



STATE OF RHODE ISLAND
**OFFICE OF
ENERGY RESOURCES**

**REQUEST FOR PROPOSALS (RFP) FOR CONSULTANT SERVICES TO ADVISE ON AN
APPLICATION FOR THE SITING OF A MAJOR ENERGY FACILITY (ELECTRIC GENERATION)**

***Proposals Due via Electronic Mail by
January 15, 2016, 5:00 PM eastern***

OER Point of Contact

Nicholas Ucci, Chief of Staff, (401) 574-9104 or Nicholas.ucci@energy.ri.gov

The Rhode Island Office of Energy Resources (OER) is seeking qualified consultant services to advise the agency on an application to construct and operate a proposed 850-1000 megawatt (MW) combined cycle electric generation facility, to be located in Burrillville, Rhode Island. This application is now subject to consideration of and approval by the Rhode Island Energy Facility Siting Board (EFSB). The application has been docketed under #SB-2015-06.¹ The proposed project – the Clear River Energy Center – would operate as a two-unit one-on-one (1x1) combined cycle generation station primarily fired by natural gas, with ultra-low sulfur diesel as a backup fuel.

OER is the State's lead energy policy agency. It works closely with private and public stakeholders to increase the reliability and security of our energy supply, reduce energy costs and mitigate price volatility, and improve environmental quality. The agency is led by a Governor-appointed Commissioner of Energy Resources. For more information, please visit www.energy.ri.gov.

OER is looking for a qualified consultant to advise the agency and support its interests, along with any statutory and regulatory responsibilities, associated with Docket #SB-2015-06. This RFP for consultant services is being posted in accordance with RIGL §37-2-69, which states that “*any contract resulting from such solicitation shall not exceed a total value of twenty thousand dollars (\$20,000), including change orders.*”

QUALIFICATIONS

OER seeks a qualified consultant advisor with significant and demonstrated expertise in matters related to the siting of major energy facilities (particularly electric generation). Such matters may include, but are not limited to:

- the functional and operational characteristics of electric generation plants, particularly those fired by natural gas;
- the potential physical and economic impacts of such facilities on the state and its communities;
- a thorough understanding of Rhode Island's (and New England's) integrated energy system, as well as state energy, economic, and environmental policy goals; and
- a thorough understanding of New England's electric wholesale market construct.

The consultant will be expected to demonstrate:

- familiarity with and engagement in siting processes for major energy facilities; and

¹ All public docket materials, including the project application, can be found at:
www.ripuc.org/efsb/2015_SB_6.html.



STATE OF RHODE ISLAND
**OFFICE OF
ENERGY RESOURCES**

- experience with developing and effectively delivering expert witness testimony and/or analysis before the Rhode Island EFSB and/or other relevant state/federal regulatory bodies engaged in the siting of major energy facilities.

The consultant may be asked to assist OER in conducting analysis and developing supporting testimony in SB-2015-06 as well as any underlying needs assessment of the proposed facility conducted by the Rhode Island Public Utilities Commission (PUC) pursuant to RIGL §42-98-9(d).

SCOPE OF WORK

As determined by OER, the consultant advisor shall provide a range of policy, regulatory, and analytical support services consistent with OER’s agency mission and statutory responsibilities, including, but not limited to:

- Providing expert technical, economic, or other analysis of the proposed energy facility;
- Evaluating any analysis conducted and conclusions reached by the project sponsor or other intervening parties as part of the EFSB (or related) proceeding(s);
- Drafting expert witness testimony on behalf of OER and supporting such testimony before the EFSB and/or PUC;
- Supporting the development and drafting of OER advisory opinions, as required; and
- Providing other analysis and work products as directed by OER.

Respondents must provide a detailed written narrative demonstrating their professional experience and qualifications, as well as their understanding of the issues identified in the scope of work above.

Respondents must list all project team staff expected to contribute to meeting the scope of work above. For each project team member, please provide a curriculum vitae and a brief narrative detailing their relevant educational and professional experiences. For each member, please make specific reference to any consultant and/or expert witness services that has been provided relative to energy facility siting or related public utility regulatory matters, and on whose behalf (i.e. state agency, utility) those services were rendered. Please describe each individual’s anticipated responsibility in helping to meet the proposed scope of work.

Respondents must disclose any actual or perceived conflicts of interest and/or past or current business relationships with the project sponsor (Invenergy Thermal Development LLC) or its officers.

All proposals must be limited to eight (8) pages, single-spaced (not including CVs).

BUDGET ESTIMATE

Respondents must provide an estimated project budget and detail individual charges associated with their proposal, such as any retainer fee and/or hourly rates associated with individual work products detailed in the scope of work above.

EVALUATION CRITERIA

The following evaluation criteria will support OER’s selection of a consultant advisor:

Criteria	Points
Respondent’s approach is responsive to the tasks and activities identified in the scope of work.	15



STATE OF RHODE ISLAND
**OFFICE OF
ENERGY RESOURCES**

Respondent's qualifications and prior work experience demonstrate a proven ability to conduct the tasks and activities identified in the scope of work.	30
Respondent has demonstrated a thorough understanding of the subject matters listed in the "Qualifications" section	40
Respondent's budget estimate is reasonable, cost-justified, and in accordance with RFP requirements.	15
Total	100

PROPOSAL DEADLINE AND SUBMITTAL

Interested respondents must submit their complete proposal and all attachments via electronic mail by 5:00 PM eastern on January 15, 2016 to: Nicholas.ucci@energy.ri.gov.

OTHER REQUIREMENTS AND GUIDELINES

1. *Time Availability*

Consultant must have adequate time available to complete tasks on schedule, in accordance with relevant deadlines set forth by the EFSB, PUC, and/or as determined in consultation with OER.

2. *OER's Use of Proposals and Work Product*

During the process of evaluating proposals, OER reserves the right to request additional information or clarification from any consultant submitting a proposal, and to permit corrections of errors or omissions without notice to other bidders. OER shall be held harmless if it or the consultant retained for this or any subsequent engagement employs at any time, any technique, methodology, or procedure suggested in any proposal, regardless of whether such proposal is from the consultant selected to perform the engagement.

3. *Notification of Award*

In submitting a proposal, consultants agree to not make any press announcement or release a news announcement concerning the selection for the engagement without the prior written approval of OER.

4. *Other OER Rights*

OER retains the right to reject any and/or all proposals submitted. OER may terminate the selected consultant's engagement at any time with or without cause. The selected consultant, by acceptance of the engagement, waives any rights to claim damages as a result of such termination. OER will be the final arbiter of all disputes arising from engagement-related matters.

5. *Costs of Preparing Proposals*

Any consultant submitting a proposal in response to this RFP does so at its own expense. Any consultant submitting a proposal will not include proposal costs, or any costs incurred prior to the engagement award, as reimbursable costs related to the engagement. The selected consultant will not be reimbursed for any costs incurred prior to the engagement award.

6. *OER Participation*

OER will have the right to monitor and review consultant's work product as appropriate and necessary to achieve the desired and agreed-upon product from the consultant.

7. *Reporting Procedures*



The selected consultant and OER will meet and/or communicate as necessary, as determined by OER, or upon request of the consultant, to discuss the progress of the engagement.

8. *Work Products*

The consultant work products may be considered public documents and may be made available for public inspection and distribution as required. OER expects that draft components of final work products will be submitted to OER for review and approval in accordance with time schedules OER develops in consultation with the consultant.

9. *Work Papers*

At the conclusion of the engagement, the selected firm shall make copies, including electronic copies, of significant work papers and source documents available to OER, if so requested.

10. *Payment*

The selected consultant will submit monthly invoices to OER, including all supporting documents necessary to verify consultant's expenses. For professional service fees billed on an hourly fee basis, invoices must identify the individuals for whom services are being billed, the number of hours, and portions thereof, being billed, detail of the activities worked on, the hourly billing rates, and the total fees. For professional service fees billed on a flat fee basis, OER and consultant will negotiate a means to track consultant activities on OER behalf. OER will be the final arbiter of all disputes regarding cost and payment.

11. *Legal Compliance*

All proposals shall certify that the performance of the engagement will be in compliance with all federal and state laws and regulations, applicable in the state(s) in which all or any portion of the services will be performed, including all labor laws and all anti-discrimination regulations.

12. *Equal Employment Opportunity and Minority Business Enterprise*

Equal Employment Opportunity (RIGL 28-5.1) §28-5.1-1 Declaration of policy. – (a) Equal opportunity and affirmative action toward its achievement is the policy of all units of Rhode Island state government, including all public and quasi-public agencies, commissions, boards and authorities, and in the classified, unclassified, and non-classified services of state employment. This policy applies in all areas where the state dollar is spent, in employment, public service, grants and financial assistance, and in state licensing and regulation. For further information, contact the Rhode Island Equal Employment Opportunity Office, at (401) 222-3090.

The State has a goal of ten percent (10%) participation by MBE's in all State procurements. For further information, visit the website www.mbe.ri.gov. To speak with an MBE officer, please call (401) 574-8253. **Respondents must complete a Minority Business Enterprise Utilization Plan form and submit with their proposal.**

13. *Insurance Requirements*

Vendors shall procure at their expense and maintain all insurance required in form and terms acceptable to State for the duration of the contract or as otherwise specified. Vendor shall provide State with replacement Certificate(s) and endorsements upon expiration, renewal, expiration or cancellation of the policies during the term of the contract, unless a longer period is specified. All certificates and endorsements shall reference the solicitation. The Purchasing



STATE OF RHODE ISLAND

**OFFICE OF
ENERGY RESOURCES**

Agent reserves the right to consider and accept alternative forms and plans of insurance or to require additional or more extensive coverage for any individual requirement.

DISCLAIMERS

The issuance of this RFP does not represent any agency position on the project proposed in EFSB Docket #SB-2015-06.

The issuance of this RFP does not guarantee that an award will be made by OER.

Attachment: Minority Business Enterprise Utilization Plan form



**State of Rhode Island and Providence Plantations
Office of Diversity, Equity and Opportunity (ODEO)
Minority Business Enterprise Compliance Office
Minority Business Enterprise Utilization Plan**

Company Name: _____

Representative's Name who administers MBE Program: _____

Street Address: _____

City, State, Zip: _____ Telephone: _____

Email: _____ Project Location: _____

Bid or Project #: _____ Date Bid Opened: _____

Description of Work: _____

Contract Value: _____ MBE % Assigned: _____

Total # of All Subcontractors/Suppliers used: _____ # of MBE Subcontractors/Suppliers used: _____

List All Subcontractors/Suppliers/Consultants/Independent Contractors – Total Dollar Amounts – Scope of Work:

Subcontractor / Supplier	Dollar Award	Scope/Description of Work	RI Certified MBE Y/N

***Note:** Only those Minority Business Enterprises certified by the Rhode Island Department of Administration may be utilized to fulfill the MBE participation requirement pursuant to RIGL 37-14.1. Vendors may count towards it MBE requirement 60% of expenditures for material and supplies required under a contract and obtained from an MBE regular dealer/supplier, and 100% of such expenditures when obtained from an MBE manufacturer. For firms certified as a broker, only the fees and commission charged for the procurement, but not the cost of the materials or services, are eligible for MBE participation credit. Also note that MBE firms identified above must complete all work under their respective contracts with their own forces.*

The above referenced contract will not be released until this plan has been approved by the Director of the Department of Administration or its designee.

For assistance and advice in identifying MBE firms, please call the Minority Business Enterprise Compliance Office at (401) 574-8670. The directory of all certified MBE firms is also located at www.mbe.ri.gov.

Signature of Authorized Agent of Business: _____ Date: _____

Send Completed Form to: Minority Business Enterprise Compliance Office
One Capitol Hill, 3rd Floor
Providence, RI 02908

Phone: (401) 574-8670
Web site: www.mbe.ri.gov