large part on how effectively and knowledgeably the respondent delineates required and desirable subtasks in each of the categories.

The Proposals will be rated based on the following criteria and criteria weights:

Criteria	Weight
Statement of Qualifications	25%
Scope of Services	10%
Energy Market Experience	15%
CCA Administration	15%
Program Procurement Strategies	15%
Program Roles	5%
Program Timeline	5%
Ongoing Services	10%
<b>Total:</b>	<b>100%</b>

## **SECTION 7 – SELECTION PROCESS**

All proposals that are deemed responsive (as described above) will be reviewed by staff as determined by each municipality in their sole judgment. All reviewers will sign a confidentiality statement and keep all content of proposals confidential, except to the extent disclosure of proposals is required by law or deemed advisable by the Municipalities in any litigation arising from this RFP. The winning proposal may be shared unless it contains details on business models and/or proprietary secrets.

The Municipalities may, at their discretion, request presentations or meetings to clarify or negotiate modifications to the proposal. However, the Municipalities reserve the right to make an award without further discussion of the proposals submitted. Therefore, proposals should be submitted initially as completely as possible. The Municipalities contemplate awarding the contract to the proposal with the highest rating.