



**Cooperativa
Hidroeléctrica
de la Montaña**



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09 diciembre 2022

Estimado Proponente para la Microrred de Maricao:

La Cooperativa Hidroeléctrica de la Montaña, en colaboración con el Interstate Renewable Energy Council (IREC), le invita a evaluar y responder a la Solicitud de Propuesta para el diseño y construcción del proyecto Microrred de Maricao, el cual comprende el diseño e instalación de aproximadamente 140 kWDC de sistemas fotovoltaicos con almacenamiento de energía de 169 kWh.

La Microrred de Maricao es la Fase 2(A) del proyecto Resiliencia Energética Fotovoltaica Comunitaria (ReEnFoCo) que consiste en diez (10) megavatios (MWDC) de sistemas fotovoltaicos de techo con veinte (20) MWh de almacenamiento distribuido en puntos estratégicas en los municipios de la Cordillera Central. Para ser considerado, la propuesta debe ser sometida antes de medianoche del martes, 10 de enero de 2023.

Respetuosamente,

C. P. Smith Quiles
Director Ejecutivo
Cooperativa Hidroeléctrica de la Montaña

Respetuosamente,

Carlos Alberto Velázquez
Program Director
Interstate Renewable Energy Council (IREC)



Request for Proposals ReEnFoCo Phase 2(A) Microrred de Maricao

Date Posted

09 diciembre 2022

Closing Date

Proposals shall be received no later than

**Tuesday, 10 January 2023 at 23:59 (11:59 p.m.)
Atlantic Standard Time (AST).**

Issued by:

Cooperativa Hidroeléctrica de la Montaña
26 Calle Betances
Utuaado, PR 00641

Interstate Renewable Energy Council
PMB 0909 1250 Ave Ponce de León
San Juan, PR 00907

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Request for Proposals ReEnFoCo Phase 2(A) Microrred de Maricao

Section I. Introduction

Representatives of the community of Maricao have authorized la *Cooperativa Hidroeléctrica de la Montaña* (Cooperative), in collaboration with *Interstate Renewable Energy Council* (IREC), to request proposals for the Engineering, Procurement and Construction (EPC), with or without financing alternatives, for an approximately 140 kWDC photovoltaic and 169 kWh battery storage project (Project) comprised of five (5) commercial, two (2) municipal buildings and three (3) residential rooftops in the community of Maricao located in west central Puerto Rico.

This municipality, with the second smallest population in Puerto Rico, is located on the western edge of the Cordillera Central adjoining the towns of Yauco, Sabana Grande, San Germán, Mayagüez, Las Marías, and Lares. Due to its geographical position, the community of Maricao is isolated by landslides when natural disasters occur, causing constant blackouts. In addition, when a power outage occurs (at least once a week), it takes days to re-establish the service, given how far the maintenance service brigades are. This situation affects residents' health, education, commerce, and daily life. After Hurricane Maria, the community experienced more than four months without electricity, thereby harming the lives of its residents and impairing essential services such as clean water, medical services and education for children. The absence of communication and recurrent landslides affected the quality of life of the residents since they were unable to reach other adjacent urban centers. After the passage of Hurricane Maria, small businesses organically organized the community to maintain business operations — with considerable effort and at great cost — using diesel generators for food and other essential services allowing residents to meet their basic needs, including respiratory therapies, preserving their medications, and connecting their cell phones to be able to communicate with their relatives outside the community.

More than 5 years after Hurricane Maria, the community continues to face many challenges due to a fragile, insecure, and intermittent electrical system causing residents to constantly relive the awful memories of the hurricane. Educational, commercial, health, economic development services, among others, have to cope with the intermittent electrical service causing continued inequality and disadvantage to the community when compared to the urban centers of other municipalities that surround Maricao.

The *Microrred de Maricao* is comprised of small businesses and municipal buildings that offer essential services for the residents of the community of Maricao. The microgrid will provide photovoltaic energy with storage to essential community services and will allow the residents of the community of Maricao to be more resilient in the face of natural disasters.

Section II. Request for Proposal Timeline

The following schedule is to advise all Proponents of key dates of the RFP process. Proposals shall be received no later than **Tuesday, 10 January 2023 at 23:59 (11:59 p.m.) Atlantic Standard Time (AST)**. Please note that the RFP timeline includes target dates that are subject to change.

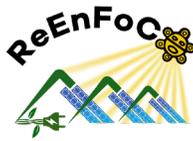
Milestone	Date
Request for Proposal posted	09 December 2022
Pre-Proposal Conference	14 December 2022
Site Tour	16 December 2022
Proposal Questions Due Date	30 December 2022
Proposal Questions Reply Date	04 January 2023
Proposals Due Date	10 January 2023
Proposals evaluated	16 January 2023
Selection notification	20 January 2023

Section III. Background

The *Microrred de Maricao* (Project) is a collaboration between the *Cooperativa Hidroeléctrica de la Montaña*, business and municipal leaders of the community of Maricao and the *Interstate Renewable Energy Council*. The objective of the Project is to provide selected businesses and residences in the community of Maricao with a (or several) microgrid(s) to provide electrical energy service supplied by rooftop photovoltaic systems coupled with a storage system such that their complete energy needs are supplied. The electrical energy systems must be connected via a microgrid to balance consumption with generation and offer improved community resiliency.

Maricao is a rural community set in the *Cordillera Central* of Puerto Rico that bridges the municipalities of Yauco, Sabana Grande, San Germán, Mayagüez. The urban center of Maricao is the site of several essential businesses that sustain the community given its remoteness and limited access points. Business owners lack reliable electrical service and often are without electricity for days at a time. In an effort to improve their electrical service and community resiliency, business leaders have selected the *Cooperativa Hidroeléctrica de la Montaña* as their community representative and project developer.

The *Cooperativa Hidroeléctrica de la Montaña* (Cooperative) is Puerto Rico's first electric cooperative and holds a 501(c)(12) designation. The *Cooperativa Hidroeléctrica de la Montaña's* mission is to provide cost-effective, resilient energy generated from renewable sources. The Cooperative's initial service area are the municipalities of Adjuntas, Jayuya and Utuado. The cooperative has three principal projects: *Hidroenergía Renace*, *Microrred de la Montaña* and *ReEnFoCo*. This Request for Proposals is in support of the Cooperative's *Resiliencia Energética Fotovoltaica Comunitaria* project (or Proyecto *ReEnFoCo*, by its acronym in Spanish), which translates to *Community Electricity Resiliency from Photovoltaics* project. Project *ReEnFoCo* consists of a total of ten (10) megawatts DC of rooftop photovoltaic with a total of twenty (20) megawatt hours of battery storage systems to be installed in the *Cordillera Central* of Puerto Rico. The *ReEnFoCo* project is focused on supporting businesses, community centers and residences located in strategic points of neighborhoods and sectors of the municipalities of Adjuntas, Jayuya and Utuado that suffered a lack of electricity service or were cut off as a result of the damage caused by the passage of Hurricane Irma and Hurricane Maria. Phase 2(A) is a pilot program represented by the



development of a microgrid for the community of Maricao and is intended to prove competency in key aspects of the project *ReEnFoCo*.

Interstate Renewable Energy Council (IREC) is a national 501(c)(3) nonprofit organization whose mission is to accelerate adoption of the world's most abundant energy source. Through its leadership, research, and capacity building, *Interstate Renewable Energy Council* (recently merged with The Solar Foundation) creates transformative solutions to achieve a prosperous future in which solar and solar-compatible technologies are integrated into all aspects of our lives. *IREC* and *PathStone Corporation* have been awarded a three-year grant (01-79-14864) by the *U.S. Department of Commerce Economic Development Administration* to develop two microgrid demonstrative pilot projects in Puerto Rico. The business community of the township of Maricao that bridges the municipalities of Adjuntas and Lares has been selected as the second of two communities for the microgrid development.

The *Cooperativa Hidroeléctrica de la Montaña* invites potential Contractors to submit their proposals to this RFP, the second RFP in support of the *Community Electricity Resiliency from Photovoltaics (Resiliencia Energética Fotovoltaica Comunitaria*, in Spanish, or by the acronym *ReEnFoCo*) project. The *Cooperativa Hidroeléctrica de la Montaña*, as part of its due diligence and to ensure a transparent and competitive selection process for the installation services, invites Contractors interested in participating to submit their Proposals for this opportunity. At the end of the evaluation period, the Selection Committee will select one (1) to three (3) Contractors based on the Selection Process and Criteria section of this RFP. Upon selection, the Cooperative will attempt negotiations with the Contractor(s) to determine if an agreement can be reached for the EPC of the Project.

The attached Proposal must be completed and sent at or before 23:59 AST on 10 January 2023 to the following email microrred@cooperativahidroelectrica.coop.

The *Cooperativa Hidroeléctrica de la Montaña* reserves the right to unilaterally cancel this *Request for Proposals* process at any time before or after the evaluation phase is concluded. An invitation to participate in the Request for Proposals process does not create a legal obligation to retain any Contractor to provide the services requested, including accepting any proposals submitted, the preliminary selection of a preferred Contractor, or engaging in negotiations with any selected Contractor in an attempt to reach a final agreement for the EPC Project. By participating in this RFP process, you acknowledge our unilateral right to cancel such at any time and for any reason, without any legal consequences for either party.

Section IV. Project — Microrred de Maricao

The *Cooperativa Hidroeléctrica de la Montaña* (Cooperative) requests the services of a qualified photovoltaic electrical energy Contractor (Contractor). For the purposes of this Request for Proposal (RFP), the term "Contractor" shall be used to reference to all responding entities, including all suppliers, installers, and sub-contractors that may be required to design, construct, and operate the proposed microgrid, including its potential financial structure.

Proposals are for a rooftop photovoltaic electrical energy Project estimated at approximately 140 kWDC and 169 kWh of electricity storage for the community of Maricao; however, it is the Contractor's responsibility to determine the optimum size of the Project for the community of Maricao. The Cooperative's intent is to solicit responses to the RFP in accordance with the terms, conditions, and other specifications contained herein.

Contractors of this RFP shall furnish all required analysis, engineering drawings, engineering services, engineering specifications, system design, construction management, equipment, labor, materials, professional services, supervision, supplies and other items of expense, project operations and sustainment required to perform the work specified in this RFP. The Selection Committee also expresses interest in evaluating financing, along with third-party ownership options provided by the Contractor.

Project Scope

The Project is a design-build project including engineering, procurement, and construction of a rooftop microgrid with equipment approved by the Selection Committee. The scope of services provided shall also include, but not be limited to designing and building, and maintaining a fully operational microgrid system, including but not limited to:

Photovoltaic (PV) Systems and Battery Energy Storage System (BESS): Contractor is responsible for design, build, operate and maintain in accordance with this statement of work, a photovoltaic (PV) electrical energy Project capable of producing approximately 140 kWDC and a BESS of approximately 169 kWh. Provide all permitting, site work and preparation, framing, PV solar panels, electric distribution system and other required equipment, as necessary and connect into the local utility system to provide a complete and useable microgrid system.

Regulatory Compliance: Contractor is responsible for design and installation compliance with all local, state, and federal laws and regulations. The Contractor shall be responsible for obtaining all relevant approvals and permits or amendment to existing permits associated with the Project. These may include, but are not limited to jurisdiction specific construction permits, electrical permits and interconnection permissions with the local utility. The costs for these approvals, agreements and permits shall be borne by the Contractor. The Contractor also agrees to assist the Cooperative in pursuing and/or securing any and all necessary regulatory approvals before the Puerto Rico Energy Bureau in conjunction with this Project.

Interconnection: Contractor is responsible for determining, designing and constructing the system per the interconnection requirements of the *Puerto Rico Electric Power Authority (PREPA)*, or its utility service successor, securing required permits from PREPA for all power generated by the Project, and for bringing any required interconnections to the microgrid site(s). Contractor shall coordinate with the Cooperative and PREPA, or its utility service successor, to ensure that an interconnection endorsement is approved prior to completing construction of the proposed Project.

Site Improvements: Contractor is responsible for design and installation site improvements, if and as required, to establish the microgrid or individual components and associated maintenance operations. Fencing should be installed for system protection and security as required.

Electrical: Contractor is responsible for ensuring all work shall be in accordance with the most current edition of the National Electric Code.

Finance: Contractor may include financing proposals such as a 20-year loan, lease or PPA as part of their Proposal. Under such scenario, ownership characteristics will be negotiated between the selected Contractor and the Cooperative, in representation of the *Microrred de Maricao* participants.

Performance Bond: Prior to EPC contract execution, the selected Contractor will furnish a performance bond which shall be used by the Cooperative in the event selected Contractor files for bankruptcy or is

determined to be in default of payments to subcontractors or other agreements. The performance bond amount will be determined by the Cooperative but may be valued at up to 100% of the total cost of the project. Any and all bonds will be from a Surety Company authorized to do business in Puerto Rico.

Warranty: All workmanship, excluding equipment, shall be warranted from defects for a period of five (5) years or longer. Equipment warranty will be in accordance with component manufacturer's and material supplier's policy.

Site

The Project site consists of the rooftops, associated structures and the electrical interconnection of the various systems of approximately five (5) commercial, two (2) municipal buildings and three (3) residential structures in the township of Maricao. Pictures of site assessments, drone aerial photographs and electrical consumption studies will be provided in a Data Room.

Schedule

Project installation shall commence within the first quarter of 2023. A phase of the project, including installation, testing and delivery, shall be completed before the end of the first quarter of 2023. The dimensioning of the first phase will be based on the photovoltaic designs presented in the proposal and established during the negotiation phase. The installation of the remainder of the project will be negotiated based on the design presented. The Selection Committee will consider financial incentives for early Project completion.

Type of Contract

Provided that this process is not cancelled or suspended by the *Cooperativa Hidroeléctrica de la Montaña* pursuant to the prior stated reservation of rights; the EPC contract will be awarded competitively to the best overall proposal considering the demonstrated capabilities and qualifications of such Contractor. The Cooperative envisions a *fixed-cost* contract for the Design, Engineering, Procurement and Construction of the Project. The Cooperative envisions a *cost-plus expenses* contract for the Operations & Maintenance services tied to a Service Level Agreement (SLA) performance contract. The Cooperative reserves the right to revise and modify the form and substance of the contract or to use an alternative contract as the Cooperative deems appropriate in its sole discretion. The Cooperative reserves the right to award the total proposal, to reject any or all proposals in whole or in part, and to waive any informality or technical defects if, in the Cooperative's judgment, the best interests of the Cooperative and its owner-members will be best served.

Load Profile Report

The Cooperativa Hidroeléctrica de la Montaña will share load data developed by IREC and the University of Puerto Rico (UPR-M) for several of the commercial and residential buildings. Contractors can download electronic copies of all the studies completed to date from the Data Room. However, Contractor will be responsible for assessing, confirming and evaluating electrical energy needs of the microgrid participants. The Cooperative, IREC and the UPR-M have completed pre-development work in support of the Project that work product will also be shared in the Data Room.

Section V. Technical Proposal

The interested bidders will have access to a Data Room hosted by the Cooperative, where they can analyze electrical consumption, load and electrical studies completed for businesses in the *Microrred de Maricao*, conceptual designs, pictures and general site assessment information for all properties. The Project design envisions two options to optimize system performance balanced with total Project cost:

- Option A: One microgrid connecting all businesses
- Option B: Two or more microgrids grouping clusters as distance and electrical distribution infrastructure allows

The Contractor is responsible for investigating and evaluating the options and including the solutions in their proposal. Although the Cooperative has conducted due diligence to establish the feasibility of the Project, the Contractor's Proposal should anticipate that unforeseen conditions or other factors could exist which may result in technical challenges to proceeding with the Project. This RFP and any other material provided by the Cooperative should be used as general guidelines for the Project system design and production modeling. The Cooperative cannot guarantee the accuracy of the information contained in the resource provided, though reasonable efforts have been made to ensure validity of statements made. The University of Puerto Rico analyzed the load study and energy bills at each of the identified sites and used software to derive the estimated photovoltaic system sizes. These estimates should be viewed as general guidelines and open to refinement. Individual sites may have more stringent requirements required upon Contractor inspection and study.

Section VI. Terms and Conditions

Definition

1. Contractor: All responding entities vying to be selected as the contracted entity required to design, construct, finance, operate and maintain the proposed microgrid, including all suppliers, installers, and sub-contractors.
2. Cooperative: *Cooperativa Hidroeléctrica de la Montaña*
3. IREC: *Interstate Renewable Energy Council*
4. *Microrred de Maricao* or Project: The microgrid(s) for the community of Maricao
5. Proposal: Signed submission by Contractor intended to satisfy the requirements of the RFP.
6. Selection Committee: Committee comprised of representatives from the Cooperative, community of Maricao and IREC. UPR-M professors shall be available to provide technical guidance to Selection Committee, if needed.

General

The laws and regulations of the United States of America and the Commonwealth of Puerto Rico will govern the Project and any subsequent Contract. The Contractor shall at all times comply with and observe all Federal and State laws, local laws, ordinances, and regulations which are in effect during the period of this contract and which in any manner affect the work or its conduct.

The Proposal must be signed by a person authorized by the Contractor to commit on behalf of the Contractor. All conditions, terms, definitions and specifications, etc. as set forth in this document along

with the information submitted by the successful Contractor, shall be considered the agreed to Scope of Work for the contract of the services set forth unless otherwise modified in writing by mutual agreement. If any provision of this contract shall be found to be contrary to any statute, the remaining parts of the contract shall remain in force.

Contractor is requested to submit Proposals on the basis of the Scope of Work. Alternative Proposals recommending new features, solutions and technology other than requested in the RFP shall receive consideration providing such new features, solutions and/or technology is clearly explained. Any exceptions to the requirements requested herein must be clearly noted in writing and be included as part of the Proposal.

Prior to signing the contract, selected Contractor shall provide all documentation requested, including:

1. Business identification (Letter of Good Standing, EIN)
2. DACO Registration in Puerto Rico
3. Copy of Articles of Incorporation (for Corporations) or Articles of Organization (for LLCs) or Qualification (Limited Partnerships), if applicable
4. Copy of active Business Licenses
5. Occupational and COVID-19 safety plan
6. Equipment and installation manuals
7. Design plans and engineer calculations signed and sealed by an Electric Engineer with a PV performance certification

The Selection Committee will provide any other information that is required for the submission of the proposal. At its sole discretion, the Selection Committee may require the submission of other information and certificates as condition precedent to the signing of the final contract with the selected Contractor.

Design & Installation Specifications

Project must be compliant with all applicable building mechanical, fire, seismic, structural and electrical codes and standards; these include but are not limited to relevant NEC 2017, UL, IEC, IEEE, and ASCE technical codes. Microgrid shall be roof mounted and capable of interconnection to the grid. Roof mounted systems must meet all fire department, code, and ordinance requirements for roof access. PV hardware and structural components must be corrosion resistant. Microgrid control system must be capable of real-time remote monitoring. Project design and system shall be built to the FEMA recommendations for high wind regions. System equipment and framework shall be designed and certified by an engineer to comply with PRBC 2018, NPFA 70, UL 467, UL 1703 and UL 2703 and relevant sections of the ASCE 7 series standards for Saffir Simpson Category 4 winds, with a preference for a design that conforms to ASCE 7 3-second design wind speeds for Saffir Simpson Category 5 winds. The Design Engineer shall document use of the Applied Technology Council (ATC) wind speed tool for Puerto Rico for the Project design rather than the models in ASCE 7-16. Contractor shall confirm with racking manufacturer that actual site conditions align with their base condition assumptions from wind tunnel testing. All roof penetrations must be properly flashed where required; and must comply with IBC standards and product manufacturer installation instructions. All wire management devices should be UL listed and intended for solar array installations. The EPC Contractor must specify the designed daily depth of discharge (DOD) and total number of cycles. The BESS must be designed to bolster resiliency of each

facility's critical loads. Protected loads must be located on back-up load panels with an automatic transfer switch. System shall be designed for a functional life of 20 years.

Contractor shall provide all Design and Installation specifications used to develop the Project, including:

1. Provide equipment datasheets, specifications, and manufacturer warranty coverage information of all proposed equipment including, but not limited to:
 - a. Rack and support system structure (also known as 'racking')
 - b. Photovoltaic modules
 - c. Combiner box
 - d. Controllers
 - e. Lithium battery energy storage system (BESS) with a capacity to be determined
 - f. Inverter
 - g. Other system parts (list and describe)
2. Preventive and Corrective Maintenance plan, including:
 - a. Respondent's capabilities and resources to conduct preventive and corrective maintenance activities to uphold the requirements
 - b. Respondent's expected response time to resolve critical failures and Service Level Agreement metrics

Insurance Requirements

Before the contract is awarded, the selected Contractor agrees to indemnify, hold harmless, and defend the Cooperative and IREC, its officers, agents and employees from any and all liability including claims, demands, losses, costs, damages and expenses of every kind and description or damage to persons or property arising out of or in connection with or occurring during the course of the Contract. Contractor shall maintain in full force and effect during the term of the agreement, the following insurance:

1. General Liability insurance of \$1 million dollars per occurrence, and \$2 million dollars aggregate per annum;
2. State Compensation Insurance Fund (Fondos de Seguro) insurance coverage as prescribed by the State of Puerto Rico for each different occupational fields;
3. Automobile Bodily Injury of \$1 million per occurrence, and \$2 million dollars per annum;
4. Crime coverage of \$1 million dollars per occurrence and per annum;

The *Cooperativa Hidroeléctrica de la Montaña* shall be designated as an additional named insured on the Vendor's policy, and an endorsement documenting there is no impediment to a claim by the Cooperative for a wrongful act of the Contractor. Contractor agrees to ensure subcontractor compliance with State Compensation Insurance Fund (*Fondos de Seguro*) insurance as prescribed by the Commonwealth of Puerto Rico for each different occupational field. The Cooperative reserves the right to require additional insurance coverage including an increase in insurance limits. Any insurance policy that is required from Contractor as a condition precedent for the signing of the contract must contain an endorsement stating that the insurance cannot be cancelled without first providing written notice of such intended cancellation in advance to the *Cooperativa Hidroeléctrica de la Montaña*, with at least 30 days of advance notice.

Conflict of Interest

Contractor shall certify that no officer, agent or employee of the *Cooperativa Hidroeléctrica de la Montaña*, IREC, PathStone, Economic Development Administration (EDA) or supporting organization has a pecuniary interest in this proposal or has participated in contract negotiations on behalf of the Cooperative, IREC, PathStone or supporting organization; that the proposal is made in good faith without fraud, collusion, or connection of any kind with any other Contractor for the same Request for Proposal; the Contractor is competing solely in its own behalf without connection with, or obligation to, any undisclosed person(s) or firm(s).

The Contractor must disclose, in an exhibit to the proposal, any possible or potential conflicts of interest that may result from the award of the Contract or the services provided under the Contract. Except as otherwise disclosed in the proposal, the Contractor affirms that to the best of its knowledge there exists no actual or potential conflict between the Contractor, the project manager(s) or its business or financial interests in the services provided under the Contract. In the event of any change in either Interests or the services provided under the Contract, the Contractor will inform the Cooperative, IREC, PathStone and supporting organizations regarding possible conflicts of interest, which may arise as a result of such change and agrees that all conflicts shall be resolved to the Cooperative's, IREC's, PathStone's and supporting organization's satisfaction, or the Contractor may be disqualified from consideration under this RFP.

Any person who identifies or suspects a Conflict of Interest may report such concern at the e-mail junta@cooperativahidroelectrica.coop with sufficient details to enable the Board of Directors of the *Cooperativa Hidroeléctrica de la Montaña* to investigate any alleged Conflict of Interest in accordance with the Cooperative's Articles and Regulations.

License Requirement

Contractor must possess all federal, state and local licenses required to develop and support the Project. Contractor must comply with the regulations established by Puerto Rico Energy Public Policy Program regulation. Contractor must identify the personnel who will be responsible for the Project design work, supervise the installation of photovoltaic systems and support equipment, as well as present the required evidence of credentials. If it does not have the necessary staff at the time of submitting a proposal, Contractor shall provide evidence to comply with this requirement before signing the Contract. Although not a requirement, additional training or certifications in microgrid design will be considered.

Nondiscrimination

It is the policy of the Cooperative and IREC not to discriminate on the basis of age, handicap, national origin or ancestry, race, color, religion, political party, creed, gender, gender expression, sexual orientation, marital status, service in the armed forces, or any other protected basis prohibited by applicable law. Contractor shall also abide by similar requirements and commits to not discriminate on the basis of any protected basis prohibited by applicable law.

Liability

The Contractor is solely responsible for the costs incurred in preparing its response to this RFP. Neither the Cooperativa and IREC or any of the other contributors to the development of this RFP will provide compensation for any such costs related to developing, preparing, researching, or submitting the RFP. The *Cooperativa Hidroeléctrica de la Montaña* and *Interstate Renewable Energy Council* reserves the right to

reject or accept any and all proposals for any reason, to withhold consideration of incomplete responses, to waive informalities or minor irregularities, or request additional information from the Contractor at its discretion.

Reservation of Rights

The *Cooperativa Hidroeléctrica de la Montaña* reserves the right at any time and for any reason, in its sole discretion, to:

1. Cancel this solicitation or reject all submissions.
2. Reject submissions that fail to prove the Contractor's responsibility, or access to sufficient working capital or insurance.
3. Reject submissions that contain conditions and/or contingencies that in the Cooperative's judgment, make the submission indefinite, incomplete, otherwise nonresponsive, or otherwise unacceptable to the Cooperative.
4. Waive minor irregularities in any submission provided such waiver does not result in an unfair advantage to any Contractor.
5. Reject the submission of any Contractor that has submitted a false or misleading statement, affidavit or certification in connection with such Proposal for this Request for Proposals.
6. Interview key personnel assigned by the Contractor for this project based on the responses to the Contractor Questionnaire or content provided in the Proposal.
7. Extend the date of solicitation of bids after publishing the extension to all interested parties.

Section VII. Negotiation of Final Agreement

The Selection Committee will evaluate and select a shortlist of one or multiple Contractors. Contractor Questionnaire and interviews will also be used to assist in making the final selection in addition to the Contractor submitted Proposal. Contractor must submit current data on qualifications and performance with proposals. After reviewing the qualifications and proposals the Selection Committee shall select for discussions Contractors, in order of preference, deemed to be most highly qualified to provide the required Project services. The Selection Committee may, at its option, request any or all Contractors to participate in on-site interviews. Discussions shall be conducted successively and severally with the selected Contractor with the anticipation that the parties will reach an agreement that shall be memorialized in a binding contract. Should the Selection Committee be unable to negotiate a satisfactory contract with the selected Contractor, negotiations with that Contractor shall be formally terminated. Negotiations shall continue with next best alternative Contractor until an agreement is reached that can be memorialized in a binding contract or the Selection Committee determines that no acceptable alternatives exist.

Section VIII. Submitting Response

The following outlines the format and minimum required information of the Proposal. Additional information is provided on the process of addressing questions, issuing addenda and the Designated Contact for the Request for Proposals.

Proposal Format

All proposals should be single-spaced in no less than 11-point font with no less than 1" margins in an electronic format that permits faithful reproduction and printing, such as in pdf format, and submitted to the following address microrred@cooperativahidroelectrica.coop. All files should be named: Microrred de Maricao — <Name of Company> — <Descriptive Title of Contents>. Proposals sent by mail or facsimile will not be accepted. Proposals will be opened at the bid submission deadline.

Proposals submitted after the designated time or to the incorrect e-mail address will not be considered in the selection process. All submissions are considered public documents unless there is data or information that is confidential due to its proprietary nature. Contractors must identify specifically those portions of their proposal that is confidential, if any, or contains confidential information. Any data or information considered confidential must be clearly marked "Confidential" and provided to the extent possible in a separate file and clearly marked in the file name that the contents are confidential.

Proposals may be modified or withdrawn by writing to the same e-mail address provided as the submission addresses prior to the Proposal Due Date. After the Proposal Due Date, no modifications will be permitted. Contractors may withdraw a Proposal after the Proposal Due Date only upon submittal of a formal written notice to the Cooperative, copying IREC, at the submission e-mail address provided. Withdrawal of any Proposal is immediately final and Contractor will be disqualified from the performance of any work related to the Project.

Minimum Proposal Information Required

Contractor must deliver the following documents in response to this RFP:

- Introductory letter about the applicant, including: Business Name, Address, email and telephone numbers
- Organization description, including: names and addresses of Officers, Directors and Principals of Business; names of key personnel with relevant experience and length of time in service of the Business with resumes; number of staff available for project in Puerto Rico
- Copy of Certificate of Resolution and Memorandum Authorizing Signatory on Business letterhead authorizing participation in the RFP
- Design of microgrid including equipment description, model, and brands
- Layout drawing of installation site providing location of all equipment
- Equipment details and specifications
- Project schedule, including permits, design, equipment procurement, installation and commissioning
- Project cost breakdown
- LUMA Energy grid interconnection requirements plan
- Close out report including system nameplate size, the overall installed costs of the system and estimated and guaranteed annual kilowatt hour (kWh) production
- If proposal includes financing, include monthly lease amount or PPA proposed
- Form of desired EPC contract

Questions & Clarifications

Request for additional information clarifying the Request for Proposal, Project Scope of Work or any other matter requiring clarification should be directed in writing to the following email: microrred@cooperativahidroelectrica.coop. The information contained herein is believed to be accurate but is not to be considered in any way as a warranty.

Addenda

All addenda issued before the Proposal Due Date shall become a part of the specifications, shall be covered in the Proposal, and will be made part of the Contract. It is the responsibility of each bidder to check for any addenda issued related to this RFP before submitting a proposal. Contractors must register with the *Cooperativa Hidroeléctrica de la Montaña* to gain access to the data room that will be used to share downloadable content. After registering with the Cooperative and downloading the RFP documents, Contractors will automatically receive notice of any addenda and/or answers to questions. Contractors are responsible for checking and monitoring for any addenda posted to shared drive before submitting their proposal.

Designated Contact

The Designated Contact for the Request for Proposal for the Project is:

C. P. Smith, Executive Director, *Cooperativa Hidroeléctrica de la Montaña*, 26 calle Betances, Utuado, PR 00641 and can be reached at support@cooperativahidroelectrica.coop.

Section IX. Selection Process & Criteria

The *Cooperativa Hidroeléctrica de la Montaña* is facilitating a competitive Request for Proposals process.

Eligible Bidders

Eligible bidders include: Engineering, Procurement and Contracting companies; Solar installation companies with demonstrated experience in projects of this scope and complexity; Solar Contractors willing to work in an innovative model of ownership and financing with communities leveraging the cooperative model. All companies must comply with Puerto Rico regulation 7796 and the Project will be designed and constructed in compliance with Microgrid regulation 9028.

Eligible Bidder Qualifications

Eligible Bidders will possess the following qualifications:

Experience: Contractor shall have demonstrated experience designing, planning, scheduling, permitting, and constructing photovoltaic electric systems, have relationships with/knowledge of local utilities, providing project financial analysis and rebate support, providing system monitoring and maintenance, and have established onsite safety standards. Contractor must complete the Contractor Questionnaire to document their experience and accompany the questionnaire with images of completed projects. The description of completed projects should include: (1) project location; (2) project initiation / completion date; (3) project final stage; (4) project generation and storage capacity; (5) use case (residential, commercial/utility); (6) whether the installation was a microgrid, and if a microgrid a general description of the microgrid design.

Reference Contacts: Contractor will provide a list of at least two clients of similar scope of work, with contact information.

Professional Certifications: Contractor must comply with the regulations established by Puerto Rico Energy Public Policy Program regulation, including Num. 7796 for the certification of renewable energy systems as well as any amendments or modifications approved for this regulation. Contractor must identify the personnel who will conduct the Project design work, supervise the installation of photovoltaic systems and support equipment, as well as present the required evidence of credentials. If it does not have the necessary staff at the time of submitting a proposal, Contractor shall provide evidence to comply with this requirement before signing the Contract. Although not a requirement, additional training, or certification in microgrid design will be considered.

Financial Capacity: Contractor must provide evidence that adequately and accurately demonstrates their financial capacity to cover any applicable up-front design and installation costs, any administrative or other costs associated with development, and any costs associated with recurring responsibilities, such as operations and maintenance. Before signing the contract, the winning bidder will provide evidence of:

- Performance Bond to the amount of the project cost
- Annual Financial Reports
- Balance Sheet/ Cashflow Statement

Customer Service Metrics and Performance: Contractor will submit a negative certification from the Independent Consumer Bureau (OIPC) and the Department of Consumer Affairs (DACO) of complaints filed with such agencies against their company. If there is a complaint, the Selection Committee will evaluate the merit of the complaint. If a significant portion of the work will be performed by a subcontractor, the same customer service requirement will apply to subcontracting company.

Request for Proposal Evaluation Criteria

Pass/Fail Criteria

- **Safety:** Contractor shall describe its safety program, safety record, compliance with OSHA directives and how Contractor will promote safety during the course of the project. (Pass/Fail criteria)
- **Administrative requirements:** Contractor shall provide a plan to comply with all other administrative requirements, including: bond; insurance; warranty; compliance with all applicable federal, state, and local building standards; and provide evidence of same to the Selection Committee. (Pass/Failure criteria)

Point Evaluation Criteria

The Selection Committee will use the following ratings to guide their selection of the most qualified Contractor. Maximum points 100

- **Experience:** Contractor shall provide a description of previous experience and qualifications successfully performing projects of the scale proposed in this RFP. Contractor shall include a Cover Letter that details their Statement of Qualifications. (25 points)

- **Microgrid(s) Design:** including how its design could accommodate future growth of the microgrid system to respond to new clients and includes: generating capacity and approximate installation sites, storage capacity and inverter type selection, rapid shut down compliance and racking system selection. (25 points)
- **Project Costs:** Contractor shall provide a cost and value proposal with a breakdown of engineering, equipment, materials, installation, permitting and operations and maintenance. The Contractor will detail an operation and maintenance schedule for the first five years of the project, paying particular attention to the pre-hurricane season preventive maintenance checks and adjustments on a yearly basis. (25 points)
- **Evaluation and Permits Approval Plan:** Contractor shall provide a descriptive plan that documents Contractor understands the Microgrid registration process with the Puerto Rico Energy Bureau and Interconnection of PV with storage with LUMA for Net Metering. (15 points)
- **Schedule:** Contractor shall provide a schedule for the design, engineering, permitting, procurement and construction of the microgrid(s) with lead and lag calculations tied to project uncertainty. (10 points)

Bonus Criteria

The Selection Committee will have at its sole discretion the ability to award no more than 10 points in total or in any combination for the following bonus factors, especially in an effort to distinguish between Contractor proposals that are similar, using the following secondary Evaluation Criteria:

- Business with offices located within 50 miles of Maricao, Puerto Rico
- Demonstrate that their business has a diversity and inclusiveness hiring and promotion policy
- Contract with a worker-owned cooperative, union shop, certified B-Corporation, or women-, or minority- or Historically Underutilized, owned Business enterprise(s)
- Prior experience installing community-based microgrids
- Prior experience installing PV-plus-storage projects in underserved sectors of Puerto Rico and/or United States
- Propose an Energy efficiency, Energy conservation measures Audit as part of the scope of work and work schedule
- Willingness to include On-the-Job training and solar workforce component as part of the installation process
- Able to offer an ongoing Operations and Maintenance program.

Evaluation & Award Criteria

To further emphasize, the Selection Committee is expecting to receive responses from Contractors that address the following important topics.

1. **Safety** — proposed and well-documented safety program, including adherence to OSHA standards.
2. **Scope** — proposed work plan and methods to ensure outstanding project workmanship
3. **Schedule** — proposed milestones and completion dates with lead and lag calculations

4. Budget — proposed project costs, including: installation cost breakdown; terms and conditions for project payment; and Preventive Maintenance cost proposal
5. Value —proposed overall value for the community of Maricao as represented by the Levelized Cost of Energy (LCOE)
6. Clarity and Completeness — proposal shall be clear, concise, and complete
7. Conformance —responsive to the requirements outlined in the RFP
8. Experience — the comprehensive qualifications and experience of the Contractor in completing similar projects
9. Insurance — ability of Contractor to meet insurance requirements
10. Preventive and Corrective Maintenance — capabilities and history in conducting necessary preventive and corrective maintenance in a timely manner
11. Warranties — warranties, quality of proposed equipment, and financial stability of the original equipment manufacturers
12. Client references — performance on previous projects and responsiveness in solving project challenges

Section X. Statement of Confidentiality

This RFP contains confidential and proprietary information of the *Cooperativa Hidroeléctrica de la Montaña*, businesses of the community of Maricao, and the Interstate Renewable Energy Council, which is provided for the sole purpose of permitting the Proponent to respond to this RFP. The Proponent agrees to maintain the confidentiality of the information and to not disclose this information to any person outside the Proponent’s team responsible for preparing the proposal for this RFP. This document should only be used to prepare the proposal for this RFP.

Section XI. Pre-Proposal Conference & Site Tour

A pre-proposal conference will be held online via Teams video teleconference on 14 December 2022 at 15:00 AST (3 p.m.). Registration is required. Please request the link to the meeting at microrred@cooperativahidroelectrica.coop. This meeting is not mandatory; however, the Selection Committee recommends that interested potential Contractors attend. The purpose of this meeting is to discuss the project with potential Contractors and clear up any points and answer any questions concerning the RFP. Any questions and answers furnished in the pre-proposal meeting will not be official until verified in writing through an addendum. Any interpretation of the scope of work of the Project shall be made in writing to all prospective providers. Verbal explanations shall not be binding.

There will be a site tour offered on 16 December 2022 at 11:00 AST (11 a.m.). Please request the meeting location at microrred@cooperativahidroelectrica.coop.

Section XII. Contractor Questionnaire

Please answer all the following questions:

1. How many years has Contractor been in business?
2. How many years has Contractor provided photovoltaic and/or Battery Energy Storage System (BESS) installation services?
3. Please provide in a table relevant project experience from the past 3 years: Project Location; Project Start Date; Project Completion Date, Project Generation Capacity; Project Storage Capacity; Use Case (e.g., Commercial, Residential, Utility); whether the project was a microgrid; and general description of the project design.
4. In the past three years, has Contractor had any project that was terminated by the owner which required completion by another party? If yes, please provide the project name; location; owner or contact person; telephone number; contract value; dispute amount; date; and reason for termination or dispute.
5. Has Contractor, an affiliate company, or any owner ever declared bankruptcy or been in receivership? If yes, please describe the circumstances including the date that bankruptcy or receivership was filed and the disposition of the bankruptcy.
6. Has Contractor had any arbitration or litigation in the past five years related to photovoltaic installation service agreements? If yes, state the project name, location, owner/contact person telephone number, amount of dispute, and include a brief description and final resolution.
7. In the past five years, has Contractor had any outstanding liens or stop payment notices for labor and/or materials filed against it on any contracts where construction has ceased? If yes, state the project name, location, owner/contact person, telephone number, amount of dispute and a brief description of the situation.
8. In the past 10 years, has Contractor or any of Contractor's owners, officers, or partners been found liable in a civil suit or found guilty in a criminal action for making any false claims or material misrepresentation to any public agency? If yes, please explain.
9. In the past 10 years, has Contractor defaulted on an agreement? If yes, please explain.

Based on the responses to the Contractor Questionnaire or content provided in the Proposal, the Cooperative and the Selection Committee reserves the right to interview the key personnel assigned by the Contractor for this project.