AEC ADMINISTRATOR’S REQUEST FOR PROPOSAL

RFP-2015-2

QUESTIONS AND ANSWERS

1. How many applications are processed on a monthly and annual basis?

A: Recently, about 100 applications per month were processed with some applications not approved. The number of applications processed can vary month to month due to many factors. The number of applications processed can increase or decrease substantially depending on the availability of incentives for qualified alternative energy resources and changes brought about by legislative action.

1. What are the current criteria for determining the status of an alternative energy system?

A: Criteria for determining the status of an alternative energy system include, but are not limited to, completeness of the application, eligibility of the resource, operation of the resource and interconnection to the grid within the PJM service territory.

1. How is the current AEC Administrator verifying the alternative energy system’s use of appropriate fuels sources and technologies?

A: The AEC Administrator verifies use of fuel sources and technologies through review of AEPS regulations and analysis of information and documentation supplied by the alternative energy facility. The frequency at which information is submitted by facilities can differ and is set by DEP. All facilities are subject to an annual inspection.

1. Please describe the current appropriate fuel sources and technologies used?

A: AEPS qualified facilities as defined in the Alternative Energy Portfolios Standards Act at 73 P.S. 1648.2 and 66 Pa. C.S. § 2814. When an application is received proposing a fuel source or technology that is not clearly defined in the Act, the AEC Administrator is expected to confer with the DEP and PUC staff regarding applicability of the fuel source or technology.

1. How is the current vendor determining the effectiveness of approved demand side management and energy efficiency measures?

A: The AEC Administrator determines effectiveness of demand side management and energy efficiency measures by analyzing the documentation submitted and using the TRM.

1. What criteria are used to determine eligibility and approval for the program?

A. See answer to question #2.

1. How many customer generated inquiries are processed on a monthly basis?

A. The number of inquiries both email and phone calls can vary from month to month and range between 400 and 800 per month. Inquires traditionally increase at the end of the energy year and in the fall of the year.

1. How many approved alternative energy credit providers are currently in the GATS database?

A. Please review the GATS website for the number of approved alternative energy credit providers in their database. The AEC Administrator is not required to track this information.

1. What system is currently used to verify that EDCs and EGSs certificates are still valid (not exceeded the useful life)?

A. The AEC Administrator reviews the vintage of certificates reserved for compliance using GATS and their own database.

1. How many on-site inspections took place last year?

A. Twenty (20) site visits were performed last year as per the RFP.

1. How many calls come into the help line on a daily, weekly, monthly basis?

A. The number calls per month ranges from about 80 to over 200. The call numbers will vary for differing reasons such as changes in market conditions when incentives for solar installations are available.

1. Can we get examples of the current required reports?

A. Reports submitted by the current administrator are used to characterize compliance and are not released to the public. The reports are incorporated in the PUC’s AEPS report.

1. It is our understanding that the Pennsylvania Public Utility Commission will negotiate terms and conditions with the prospective vendor following notification of award. Should prospective vendors submit contract exceptions and/or clarifications in their proposal submissions?

A. Yes.

1. It is our understanding that the Pennsylvania Public Utility Commission is looking for time and material labor pricing with a not-to-exceed cap.  Would the State please confirm that vendor has no obligation to perform services beyond the not-to-exceed cap agreed to by the parties?

A. The selected party would only be required to perform the services agreed to under the statement of work signed as part of an executed contract. It is expected that the vendor would be able to complete the entire scope of work agreed to in the contract within the not-to-exceed cap.

1. Would the Pennsylvania Public Utility Commission please confirm that the not-to-exceed cap does not apply to Other Direct Costs and overhead expenses?

A. The not-to-exceed cap is a firm cap. The PUC will not pay for expenses incurred above the cap amount without an executed contract amendment. All costs charged to the Commission, including other direct costs and overhead expenses, must be included in the price not to exceed.

1. May budgeted hours allocated to one labor category be redirected to other labor categories, as long as vendor remains within the not-to-exceed cap?

A. Yes, this can be done with project officer approval.

1. Appendix D, Sec. II.B.3 states that payments may be withheld if costs are deemed not “just” or “reasonable”.  Would the Commission please clarify which criteria will be used to determine whether costs “just” and “reasonable”?

A. The Commission performs a review of monthly invoices to determine if the billing is correct and does not include charges for work that has not yet been performed, as well as for errors or overcharges. The Commission will contact the vendor to correct errors, and reserves the right to pay only the monthly invoice for the correct amount of performed work.

1. Would the Pennsylvania Public Utility Commission please confirm that vendor retains exclusive ownership of all pre-existing software and hardware tools used to deliver the services, and that the Commission will have no residual rights to such tools beyond the term of the contract?

A. Please refer to Appendix D, Section C of the RFP for draft contract language regarding this issue.

1. Sections II-8 and II-9 are listed to be included in both the Technical and Cost submittals (Part II, Information Required from Proposers, p. 11). Is that correct?

A. Correct.

1. Does the Commission allow a Transmittal Letter to be included in our submittal?

A. Yes.

1. The current provider runs a website at [paaeps.com](http://paaeps.com), which contains the information required under Tasks section IV-4.F. Does the PUC own the content of that website and will it be available for use by the winning bidder?
2. The contract with the current administrator states: “All data, models, reports, information, databases, developed software, database search queries, software instructions or templates, and any other documentation or software created, utilized, or received by the Contractor or its employees or any subcontractors or their employees during this AEC Administrator Project (or “Project”) shall become the property of the Commission. The Contractor is working for hire of the Commission, and the Contractor or its employees or any subcontractors or their employees expressly agree that any copyrights or other intellectual property created by the Contractor or its employees or any subcontractors or their employees during the course of its work on this Project shall be property of the Commission. Contractor agrees to obtain such copyrights and other intellectual property rights from its employees and any subcontractors or their employees to effectuate Commission’s ownership of such rights. Contractor shall have a non-exclusive, unrestricted license from the Commission to use any such copyrights or other intellectual property created by the Contractor or its employees or any subcontractors or their employees during the course of their work on this Project. Contractor’s non-exclusive, unrestricted license to use any such copyrights or other intellectual property shall be irrevocable and shall continue in perpetuity after the termination of the Contract.

In Part IV “Work Statement” of this Contract, the Contractor is required to create or utilize or receive data, models, reports, information, databases, developed software, data search queries, software instructions or templates, and other documentation, systems or software created, utilized or received by the Contractor or its employees or an subcontractors or their employees (“Contract Materials”) to satisfy the Contractor obligations of this Contract. Contractor is the incumbent AEC Administrator, and as part of its obligation under the previous AEC Administrator Contract, Contractor has created or utilized or received Contract Materials. Contractor shall provide all Contract Materials created or utilized or received under the previous AEC Administrator Contract to the Commission as part of its obligation under this Contract, and all such Contract Materials shall become the property of the Commission.”

1. The website also contains some backend functionality to process applications for new systems, display existing systems, etc. Is the code for this owned by the PUC and available for the winning bidder, or will the winning bidder need to create this platform themselves.

A. See answer to question #21

1. Does the PA PUC own the information in the database behind that website that contains information on all existing systems registered in PA? If so, in what technical format will that database be provided to the winning bidder? (i.e. a SQL database, a series of csv files).

A. See answer to question #21.

1. What commitments does the existing provider have to assist with the transition? (i.e. providing copies of databases and information from the existing program, assigning the [paaeps.com](http://paaeps.com) URL or forwarding it to the new website, coordinating handoff of partially completed work during the transition).

A. It is anticipated that there will be a 3 or 4 month overlap in the event that there is a change in credit administrators. The PUC would oversee and expect the contractors to cooperate in electronically transferring the information at that time.

1. Can you clarify how the pricing proposal works. For example, if we estimate we will spend 100 hours of Analyst 1 time at $20/hr on Task A, for a total of $2000, are we now capped at $2,000 for this task and person, i.e. we couldn't charge 105 hours even if it ended up being required, and if we only spent 90 hours we'd only be paid $1,800?

A. Time and budget reallocations between line items can be completed with project officer approval, so long as the total not-to-exceed budget figure is maintained.

1. How is the cost criteria applied at evaluation? Are all costs for each year simply added together over all years and that total is used to compare to other bids? Is a net present value used to discount out years over near years? Are the option years included? Are the actual itemized costs analyzed beyond simply summing for the total cost, and if so how is the itemization used in evaluating bids?

A. The total cost submission for the entire 5 year period, including optional years, is used for cost evaluation. The costs for all 5 years (3 firm years and 2 optional years) are simply added together to provide a total cost for the contract.

1. If total bid cost is the cost criteria, are you willing to accept a firm fixed price offer in lieu of the itemized listing?

A. An itemized listing of time and cost is required in the bid submission.

1. Is the entire pricing proposal subject to public disclosure after contract award (except for financial capability information)?

A. Yes.

1. Can you please specify the types of reports to be submitted to the PUC from the Program Administrator at the end of the Compliance Year?

A. The AEC Administrator submits reports to the PUC that include:

* Compliance payment calculations
* Credit summary by EDC territory
* Credit summary percentage by state
* Solar pricing
* Tier I pricing by resource and by EDC/EGS transactions
* Tier II pricing by resource and EDC/EGS transactions
* Quarterly Adjustment calculations.

30. In reference to Section IV-4.C, what is the source of the load data collected to calculate the quarterly adjustment and annual compliance for the EDCs and EGSs?

A. This information is not available in GATS and is based on retail load reported directly to the AEC Administrator by EGSs and EDCs. The information is then verified quarterly and annually by the AEC Administrator.

31. For on-site visits, does the administrator make decisions on disqualification of eligibility or does the PUC?

A. The PUC does not accompany the AEC Administrator on site visits. If the AEC Administrator were to discover issues at a certified facility, it is expected that the Administrator would bring these issues to the Commission’s attention for proper review and action.

32. What is the PUC’s contractual relationship with GATS?

A. The PUC has an executed agency agreement for GATS Terms of Use that designates what access the AEC Program Administrator will have to GATS. The GATS operating rules and terms of use agreements can be found at the following GATS website: <http://www.pjm-eis.com/documents.aspx>.

33. How does the administrator gain access to GATS data? Full API access?

1. The AEC Administrator logs into GATS through the State Agency portal and acquires necessary data. The AEC Administrator does not have API access.

34. Several sections request that the respondent propose a cost effective protocol, for example on page 30 it states "The contractor should propose a cost-effective protocol for verifying energy efficiency and demand-side management measures before GATS registered certificates are awarded...." How detailed would you like these proposed protocols to be, i.e. do you need the full protocol or just a good description of the process?

A. A general procedural description response would be sufficient.

35. Is the [paaeps.com](http://paaeps.com) website hosted by the contractor on their own web server or in the PA state servers?

A. The website is not hosted on the PA state servers.