



Request for Proposals for:
Capacity and Energy (2023-2028)



Issue Date: June 15, 2022

Proposal Due: July 19, 2022

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1. Introduction

1.1 Overview

Central Municipal Power Agency/Services (CMPAS) serves as a public power joint action agency providing power management and utility services for its electric utility members and affiliates. As an agent of the Central Minnesota Municipal Power Agency (CMMPA), CMPAS operates as a project-oriented, partial, or full-requirements agency. CMPAS provides a wide range of services including strategic management, long-term power supply planning and procurement, energy market scheduling services, transmission ownership, project development and administration, utility accounting and finance support.

1.2. Purpose

The purpose of this RFP is for CMPAS to identify potential supply options for:

- 1) Up to 10MW capacity MISO Zone 1 and 5MW capacity MISO Zone 3,
- 2) Up to 10MW Energy product (7X24) at MISO Minn Hub, and/or
- 3) Up to 10MW on-peak energy product (5x16) at MISO Minn Hub.
- 4) 5-10 MW solar installed capacity and energy, including associated Minnesota eligible environmental attributes within the MISO footprint (Zone 1 or Zone 3 preferred)

The proposals for items 1 through 3 above should be for a 1–5-year term starting in 2023. Each MISO Planning Year is based off a twelve-month period from June 1st of each year to May 31st of the succeeding year. Item 4 term is negotiable. CMPAS is willing to accept multiple Proposals from a Respondent for any or all of the above items.

1.3 Notice of Disclaimer

CMPAS does not make, or will be deemed to have made, any current or future representation, promise or warranty, expressed or implied in the production of this document. CMPAS reserves the right to modify or supplement this RFP as deemed necessary. All recipients and participants of this RFP are responsible for

all costs incurred in evaluating and responding to this solicitation and/or through the negotiation process. CMPAS in its sole discretion and without any limitation may refuse to accept and or evaluate any and all Proposals and to proceed in a manner that is deemed appropriate. CMPAS may modify these criteria at any time without prior notification. CMPAS also reserves the right to negotiate with Respondents once Proposals are submitted. CMPAS may also make a request for additional information regarding any Proposal submitted at its discretion. Rejected Respondents will have no claim against CMPAS or any employees or officers of CMPAS.

1.4 Confidentiality

All Proposals shall become the exclusive property of CMPAS. The Respondent shall treat and preserve ALL information, data and communications received from CMPAS as confidential and will only distribute to such personnel who are required as part of this RFP process. CMPAS will consider as confidential only those portions of the Respondent's Proposal that are clearly marked as confidential. It is however possible that Proposals may become subject to discovery and disclosure as required in regulatory or judicial proceeding. In such cases, Respondents may also be required to discuss such Proposals if requested by a state, governmental or other agency or court. Respondents may be required to sign a confidentiality agreement once negotiations begin. CMPAS recognizes that proposals submitted through this process may contain sensitive information. This information could be confidential and represent a competitive business strategy. Unless authorized by the bidder or required by law, CMPAS will hold the identity of participating counterparties and the contents of each proposal received confidential.

2.0 Information and Instructions for Respondent

2.1 RFP Administration and Contact Information

All Respondent communications shall be directed to the Official Contact as listed below. All oral discussions or communications will be considered unofficial and non-binding. CMPAS will only rely on the written electronic Proposals provided by the Respondents. The Subject line must be "CMPAS Capacity and Energy RFP".



The notifications should be directed to:
robert.patrylak@patrylakenergyadvisors.com.

Contact: Robert Patrylak

Title: Managing Partner and CEO, Patrylak Energy Advisors

Office Phone: 404-731-7802

RFP Email: robert.patrylak@patrylakenergyadvisors.com

2.2 RFP Schedule

RFP proposal and Evaluation Schedule

Release of RFP June 15, 2022

Notification of Interest June 24, 2022

Submittal of Questions by Bidders June 24, 2022

Response to Questions July 1, 2022

Bid Submittal Deadline July 19, 2022

Evaluation of Proposals September 16, 2022

Notification of Shortlist of Bidders September 23, 2022

Finalize Contracts with Shortlist Bidders October 14, 2022

Bidders may be given the opportunity to refresh pricing for best and final pricing on October 15, 2022.

Final Decision November 18, 2022

Required Capacity Start Date June 1, 2023

CMPAS reserves the right to unilaterally revise or suspend the schedule or terminate this RFP process at its sole discretion without liability to any Party. Any such changes will be posted on the CMPAS website: www.cmpas.org. CMPAS will provide answers to Bidders' questions via e-mail, in a form of Letter of Clarification(s) or Addenda.

2.3 Notice of Intent to Bid

Please use the RFP Email address in Section 2.1 to give Notice of Intent to Bid by June 24, 2022. Please provide the following information when submitting the notice of intent to bid.

- Subject: CMPAS Capacity and Energy RFP
- Company name and address
- Authorized representative or point of contact with name, title, phone number and email address

2.4 Preparation and Submittal of Proposals

Respondents should note the following:

- All Proposals must be submitted and received electronically with the form provided in this document (form located at end of this document).
- All Proposals must be signed by a representative who is authorized to bind the Respondent to a contract.
- Proposal pricing and terms must remain in effect until December 31, 2022, with any contingencies clearly noted.
- To be considered and accepted, an electronic version of the Proposal must be sent to the defined RFP Email address in Section 2.1 no later than 5:00 PM Central Prevailing Time July 19, 2022.

2.5 Evaluation Criteria

It is CMPAS's intention to make the evaluations and rankings as fair and objective as possible while balancing multiple factors. After Proposals have been evaluated, a short-list may be identified for further negotiations. CMPAS will not only consider price, but also how the product would fit into CMPAS's current portfolio as well as the items noted below:

- Responsiveness of Proposal
- Logistical, technical, economic, and commercial viability of Proposal
- Integration into CMPAS's portfolio and utilization in the MISO Integrated Marketplace

- Financial qualifications of Respondent

The criteria listed are not meant to be all inclusive, nor are they in any particular order of importance.

2.6 Financial Qualifications

The financial stability and creditworthiness of each Respondent is an important consideration for CMPAS. The level of creditworthiness may significantly impact CMPAS’s decision to contract with a Respondent. Prior to execution of a contract, CMPAS will require the Respondent to provide financial documentation sufficient to adequately evaluate the financial stability and credit worthiness of the Respondent.

2.7 Errors, Modification or Withdrawal of Proposal

Each bidder is expected to carefully review the information provided in this RFP as it contains important instructions which must be followed in preparing the proposal. The bidder assumes the risk of any non-compliance resulting from errors on the part of the bidder or the failure of the bidder to follow the RFP.

Amendments to proposals received by CMPAS will only be accepted if submitted by the bidder prior to the proposal due date. The bidder may withdraw a proposal by giving notice to CMPAS at the email address noted prior to the proposal due date with the subject line “CMPAS Capacity and Energy RFP”.

2.8 Reserved Rights

CMPAS reserves the right to request further information, as necessary, to complete its evaluation of the proposals received. Bidders agree that they are submitting their proposals without recourse against CMPAS for any reason, including rejection or failure to execute a PPA for any reason. CMPAS will not reimburse bidders for costs incurred in responding to this RFP for any follow-up negotiations, whether or not such negotiations result in a PPA.

2.9 Disqualification of Proposal

CMPAS reserves the right, without qualification and in its sole discretion, to reject any and/or all proposals and to consider alternatives outside of this solicitation. A proposal may be disqualified at any point in the evaluation process if CMPAS determines, in its sole discretion, that the bidder has attempted to gain an advantage through conduct deemed unethical, conflict of interest, interference or any such means.

2.10 Credit and Risk Concerns

In reviewing and considering proposals, CMPAS will analyze potential credit and/or risk concerns in any comparison of proposals. As part of the detailed evaluation, CMPAS may specifically weigh the credit- and risk-related factors and/or costs underlying each of the proposals. The pricing provided shall expressly include the costs of credit support. CMPAS will review and assess the sufficiency and adequacy of the proposed credit support and may request additional credit support sureties, as determined at CMPAS's sole discretion.

2.11 Collusion

By submitting a proposal to CMPAS in response to this RFP, the Respondent certifies that the Respondent has not divulged discussed or compared its proposal with other Respondents and has not colluded whatsoever with any other Respondent or parties with respect to this or other proposals.

2.12 Consents and Approval Process

Any definitive agreement entered into will be conditioned upon regulatory actions and/or approvals by regulatory authorities. CMPAS reserves the right to seek any additional regulatory consents and approvals of third parties or governmental authorities as a condition to consummation of any transaction. All consents or approvals must be in form and substance satisfactory to CMPAS. Respondents will be required to support CMPAS's efforts in securing all consents and approvals.

2.13 Compliance with Regulations

The Respondent(s) whose proposal is selected for continued evaluation will be responsible for acquiring and/or verifying that it is in compliance with all necessary licenses, permits, certifications, reporting requirements and approvals required by federal, state, and local government laws, regulations, and policies, including if applicable, for the design, construction and operation of the project. In addition, the Respondent shall fully support the regulatory approval process associated with any potential acquisition arrangement. Respondents shall be liable for all of its costs, and CMPAS shall not be responsible for any of the Respondent's costs incurred to prepare, submit, or negotiate its proposal, or any other related activity.

3.0 Form, Submission, Proposal Terms and Pricing Details

3.1 Submission Requirements

By submitting a proposal, each bidder agrees to accept and abide by the terms of this RFP. All costs incurred in responding to this RFP and preparing a proposal shall be borne by the bidder. CMPAS will not reimburse any bidder for costs incurred in responding to this RFP or for costs incurred during any subsequent negotiations related to this RFP. Proposals for this RFP must be received in accordance with the RFP Schedule. Please be prepared to conduct follow-up discussions upon submission of your proposal. A bidder may submit more than one proposal. Each proposal submitted by a bidder will be evaluated separately and must therefore meet all the requirements of this RFP on an individual basis. This will be an open RFP process, however non-firm resources or products will not be considered. CMPAS will only evaluate Proposals for products that are firm in nature and can be accredited for capacity and utilized for energy as defined by the MISO Tariff, Integrated Marketplace Protocols, and Planning Criteria.

- All Proposal Respondents MUST complete and submit the form provided at the end of the RFP.
- The availability of capacity product should be annual or can be adjusted for MISO seasonal construct changes (can be different pricing and different capacity amounts by season).

- CMPAS will not consider off-peak only products.
- Only energy with an on-peak, 5x16 or around the clock 7X24 energy will be considered for an energy product.
- Proposals must be for capacity that is accredited (Zonal Resource Credit – ZRC) and energy that is offered in accordance with MISO requirements.
- Capacity charges must be stated in a single \$/ZRC per year price, inclusive of all applicable costs. Price may escalate over time.
- On-peak energy must be stated as single \$/MWh price, inclusive of all applicable costs (variable operations and maintenance costs (VOM), environmental, etc.). Price may escalate over time.
- Energy purchases will be scheduled through MISO Bilateral Settlement Schedules or exchange cleared.
- No contingencies to firmness allowed.
- All Proposals must be for capacity/capacity and energy either inside of the MISO footprint or delivered to the MISO border utilizing firm transmission. External resources shall provide proof of firm transmission.
- Three years of the most recent audited financial statements and footnote disclosures of the Seller or if not available, of the Guarantor or Letter of Credit provider
- If available, the most recent external rating agency report of the Seller, Guarantor, or Letter of Credit provider as applicable
- The governing Agreement will be the MISO Tariff.
- CMPAS plans to use NAEMA contract and NDA for finalizing agreement between the parties.
- The winning bid will be subject to negotiations over a binding contract upon execution of a Non-Disclosure Agreement (NDA).

3.2 Submittal Tables and Signatory Requirements

- Signatory must be an individual with the authority to contractually obligate Respondent.
- Information must include name, title, business name and address as well as contact information and state of incorporation.

| 1.1.1 Zone 1 Planning Year | Quantity (# of ZRCs) | Delivery Point | Contract Price (\$per ZRC per year) |
|---|---------------------------------|---------------------------|--|
| 2023-2024 | | LRZ1 | |
| 2024-2025 | | LRZ1 | |
| 2025-2026 | | LRZ1 | |
| 2026-2027 | | LRZ1 | |
| 2027-2028 | | LRZ1 | |

| 1.1.1 Zone 3 Planning Year | Quantity (#of ZRCs) | Delivery Point | Contract Price (\$per ZRC per year) |
|---|--------------------------------|---------------------------|--|
| 2023-2024 | | LRZ3 | |
| 2024-2025 | | LRZ3 | |
| 2025-2026 | | LRZ3 | |
| 2026-2027 | | LRZ3 | |
| 2027-2028 | | LRZ3 | |

| 1.1.2 Planning Year | 7X24 Quantity (MWs) | Delivery Point | Contract Price (\$per MW-hour) |
|--------------------------------|--------------------------------|---------------------------|---|
| 2023-2024 | | Minn Hub | |
| 2024-2025 | | Minn Hub | |
| 2025-2026 | | Minn Hub | |
| 2026-2027 | | Minn Hub | |
| 2027-2028 | | Minn Hub | |

| 1.1.3 Planning Year | 5X16 Quantity (MWs) | Delivery Point | Contract Price (\$per MW-hour) |
|--------------------------------|--------------------------------|---------------------------|---|
| 2023-2024 | | Minn Hub | |
| 2024-2025 | | Minn Hub | |
| 2025-2026 | | Minn Hub | |
| 2026-2027 | | Minn Hub | |
| 2027-2028 | | Minn Hub | |

1.1.4 Solar Project:

| | |
|---|--|
| Project Name | |
| Project Location | |
| Project Size Total (MW) | |
| Proposal Offer Size (MW) | |
| Point of Interconnection (POI) | |
| Project Commercial Operation Date (COD) | |

| 1.1.4 Planning Year | Quantity (# of ZRCs) | Delivery Point | Contract Price (\$per ZRC per year) |
|------------------------|-------------------------|-------------------|---|
| 2023-2024 | | | |
| 2024-2025 | | | |
| 2025-2026 | | | |
| 2026-2027 | | | |
| 2027-2028 | | | |

| 1.1.4 Planning Year | Nameplate Quantity (MWs) | Expected Capacity Factor | Delivery Point | Contract Price (\$per MW-hour) | Environmental Attribute/REC included |
|---------------------------|--------------------------------|--------------------------------|-------------------|--------------------------------------|--|
| 2023- 2024 | | | | | Yes |
| 2024- 2025 | | | | | Yes |
| 2025- 2026 | | | | | Yes |
| 2026- 2027 | | | | | Yes |
| 2027- 2028 | | | | | Yes |

Bidder Information

Signature

**Printed
Name**

Title

Contact Information

Phone

Email

Company

Address

State of Incorporation
