Orange and Rockland Utilities, Inc.

Request for Proposal (RFP)

Woodbury Energy Storage Program

ISSUED: JULY 8, 2022
SUBMISSION DEADLINE: AUGUST 29, 2022

Orange & Rockland

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1. Introduction

Orange and Rockland Utilities, Inc. ("O&R" or the "Company") requests proposals from qualified and experienced respondents ("Respondent") with the capability to design, procure, install, and operate energy storage systems to meet the systems needs defined in this RFP. The Company requests proposals for two (2) separate energy storage systems to serve peak demand in the vicinity of the Town of Palm Tree, Kiryas Joel and the Village of Woodbury. Each energy storage system must be sized to supply a peak demand of 3 MW for four hours; 12 MWh per system, 24 MWh in total (in two separate systems). The energy storage systems will need to be moved at a future date to serve an upcoming nearby Substation at another location.

1.1. Background

O&R is a subsidiary of Consolidated Edison, Inc., one of the nation's largest investor-owned energy companies, and an affiliate of Consolidated Edison Company of New York, Inc. ("Con Edison"). O&R, which provides electric and gas service to Orange County, Rockland County, and parts of Sullivan County, New York, is regulated by the New York Public Service Commission ("NYPSC" or "the Commission").

O&R is filing this RFP following approval of its most recent rate case[1]. As an energy storage system, this RFP also supports the NYPSC's regulatory Reforming the Energy Vision ("REV") initiative as well as the state's energy storage goals as outlined in the Climate Leadership and Community Protection Act ("CLCPA"). REV and CLCPA both aim to reorient the electric industry toward a consumer-centered approach that harnesses clean energy technology and new market opportunities.

1.2. Definitions

Energy Storage System: An Energy Storage System is a system used to store energy produced at one time for use at a later time. The technology used to store energy is most commonly Lithium-Ion batteries but can take many different forms as the Energy Storage System market evolves.

Respondent: A person and/or entity, or a representative thereof, replying to this RFP.

1.3. Purpose

This RFP solicits responses from Respondents that state an interest and have qualifications to supply O&R with an energy storage system to serve peak demand for the location described below. The system is expected to be moved to its resting destination five years after it is first commissioned. Both locations will be provided by O&R.

To assist Respondents, this RFP provides information on the specific project needs and also provides requirements that Respondents must comply with when submitting their proposals.

[1] https://ets.dps.ny.gov/ets_web/search/searchSubmissionID.cfm?sub_id=2811577

This RFP is specific to energy storage systems that can be integrated with our existing distribution infrastructure to provide system reliability. Proposed solutions must meet the full system need reliably at the lowest reasonable cost possible.

In addition to the requirements specified in Section 4, each RFP response should, at a minimum, outline the Respondent's proposed technology, community outreach plan, safety measures of their proposed project, cost for completing the project, project plan or proposal, and a timeline for implementation.

Respondents are expected to be financially and technically capable of engineering, developing, constructing, maintaining, and operating their proposed projects such that the anticipated benefits can be realized. O&R will evaluate each Respondent's proposed solution against the solutions proposed by other Respondents. If O&R enters into a contract with a Respondent, the Respondent will be subject to defined milestones so that O&R can verify that the Respondent is on track to provide the contracted requirements (capacity/energy needs).

1.4. General Guidelines

O&R reserves the right to make changes to this RFP by issuance of an addendum or amendments and to distribute additional clarifying or supporting information relating thereto. O&R may ask any or all Respondents to elaborate or clarify specific points or portions of their submission. Clarification may take the form of written responses to questions or phone calls or in-person meetings for the purpose of discussing the RFP and/or the responses thereto.

It is the sole responsibility of each Respondent to include all pertinent and required information in its submission. O&R reserves the right to determine in its sole discretion whether a submission is incomplete or non-responsive.

Respondents should clearly state all assumptions they make about the meaning or accuracy of information contained in their response to this RFP. If a Respondent does not ask questions or identify its assumptions, O&R will assume that the Respondent agrees with and understands the requirements in this RFP. While O&R has endeavored to provide accurate information to Respondents, O&R makes no warranty or representation regarding the accuracy of the information contained in this RFP.

Respondents are encouraged to provide and release necessary authorizations for O&R to verify any of the respondent's previous work, except where it is contractually prohibited from doing so.

The respondent shall be responsible for identifying, obtaining, and complying with state and local code requirements and permits during both construction and operation of the proposed Energy Storage Solution. Areas for relevant permits include, but are not limited to, civil, structural, electrical, environmental and safety.

The respondent should also provide a high-level site layout plan that will incorporate all local Authorities Having Jurisdiction ("AHJ") rules and regulations for siting the proposed Energy Storage asset. This RFP shall not be construed to establish an obligation on the part of O&R to enter into any contract, or to serve as a basis for any claim whatsoever for reimbursement of costs for efforts expended by Respondents.

Furthermore, the scope of this RFP may be revised at the option of O&R at any time, or this RFP may be withdrawn or cancelled by O&R at any time. O&R shall not be obligated or bound by any responses or by any statements or representations, whether oral or written, that may be made by the Company or its employees, principals, or agents in connection with this RFP.

Any exceptions to the terms, conditions, provisions, and requirements herein must be specifically noted and explained by a Respondent in its response to this RFP. O&R will assume that any response to this RFP expressly accepts all of this RFP's terms, conditions, provisions, and requirements, except as expressly and specifically stated otherwise by a Respondent in its response to this RFP.

2. Palm Tree/Woodbury Area Energy Storage Project Description

2.1. Project Description

The Woodbury project involves the installation of two battery systems in the vicinity of the Town of Palm Tree and in the Village of Woodbury. The batteries are needed to serve the peak demand in the area until a new substation can be constructed to serve the greater local communities. O&R requests respondents to propose feasible sites in the Kiryas Joel greater area to provide relief for any two out of the three following circuits; 61-3-13, 61-7-13, and 61-9-13 out of the Monroe Substation. Site control is to be maintained by the developer (or transferred to O&R) until the Substation is built, at which time the energy storage systems will be relocated to its final site, an O&R controlled property. It is possible that the energy storage system will need to be commissioned directly at the Substation, a decision that may be made in the future.

2.2. Project Need

As previously stated, this Energy Storage System is to provide temporary load relief on two out of any of the three prospective circuits; 61-3-13, 61-9-13 and 61-7-13 circuits from the Monroe Substation until a new Substation is built. The system will first reside at a site that will be proposed by the RFP respondent and for which the respondent could have site control, for a duration of about five years until the Substation comes online in 2027. The battery systems serving each circuit must be of a capacity of 3MW for a duration of four (4) hours, a total of 12MWh for each circuit, for an overall area load relief of 6MW/24MWh. O&R's Planning team have determined the dispatch schedule and the batteries must be capable of providing the load reduction as needed when they are called upon with minimal notice. See section 2.3

After O&R completes building of their new Woodbury substation, the batteries will be relocated to this newly built Substation in the Woodbury area. Responses to this RFP should address relocation, installation and interconnection of the battery in this second location, including any necessary modification or upgrades. In the event the new Substation build is delayed, provisions in the contract shall allow O&R to continue operation of the system at the temporary location and defer the relocation plans for additional years, as needed.

Design Standard:

O&R's Distribution Design Standard ("DDS") requires 100 percent backup for loss of a single circuit using a maximum of two switch moves resulting in less than 2,000 total customer hours of interruption.

The DDS requires circuits to operate below the conductor relief rating. Additional new load growth is expected on circuits 61-7-13, 61-1-13 and 61-3-13 that will cause them to exceed this criterion. The battery system can provide the targeted relief to two of the circuits and will allow the aggregate of circuits to remain below relief rating at

peak times. To determine the MW need and duration for each circuit, planned switch moves were considered first to utilize all available tie capacity to minimize the capacity requirement. The peak relief needed was determined using the conductor relief rating.

2.3. Energy Storage Solution Expectation

The energy storage proposals must satisfy the capacity and energy requirements detailed in the section above. Potential solutions will be required to operate in parallel with the Company's facilities, and as such, all proposals must demonstrate that they meet all ANSI voltage, frequency and require adequate system protection and synchronization. Upon notification, the energy storage system shall be operational and be dispatched. The solution shall adhere to all other appropriate and reliable operating requirements and standards, including appropriate system protection for the 13.2kV (Grd-Y) distribution system and feeders. The energy storage system shall be balanced 3-phase and connected to the existing overhead 13.2kV system in its first location without system upgrades, and connected directly to the substation once it is relocated. Optimization of interconnection at the substation will be discussed later in the solicitation.

The O&R 13.2kV distribution system is protected with overcurrent protective devices which include expulsion fuses and field reclosers. The proposed energy storage solution must operate in parallel with the O&R system and the battery output would have to match the O&R provided load curve kW/hour to minimize MW hour need. The RFP responses shall be specific to the selected site, with detailed specification on the technology, operation and maintenance needed to maintain the safety of the system needed to serve our customers.

The proposal should include a control system that is capable of remote monitoring and control and that can be integrated into O&R existing DSCADA system. The energy storage controller will perform a series of operational tests to ensure the system is operating as expected and that power flow is stable and reliable. The protection schemes must be capable of distinguishing internal from external system disturbances to prevent nuisance tripping to support the resiliency of the O&R system. The energy storage system would be needed especially in the months of June to September or for any unforeseen contingencies throughout the year. Therefore, planned outages must be scheduled outside of these months, with O&R's approval.

Bidders may assume the following usage profile for purposes of system specification:

- The system must be able to charge and discharge per O&R's guidance;
- Must have the capability to operate at least 350 cycles per year, limited to one cycle per day;
- Must demonstrate a minimum round-trip efficiency of 80%;
- Must have a response rate (or ramp rate) of at least 10% of the battery energy storage system's dispatchable capacity per minute;
- Must maintain at least a 98% availability for dispatch each calendar year;
- As stated above, scheduled maintenance and/or augmentation must be performed outside of the peak season, and with O&R's approval.

Below is the expected charge and discharge schedule of the system:

61-9-13, 61-7-13 and 61-3-13 Hourly Peak Load Charge/Discharge				
	MW-Charge	Charge (MWh)	MW-Discharge	Discharge (MWh)
12:00 AM	0	0	0	0
1:00 AM	2	2	0	0
2:00 AM	2	2	0	0
3:00 AM	2	2	0	0
4:00 AM	2	2	0	0
5:00 AM	2	2	0	0
6:00 AM	2	2	0	0
7:00 AM	0	0	0	0
8:00 AM	0	0	0	0
9:00 AM	0	0	0	0
10:00 AM	0	0	0	0
11:00 AM	0	0	0	0
12:00 PM	0	0	0	0
1:00 PM	0	0	0	0
2:00 PM	0	0	0	0
3:00 PM	0	0	2	2
4:00 PM	0	0	2	2
5:00PM	0	0	2	2
6:00 PM	0	0	2	2
7:00 PM	0	0	2	2
8:00 PM	0	0	2	2
9:00 PM	0	0	0	0
10:00 PM	0	0	0	0
11:00 PM	0	0	0	0
Total MWh		**12**		**12**
Max MW	**2**		**2**	

Table 1: Hourly Load Reduction Required of Energy Storage Solution for Each Circuit

3. Proposed Solution Requirements

This section outlines the requirements for responses to the RFP. Respondents should submit their responses to the functional questions included in Attachment A, as part of their proposals. Respondents are encouraged to include, as an attachment (maximum size 2 MB), any additional information that will clarify how their proposed solution(s) will achieve the required demand reduction. Review priority will be given to the information submitted within the provided format.

3.1. Professional Background and Experience with the Proposed Solution

Respondents must be able to demonstrate experience deploying the proposed solution. In addition, Respondents should provide the following:

- Executive Summary of proposal;
- Description of Respondent's core business and organizational structure;
- Project organizational chart and project team resumes;
- Financial statements for the past three years, and services offered;
- Examples of prior industry specific work that is similar in nature and relevant to the solution requirements, with particular emphasis on implementation of the solution,
  such as at other utilities, large municipalities, co-ops, or any other applicable facilities;
- Relevant project experience;
- Contact information of customers where the solutions have been implemented (at least three references);
- References which shall include any authorizations necessary for O&R to verify specific locations of successful technology deployment;
- Relevant experience developing the Emergency Response Plan to address safety issues of the proposed project; and
- Any other relevant information deemed appropriate and noteworthy supporting and validating the proposed solution.

Respondents should identify and provide contact information for previous/current customers who have implemented their technology/solutions. Respondents should note whether O&R could contact these customers for additional information and follow-up questions.

3.2. Proposed Solution Description

Project proposals must demonstrate how the proposed solution will achieve the peak load needs and maximize value to O&R's customers. Detailed project information should include:

- Technology/Solution description (tested and proven or innovative technology);
- Operations and Maintenance Agreement for a five year period, with optionality to renew;
- Performance characteristics of the technology;
- Description of the flexibility and applicability of the technology;
- Hourly electric load reduction impact provided by the solution;
- Community and environmental impacts derived from the solution, including any emergency

preparedness/response plans and programs;
- Potential risks and challenges of deploying the particular energy storage asset being proposed;
- Proposal to mitigating risks and challenges of deploying the energy storage asset;
- Specification and details associated with implementing the proposed solution (e.g., permitting requirements);
- Proposed site-layout and one line of the proposed project, taking into account all local AHJ rules and regulations;
- Proposed schedule and timeline for the development and construction tasks
- Proposed plan to relocate and install the battery storage system at the Utility's future Substation
- Utility ownership (build-and-transfer) proposal;

3.3. Proposed Solution Location

The energy storage system will need to be sited temporarily on a site (developer will have site control for at least 5 years starting from Start of operation of the battery asset) by the developer in the Palm Tree/Village of Woodbury area, in Orange County, New York. One of 3MW/12MWhr system is to be connected to one circuit , and another of the exact same capacity/energy will be connected to one of the two remaining circuits. The developer is responsible to size the batteries correctly to support a constant load for the duration per the dispatch schedule.

The energy storage output needs to match the kW/hour as per the load curve that will be provided in previous section by O&R. The potential Energy Storage System site would require the vendor to explore and review associated local permitting laws and regulations. The project may require underground distribution feeder and/or utility poles installations to connect to the energy storage system.

Approximate Geographical Location of the Energy Storage Solution:

The relative location where the energy storage systems are needed is depicted below, within the confines of the Town of Palm Tree, Village of Kiryas Joel and Village of Woodbury in Orange County, New York. Developers should refer to the Hosting Capacity Map *O&R Hosting Capacity Web Application (arcgis.com)* for pertaining circuit routes.

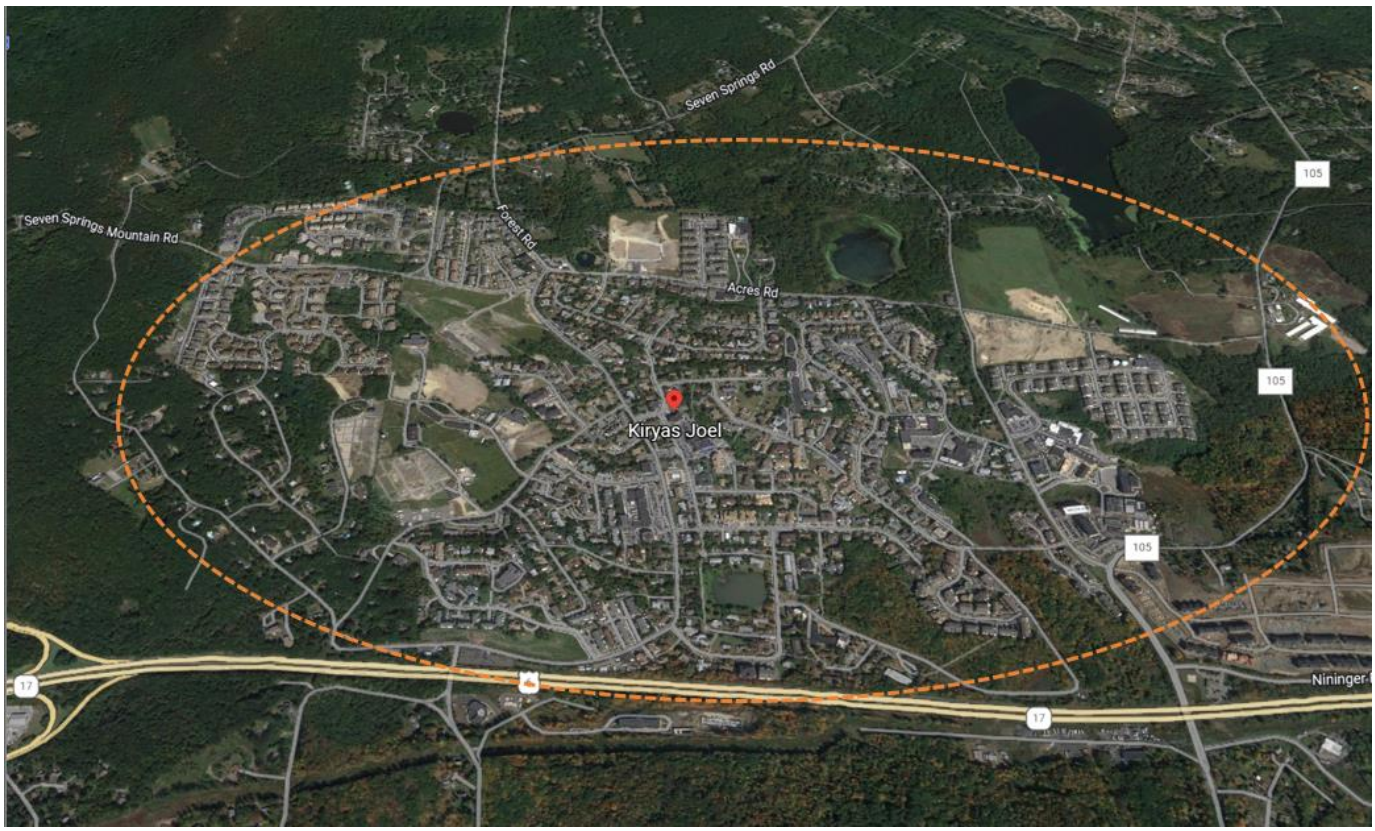

Figure 1- Area Where Load Relief is Needed

3.4. Project Proposal Requirements

Selected Respondent or Respondents, if subsequently contracted with to provide their solutions, will be required to provide full facility and equipment access to the Company and its representatives for pre- and post-installation inspections to verify the installations and the demand reductions, and for subsequent inspections (which may be performed at the Company's discretion), to verify continued operation and maintenance of the Energy Storage System measures for the applicable term.

The new energy storage system must be in service, and the pledged capacity must be guaranteed to commence, by the respective need dates for the applicable load area, to address forecasted summer overloads. The type of compensation structure must be included in the offer.

Vendors must provide all methods and procedures required to comply with technical, safety and operational requirements for the interconnection and operation of their equipment with the Company's electric delivery system, as well as performance measurement and verification (i.e., kWh delivered, availability %, etc.). The

Company reserves the right to require periodic witness testing on any proposed protective systems and electric system interconnections that could adversely affect the Company's electric delivery system should they fail.

Financial assurances will be required so that the committed amount of demand reduction measures will be installed and the committed in-service date for each measure will be met. Failure to achieve the committed demand reductions or to meet the committed in-service dates will result in liquidated damages and/or other consequences which will be established during the contracting process.

Of key importance to the review of any proposal is consideration of community impact. Proposals must provide information on elements of the proposal that affect the community (both positively and negatively) including, but not limited to, associated greenhouse gas ("GHG") emissions, waste streams and management, job creation potential and community disruption (e.g., changes to emergency preparedness plans or programs).

The Company is interested in proposals that will take advantage of funding available from other funding streams (e.g., participation in NYISO markets or NYSERDA funding). Respondents should also identify their ability to execute the project by providing reference to successful similar projects that they have completed in other jurisdictions. Respondents are to provide detailed explanations and validation of such funding strategies, including examples that are provable and repeatable.

3.5. Functional Requirements

A detailed Questionnaire is included in Attachment A. Please provide your responses in the document and submit with your RFP proposal. Major categories within the Questionnaire include:

- Cost per MW and cost per MWh;
- Measurement & Verification confidence plan;
- Environmental and Community Impacts;
- Other Additional Information to clarify or further explain the RFP proposal.

3.6. Detailed Project Plan and Timeline to Implement Solution

Proposed energy storage measures must be in service, and the pledged demand reduction must be guaranteed to commence, by the date(s) specified in the Project Description section above.

- Responses must contain a detailed plan and timeline to implement the solution including:
  - General scope of work;
  - Customer acquisition and marketing plan, if applicable;
  - Communications plan to reach out to local AHJs (Authorities Having Jurisdiction); and first responders;
  - Financing, including transaction structures and pricing formulas;
  - Implementation plan and schedule of tasks with beginning and possible end dates;
  - Identified risks and possible impact to the project timeline; and
  - Operation and Maintenance plan
- The response must contain a detailed measurement and verification ("M&V") plan for verifying the solution's load reduction. The plan must include provisions for access by the Company and/or its

representatives for quality control and quality assurance. Independent M&V may be performed at the Company's discretion. The Company's M&V will include, but not be limited to, verification of continued operation and maintenance of the energy storage system for the applicable term.

- Proposals must provide information on elements of the proposal that affect the community (both positive and negative) including, but not limited to, associated GHG emissions, waste streams and management, job creation potential, and community disruption.
- Respondents should also address their strategy of engagement with the local Fire Department and first responders for the development of the Emergency Response Plan
- Respondents should address their strategy to relocate the energy storage system after five (5) years from the temporary location to its final resting site at the Substation.
- Proposals must outline a detailed timeline from project planning and contracting, to implementation and completion of the proposed solution.

3.7. Detailed Costs and Financing Structure

Respondents must provide the project costs including at the minimum the details stated below:

- Detailed cost breakdown of the line items shown below (details to also be filled out on Appendix A):
  - Energy storage technology
  - Size
  - Material Cost
  - Labor Cost
  - Interconnection Costs in both temporary and final resting location
  - Relocation Cost
  - Administrative Cost
  - Project O&M Cost
  - Total Project Cost

- Respondent should itemize and identify various items in each of the cost buckets above, i.e., material cost components, labor cost components.
- Respondents should address any estimated costs associated with implementing the proposed technology/solution, including the electric load needed to run the energy storage system, and external water resources, among others.
- Respondents should identify other funding streams that may be used to mitigate cost impact to the Company's customers (e.g., City, State, and Federal funding opportunities). Respondents should also identify if private sector funding will be used.
- Cost structure for multiple scenarios including up-front lump-sum payment as well as annual payments over a specified contract tenor and term.

- Estimated interconnection costs of the proposed solutions.
- Cost to de-commission and re-commission the battery in a new location, by leveraging existing energy storage system infrastructures and equipment
- Respondents should also provide the cost of the solution by $/kw-month, $/MWh, and $/MW for the availability period as discussed in section 2.2.
- Respondents should address their strategy for maintaining capacity for the duration of the asset lifetime and provide the cost for doing so, whether it be a higher up-front cost for overbuild or a maintenance

cost for the life of the project. Other maintenance strategies will also be accepted

- Respondents shall propose a Utility-ownership contract structure, where O&R owns the storage system while operation and maintenance is performed by the vendor for the first five years, with optionality to renew O&M contract.
- Provide any end-of-life considerations and their costs i.e. removing the equipment after the end of its lifecycle, repurposing the equipment, recycling and/or site remediation and costs to restore the initial site of the project after relocation of the system to the new Substation.

The proposal must specify the data (e.g., detailed calculations) and methodology used to determine any of the estimates provided by the Respondent.

The Company is interested in projects that will go above and beyond the need to identify cost-effective opportunities to reduce customers' total bill. This may include upsizing the energy storage beyond the need, in order to participate in additional revenue streams that will further reduce the overall cost of the project.

4. Proposal Evaluation Approach

Solutions proposed in response to this RFP will be reviewed in detail by O&R. O&R will use an evaluation framework to develop the optimal portfolio to address the identified need.

Respondents should also note that each measure of any proposal submitted, whether part of a single-measure proposal or a multiple-measure proposal, will be evaluated against other like measures for equal comparison. Thereafter, the Company may evaluate all measures in the aggregate in a manner that considers the overall benefit to the Company based on the criteria set forth in this RFP, and to include considerations that could allow for the selection of individual measures across multiple proposals.

4.1. Evaluation Criteria

O&R will review all solutions proposed in response to this RFP. Some of the main review criteria are listed below. The review process is designed to be fair and equitable, with the objective of identifying potential solutions that provide the greatest overall value to customers.

Evaluation criteria will include but not be limited to:

- Proposal content – Information requested has been provided and is comprehensive to allow for evaluation;
- Viability – the extent to which the Respondent's proposed solution would address the needed solution mentioned in this RFP;
- Technology –maturity, ability to scale, challenges in deploying proposed solution (as depicted in section 3.5);
- Functionality – the extent to which the energy storage system would provide the needed load reductions in the area (as depicted in sections 3.4 and 3.5);
- Environmental and community impacts associated with the proposed solution;
- Unit Cost – total cost, $/MWh and $/MW at peak required for the proposed solution, cost inclusivity (as outlined in section 3.7);
- Timeliness – the ability to meet O&R's schedule and project deployment requirements, also with a mind that the detailed project schedule from contract execution to implementation and completion of projects is important for determination of feasibility (as depicted in section 3.6);
- Price and reliability, particularly as compared to other proposed solutions along with the dependability and benefits that would be provided to the grid;
- Respondent Qualifications – the Respondent's relevant experience and success providing these solutions to other locations, including reference checks and documented results;
- Applicability to REV/CLCPA – the extent to which the proposed solutions support the goals and objectives outlined in the REV and CLCPA Proceedings;
- Feasibility – the expected ease of project implementation within the timeframe required for the proposed solution (e.g., permitting, construction risks, operating risks, siting, customer acquisition and interconnection challenges);
- Community impact – the positive or negative impact that the proposed solution may have on the community in the identified area (e.g., noise, pollution).
- Brief Communications Summary: At O&R, Communication and maintaining positive working relationships

with our municipalities and the communities we serve is essential. Therefore, it is imperative that potential vendors and contractors keep this in mind when approaching a municipality. Please provide a brief communication summary that demonstrates experience with stakeholder and community engagement methods.

4.2. Proposal Response and Submittal Instructions

Respondents are strongly encouraged to submit a proposal in accordance with the summary instructions outlined in this section, and such other requirements set forth in this RFP. Respondents are required to submit their bid response through the Company's Procurement System ("Oracle RFQ System"). Any limitation regarding Respondent's ability to supply information requested in this RFP (or to support or perform a particular function or service) should be explicitly stated in the proposal response. Any partnering with other solution providers to perform a particular function or service must be explicitly stated.

All proposals must be submitted through the Oracle RFQ System on or prior to the due date and time. Respondents who fail to submit by the due date and time will be locked out of the Oracle RFQ System and unable to submit their proposals. Therefore, Respondents are encouraged to upload their proposals well in advance of the closing time to avoid any potential issues that may occur, including unfamiliarity with the Oracle RFQ System, or otherwise. Respondents must take the following actions to complete their proposal submission:

1. Download this RFP and Supplier Enablement Template.
2. Become enabled in the Oracle RFQ System by submitting the below items to the specified contact: Lauren Armely at armelyl@coned.com (note that if respondent has previously been enabled in the Oracle RFQ System as part of a separate bid event then they do not have to do this again, but should email to the specified contact to notify them of participation interest for this RFP):
    a. W-9 form (version last updated); and
    b. Supplier Enablement Template (Select 'Sourcing' under Oracle responsibility field).
3. Receive Formal RFQ response request (will be same information downloaded from the website).
4. Submit response and fully completed questionnaire to Oracle RFQ System.

Responses delivered by hand or fax, regular mail, or any other method will not be accepted. O&R will not be responsible for late, lost, illegible or misdirected submissions.

Review of responses submitted to this RFP will be coordinated through the O&R Utility of the Future organization and other Company departments as necessary. O&R, at its option, may contact Respondents with additional questions or information requests. Additional action by O&R related to this RFP is solely at the Company's option. As such, the Company has no obligation to address questions, comments, or information requests related to this RFP after receipt of Respondents responses.

Contact Information and Questions

All Respondents should direct questions during the clarification question timeframe via email to the specified contact: Lauren Armely, armelyl@coned.com, of O&R's/Con Edison's Supply Chain Department. All questions and answers deemed essential for the viable submission of a bid response will be publicly posted at

https://www.oru.com/en/business-partners/business-opportunities/energy-storage . Respondent's identities will be kept confidential.

The Company will have no obligation to evaluate late submissions, nor be responsible in any way for any consequences associated with late submissions.

4.2.1. RFP Schedule

Below is the expected schedule to be followed for this solicitation:

RFP Solicitation Milestones	Completion Date*
RFP Issue	**July 8, 2022**
Pre-bid conference call (see details below)	**July 22, 2022**
Deadline to submit clarification questions	**July 29, 2022**
Responses to clarification questions due	**August 8, 2022**
Deadline to express interest in becoming enabled in O&R/Con Edison procurement system	**August 15, 2022**
RFP Opens in Oracle**	**August 15, 2022**
Qualified respondents' proposals due	**August 29, 2022**

*O&R reserves the right to change any of the above dates.
**Bidders that expressed interest in participating in this RFP (via email to Lauren Armely) will be added to the RFP within Oracle.

Pre-bid conference call details:

Date: Friday July 22, 2022

Time: 2:00PM EST

Microsoft Teams meeting

Join on your computer or mobile app

Click here to join the meeting

Join with a video conferencing device

839621855@t.plcm.vc

Video Conference ID: 119 027 768 2

Alternate VTC instructions

Or call in (audio only)

+1 518-708-8084,,425264955# United States, Albany

Phone Conference ID: 425 264 955#

Find a local number | Reset PIN

Calls may only be recorded for business purposes, upon notice to meeting participants.

Learn More | Meeting options

4.3. Proposal Response Format

Note: The Oracle RFQ System is only capable of accepting individual documents no larger than 5 MB in size. Respondents may find it necessary to split up large documents into smaller files due to these system constraints. The written proposal response for the energy storage solution should be organized as follows:

Proposal Section	Proposal Section Title
N/A	Cover Letter
N/A	Respondent Checklist (See Appendix of this document)
N/A	Table of Contents
1	Professional Background, Financials and Experience with the Proposed Solution (as described in Section 3)
2	Proposed Solution Response & Project Plan (as described in Section 3)
3	Cost Associated with Proposed Solution (as described in Section 3)
4	Assumptions and Expectations
Appendix	Glossary of Terms
Attachment A	Solutions Questionnaire
Attachment A2	MWBE Subcontracting Good Faith Effort
Attachment A3	MWBE Second Tier Utilization Plan Summary

4.3.1. Cover Letter

The cover letter shall include the following:

- The legal name and address of Respondent;
- The name, title and telephone number of the individual authorized to submit information and execute the Agreement;
- The signature of a person authorized to contractually bind Respondent's organization; and
- Statement that the Respondent has read, understands, and agrees to all provisions of the RFP or alternatively, indicating that exceptions will be taken to the RFP and identifying such exceptions.

4.3.2. Respondent Checklist

Respondent checklist: Respondent should provide to the Company the properly completed Respondent Checklist (Appendix) as part of the proposal.

4.3.3. Table of Contents

Respondent must include a clear identification of the proposal by section and by page number as identified above.

4.3.4. Professional Background and Experience with the Proposed Solution

This section is for the Respondent to provide an executive overview and summary of their company and general description of the key features of Respondent's proposed solution. It should include the items outlined in Section 3.1 of the RFP. Respondent shall also identify all subcontractors that it will employ to complete the proposed solution.

4.3.5. Proposed Solution and Project Plan

This is a response to the solution requirements as outlined in this document. Respondents should also provide a proposed project plan for the solution.

4.3.6. Costs Associated with the Proposed Solution

Respondents should provide a detailed breakdown of the costs associated with implementing the proposed solution.

4.3.7. Assumptions and Exceptions

Respondent should provide a list of assumptions made in developing the response to this RFP that should be considered when evaluating the response. Respondent should provide a stand-alone section listing any exceptions to the RFP (i.e., indicate which deliverables of the RFP Respondent cannot meet).

4.3.8. Glossary of Terms

Respondent should provide a glossary of terms that is specific to the Respondent's solution.

5. RFP Terms and Conditions

Each Respondent is solely responsible for including all pertinent and required information in its submission. O&R reserves the right to determine, at its sole discretion, whether a submission is incomplete or non-responsive.

Respondents should state clearly all assumptions made with respect to this RFP. In the absence of an explicit statement to the contrary, each Respondent shall be deemed to have agreed with and understood the requirements of this RFP. While O&R has endeavored to provide accurate information, O&R makes no warranty or representation of accuracy.

Any exceptions to the terms, conditions, provisions, and requirements herein must be specifically noted and explained by Respondent in Respondent's response to this RFP. O&R will assume that any response to this RFP expressly accepts all the RFP terms, conditions, provisions and requirements, except as expressly and specifically stated by a Respondent in Respondent's response to this RFP.

Respondents agree to keep confidential all information provided by O&R in connection with this RFP.

5.1. Qualifications of Respondents

The Company may make such investigation as the Company deems necessary to determine the qualifications of Respondent and proposed subcontractors to perform the work. A Respondent should promptly furnish any information and data for this purpose as may be requested by the Company. The failure of a Respondent to produce timely information and data requested by the Company may provide a basis for rejection of the proposal.

5.2. Proprietary Information

If a proposal includes any proprietary data or information that a Respondent does not want disclosed to the public, Respondent must specifically designate such data or information on each page on which it is found. O&R shall be held harmless from any claim arising from the release of proprietary information not clearly identified as such by a Respondent. Because of the need for public accountability, the following information regarding the proposal shall not be considered proprietary, even if such information is designated as such: pricing terms and non-financial information concerning compliance with RFP specifications.

5.3. Cost of Proposal Preparation

The cost of preparing a proposal in response to this RFP, including, but not limited to, the cost associated with site visits and preliminary engineering analysis, is solely Respondent's responsibility and will not be reimbursed by O&R.

5.4. Right to Reject

This RFP shall not be construed to establish an obligation on the part of O&R to enter into any contract, or to serve as a basis for any claim whatsoever for reimbursement of costs for efforts expended by Respondent. Furthermore, the scope of this RFP may be revised at the option of O&R at any time, or this RFP may be withdrawn or cancelled

by O&R at any time. O&R shall not be obligated by any statements or representations, whether oral or written, that may be made by the Company, its employees, principals, or agents in connection with this RFP.

O&R reserves the right to accept any responsive proposal, to reject any and all proposals, and to waive irregularities or formalities if deemed to be in the best interests of the Company. Any such waiver shall not modify any remaining RFP requirements nor excuse any Respondent from full compliance with all other RFP specifications and contract requirements if the Respondent is awarded the contract. O&R shall reject the proposal of any Respondent that the Company determines not to be a responsible bidder, or whose proposal the Company determines to be non-responsive.

O&R reserves the right to withdraw this RFP at any time and for any reason, and to issue such clarifications, modifications, and/or amendments as it may deem appropriate. Receipt by the Company of a response to this RFP confers no rights upon a Respondent, nor any obligations upon the Company.

5.5. Revision to the RFP

O&R reserves the right to make changes to this RFP by issuance of one or more addenda or amendments and to distribute additional clarifying or supporting information relating thereto. O&R may ask any or all Respondents to elaborate or clarify specific points or portions of their submission. Clarification may take the form of written responses to questions or phone calls or in-person meetings for the purpose of discussing the RFP, the responses thereto, or both.

If it becomes necessary to clarify or revise this RFP, such clarification or addendum shall be issued by the Company by letter, email, or written addendum to the RFP. Any RFP addendum shall be delivered by hand, certified mail, facsimile, e-mail, or delivery by courier service which certifies delivery. Only those respondents that have already received the proposal documentation directly from the Company will be provided the clarification. Any addendum to, and/or clarification or revision of this RFP shall become part of this RFP and, if appropriate, part of the Agreement that derives from the RFP.

5.6. Basis of Contract Award

Any contract award(s) that may be made by the Company shall be made to the most responsive and responsible respondent meeting the specifications, price and other factors considered, as determined by the Company, in its sole discretion. The proposal evaluation criteria are set forth within this RFP.

5.7. Duration of the Contract

The duration of the Agreement will be for a term agreed to by O&R and the Respondent during contract negotiations and will depend on the parameters of the proposed solution(s). Agreements will typically commence upon the completion of construction and commencement of operation of the solution unless otherwise provided herein. In the event that the Company determines not to proceed with the project, the successful Respondent will be paid in accordance with the amounts as agreed by the Respondent and the Company.

5.8. Underperformance

Respondents should note that failure to deliver load relief committed to as part of any solution may result in liquidated damages and/or other consequences provided for by the contract between Respondent and O&R.

5.9. Security

Respondents are put on notice that if a Respondent's solution is selected, then Respondent will be required to furnish security to O&R that demonstrates, among other things, financial capability to pay liquidated damages in the event that the Respondent fails to satisfy its Load Reduction Guaranty during the period required.

5.10. Subcontracting and Assignment

No portion of the work associated with any project resulting from a successful response to this RFP by a Respondent may be delegated, subcontracted, assigned, or otherwise transferred without the prior written approval of the Company in each case.

6. Supplier Diversity

6.1. Definitions

"MWBE" refers to a business concern that has been certified by a qualified independent third party agency (e.g. City/ State agencies or private certifying organizations such as NMSDC and WBENC) to be at least 51% owned, managed, operated, and controlled by one or more principles who are either ethnic minority members (Minority Business Enterprises/MBEs) or women (Women Business Enterprises/ WBEs).

"MWBE 2nd Tier Utilization Plan" is a subcontracting plan that Supplier has developed to specifically have 2nd Tier MWBE expenditures for this agreement.

"Direct 2nd Tier Spend Reporting" is used by Supplier to report MWBE expenditures that directly relate to payments made to certified diverse suppliers to the deliverables or services being provided under the Agreement.

"Indirect 2nd Tier Spend Reporting" is used by Supplier to report MWBE expenditures that do not directly relate to the deliverables or services being provided under the Agreement.

Examples of indirect expenditures include "overhead" items such as professional services, office supplies, fuel, legal, accounting, and maintenance services. These "indirect expenditures" should be proportionately allocated and reported to Con Edison as outlined in the example below:

Formula to calculate Indirect 2nd Tier MWBE Expenditures		
#1	Your Company's Total Sales	$1,000,000
#2	Your Company's Total Sales to Con Edison	$200,000
#3	% of Sales to Con Edison (#2 divided by #1)	20%
#4	Total MWBE Prime Supplier Purchases	$50,000
#5	Prorated MWBE Purchases against Con Edison Sales (#3 times #4) Indirect 2nd Tier Spend Reported to Con Edison	$10,000
#6	% of MWBE Purchases/ Con Edison sales (#5 divided by #2)	5%

"MWBE 2nd Tier Utilization" are the percentages for Supplier's use of diverse suppliers in providing deliverables and services.

6.2. Minority-Owned and Women-Owned Business Enterprises

The Company recognizes the importance of Supplier Diversity in all aspects of our business and procurement practices and actively encourages the development, utilization, and economic growth of certified Minority-owned and Women-owned Business Enterprises (MWBEs). We are committed to including MWBE's as prime vendors, 2nd Tier subcontractors, and value-added resellers in our Supply Chain to the maximum extent practicable.

As such, supplier must outline how their procurement practices for tier-2 suppliers and manufacturers incorporates sustainable practices impacting both the company's service area and the material source's local community.

This section sets forth Supplier's required efforts related to The Company's Supplier Diversity Program, including Supplier's use of certified diverse suppliers and the regular reporting of such use.

6.3. Contract Goals

For purposes of this procurement, the company has established an overall goal of 10% for MWBE expenditures. We strongly encourage you to develop a plan to meet or exceed the 10% goal through the use of MWBE subcontractors and materials suppliers, as well as joint ventures, teaming agreements, and partnerships with MWBE firms. Your ability to demonstrate a commitment to supporting our MWBE goal will be considered in our bid evaluation.

6.4. Suppliers Good Faith Efforts

Supplier must make a good faith effort (see SDP Attachment A1 for further guidance related to Good Faith Efforts) to include MWBE Utilization spend and submit a MWBE Subcontracting Good Faith Effort Summary form (SDP Attachment A2).

Examples of Good Faith Efforts include participating in industry trade association outreach and matchmaker events, creating joint ventures or reseller agreements, with MWBEs, and including diverse vendors in bid list solicitations for subcontracting opportunities.

6.5. MWBE 2nd Tier Utilization Summary

Supplier is required to submit a MWBE 2nd Tier Utilization Plan Summary (SDP Attachment A3) outlining Vendor's plan to subcontract direct and/or indirect business to diverse suppliers.

The completion and submission of the MWBE 2nd Tier Utilization Summary does not constitute a contractual agreement between the Vendor and the named Subcontractor but is solely for documenting proposed compliance with Company Supplier Diversity Program requirements.

Supplier shall maintain the following records, which shall be made available to The Company upon request:

- Documentation of Subcontractor's MWBE certification
- List of MWBEs solicited for subcontract opportunities
- Organizations contacted to source potential subcontractors
- Documentation to support payment data

MWBE 2nd Tier Utilization Plan Summaries must be submitted with the RFP bid submission. A MWBE 2nd Tier Utilization Plan Summary must contain the following components:

1. Contract Number and/or Statement of Work (SOW) Number
2. Legal company name of the Supplier
3. Description of operational services and/or supplies to be subcontracted.
4. Target goal percentage to be subcontracted to diverse businesses.
5. Contact information for Prime Vendor's Supplier Diversity efforts.

6.6. Reporting

The supplier must submit 2nd Tier MWBE expenditures quarterly via the Company/ Supplier Gateway reporting portal reflecting (direct and indirect) dollars spent with MWBEs for the duration of their Company contract.

Reporting can be completed within The Company Supplier Diversity Portal by using the following link: https://coned.suppliergateway.com/ . Contact our Supplier Diversity Program for additional information at (212) 460-3076.

The supplier will designate a primary point of contact within its company that carries the responsibility for meeting our federal obligations regarding small business and corporate priorities regarding supplier diversity.

Appendix: Respondent Checklist

The Respondent must provide the following checklist which must be properly completed with the proposal and submitted to the Company as part of the proposal.

Checklist Item	Initial
REVIEWED ALL RFP DOCUMENTS AND LAWS AND REGULATIONS THAT IN ANY MANNER MAY AFFECT COST, PROGRESS, OR PERFORMANCE	
FULLY COMPLETED PROPOSAL ADHERING TO THE FORMAT PROVIDED WITHIN THIS RFP	
ENABLED IN CON EDISON PROCUREMENT SYSTEM	
FULLY COMPLETED ENERGY STORAGE SOLUTION QUESTIONNAIRE (ATTACHMENT A), AND PROCUREMENT RELATED ATTACHMENTS (A2 AND A3)	
• Summary	
• Energy	
• Financials	
• Additional Review Criteria	

NOTE: FAILURE TO COMPLY WITH RFP PROCESS, COMPLETION AND SUBMITTAL OF ALL THE ABOVE DOCUMENTS ON THE FORMS PROVIDED HEREIN, WILL RESULT IN A REJECTION OF YOUR BID.

By placing my initials in the boxes provided above, I acknowledge having read and that I understand fully all of the requirements of this RFP, including with regard to each of the documents referenced herein.

RESPONDENT (SIGNATURE):

RESPONDENT (PRINT NAME):

DATE: