**Adaptations for On-site Solar Procurement in 2020 and Beyond**

*An Addendum to American Cities Climate Challenge Renewables Accelerator’s*

[*On-site Solar Request for Proposal (RFP) Template*](https://cityrenewables.org/wp-content/uploads/2020/05/ACCC_RA_On-site-Solar-RFP-Template.docx)

*Developed by Fosterra, 6/30/20*

## Context: Comparing Procurement Options in a New Light

Procurement of renewables provides the opportunity for cities and counties to achieve multiple goals and address some of the most pressing issues in 2020. These issues include increasing local and regional economic activity, addressing equity and environmental justice, and making progress toward climate and sustainability goals. When developing a renewable energy strategy, it is important to consider the various options for renewables in a new light to achieve the greatest impact. For example, large-scale procurement through off-site projects will typically help communities meet their sustainability goals faster and at lower cost, while local and on-site projects will typically provide a greater economic impact to the community. Given communities' huge demand and need for renewable energy to reach their goals, these two options should not be seen as mutually exclusive; rather, both local and off-site projects should be pursued as part of a portfolio approach.

## Introduction to this RFP addendum

We are experiencing unprecedented changes to local economic activity, societal behavior, and public health due to COVID-19. This RFP addendum is intended to provide city and county staff with updated guidance on renewable procurement to help them move forward with more confidence on projects in this unusual environment. Considerations and recommendations for adapting each major section of the procurement process and RFP documents have been developed and are included for reference. While not comprehensive, this addendum should provide sufficient information for staff to be able to quickly incorporate key changes to the template documents and keep projects moving forward.

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| **RFP Section** | **Suggested Modifications** |
| ***Project Overview*** | * Add and/or edit the "Purpose of RFP" section to address overall economic development needs, equitable impact, and how this RFP/initiative fits within the City’s/County's broader challenges and goals.
* Acknowledge uncertainty about current and future conditions and, importantly, express the intent to work through any issues and challenges.
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| ***Scope of Work*** | * Add a description of COVID-19 safety requirements for on-site work. This should include changes to construction activities, inspections, commissioning, operations, and maintenance.
* The final design package should include the Proposer's COVID-19 safety plan.
* Add the City/County point of contact and/or location for the latest updates on requirements, and request that a Proposer check in frequently before on-site activity begins.
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| ***Procurement Timeline and Project Schedule*** | * Consider personnel safety and social distancing when scheduling site walks and/or providing virtual site walks.
* Consider adding time for construction and commissioning due to added safety precautions, recognizing that developers are likely to have their schedules impacted by new COVID-19 safety procedures, requirements, and staffing interactions.
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| ***Proposal Requirements: Financial and Technical*** | * Due to potential challenges to Proposers from COVID-19 economic impacts, request a list of COVID-19-specific risks and mitigation plans.
* Request a description of the economic downturn's impact to the Proposer's team and ability to perform.
* Revisit/strengthen requirements within the “Community Co-benefits” section.
* Consider adjusting pricing expectations to account for increased costs and to encourage greater local/community benefits.
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| ***Proposal Requirements: City-Specific MWDBE Considerations and Local Business Preference*** | * Ask Proposers to add COVID-19 safety requirements.
* Consider adding local employment and/or minority, women, or disadvantaged business enterprise (MWDBE) participation requirements.
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| ***Selection Criteria & Proposal Evaluation*** | * Add a more detailed review of overall firm qualifications, financial stability, project risks, and additional scrutiny of the technical plans related to project timeline and safety to the evaluation process.
* Consider adding a community benefit component and/or weighting into the evaluation criteria.
* Consider updating the economic benefits calculation to take into consideration both electricity cost savings and economic development.
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| ***Proposal Evaluation Process*** | * Consider remote interviews via video conference with Proposers. It can often be challenging to schedule "in-person" vendor meetings in a timely fashion, so converting to video interviews will also improve the experience.
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| **Contract Terms**  | **Suggested Areas for Further Review** |
| ***Indemnification*** | * Check with the internal legal team on whether to include language related to COVID-19 transmission to/from City/County staff and proposer's construction and operations and maintenance team.
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| ***Non-Appropriation*** | * Discuss internally and with the proposer if there are any increased risks related to City/County budget challenges (e.g., higher likelihood of buildings being empty with minimal load, repurposing of facilities, competing budget priorities, etc.). Any such risks should be addressed in the development plan.
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| ***Early Termination*** | * Reassess risks and likelihood of early termination related to increased risk for non-appropriation and/or facility usage and energy needs.
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| ***Force Majeure Provision*** | * Consider updating to explicitly address risks related to the pandemic and civil unrest that might interrupt project planning, construction, commissioning, operations, or maintenance.
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| ***Other City Rights in Contract*** | * Consider other rights during potential gaps in construction, operations, or maintenance such as "step-in" rights.
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