

Request for Solar Photovoltaic
Power Supply Proposals

for the

Alabama Municipal Electric Authority



RFP No. 2023A

April 2023

Alabama Municipal Electric Authority
REQUEST FOR SOLAR PHOTOVOLTAIC POWER SUPPLY PROPOSALS

1. SUMMARY OF NEEDS	1
2. INTRODUCTION	1
3. REQUEST FOR SOLAR PV ENERGY AND CAPACITY	1
4. PROPOSAL CONTENT.....	3
5. TRANSMISSION AND MARKET REQUIREMENTS	5
6. RFP SCHEDULE	6
7. INTERPRETATIONS AND ADDENDA	6
8. FORM AND SUBMISSION OF PROPOSAL	6
9. ERRORS, MODIFICATION OR WITHDRAWAL OF PROPOSAL	7
10. RESERVED RIGHTS.....	7
11. DISQUALIFICATION OF PROPOSAL	8
12. COLLUSION	8
13. PROPRIETARY CONFIDENTIAL BUSINESS INFORMATION	8
14. PROPOSAL EVALUATION	8
15. CONTRACT NEGOTIATIONS	9
16. RFP FORMS.....	9

Alabama Municipal Electric Authority

Request for Solar Photovoltaic Power Supply Proposals

1. Summary of Needs

The Alabama Municipal Electric Authority (“AMEA”), located in Montgomery, Alabama is interested in receiving written proposals from qualified potential suppliers of electric capacity and energy produced from solar photovoltaic (“PV”) generating resources (“Provider” or “Providers”) to serve its capacity and energy requirements. AMEA is looking for proposal service dates that begin no earlier than January 1, 2026, and no later than December 31, 2027. AMEA purchases firm network integration transmission service (“NITS”) under the Southern Company Open Access Transmission Tariff (“Southern Company OATT”) to deliver electric power to serve the AMEA members’ loads. As such, AMEA requires that Providers submit proposals for resources that AMEA can designate as network resources under the Southern Company OATT. It is AMEA’s requirement that PV projects be interconnected to the Southern Company transmission system and PV projects be physically located within the state of Alabama.

AMEA is seeking proposals from parties that will provide between 80 MW(AC) to 160 MW(AC) of electric capacity and energy, as explained more fully in this Request for Solar Photovoltaic Power Supply Proposals (“RFP”). AMEA is seeking a power purchase agreement (“PPA”) with a term of 10 to 30 years. This RFP is limited to potential Providers offering PV generating resources. Interested parties must be able to demonstrate a successful history of developing projects and performing on contracts similar in size to those being requested by AMEA in this RFP.

2. Introduction

AMEA is a public corporation organized under Act No. 81-681 enacted at the 1981 Regular Session of the Legislature of Alabama and codified as Sections 11-50A-1, et seq., Code of Alabama 1975, as amended. AMEA sells power at wholesale, pursuant to Power Sales Contracts, to each of its 11 participating members (the “Participating Members”), which consist of municipalities, utilities boards, and an electric board. Each Participating Member owns and operates its own retail electric distribution system in the State of Alabama. AMEA manages a power supply portfolio to serve the wholesale power supply needs of the Participating Members that includes generating facilities owned by AMEA and Power Purchase Agreements (“PPAs”) entered into by AMEA. AMEA is currently purchasing 100 MW(AC) from the Black Bear Solar Project.

AMEA’s calendar year 2022 peak demand was 759 MW, and its calendar year 2022 net energy requirements were 3,233 GWh.

3. Request for Solar PV Energy and Capacity

This RFP is limited to potential Providers offering utility scale solar PV generating resources. With respect to PPA pricing and other considerations, AMEA will consider the following.

- A. AMEA is seeking proposals from parties that will provide between 80 MW(AC) to 160 MW(AC) of PV electric capacity and energy.
- B. Provider must demonstrate that they have successfully completed the development of at least three similarly sized utility scale solar projects as requested in this RFP.
- C. The term shall be between 10 and 30 years. Providers shall specify the term of the PPA in their response to the RFP.
- D. Provider will assume responsibility for all costs incurred over the life of the project, including without limitation, all costs of land acquisition or lease, planning, siting, permitting, necessary

Alabama Municipal Electric Authority

Request for Solar Photovoltaic Power Supply Proposals

- site infrastructure, design, equipment acquisition, construction, development, management, interconnection, financing, operation, site use of electricity, water and sewer services, maintenance, decommissioning, and all local, state, and federal income, property and other taxes pertaining to the project. Pricing is expected to reflect that Provider bears all costs of the project over its life.
- E. Provider will, without limitation, be responsible to plan, finance, implement in all respects, operate, maintain, insure, and retire the solar projects as required to deliver agreed upon output and other attributes over the agreed upon term of the PPA. Other finance, ownership, operation, and maintenance options may be explored with potential counterparties during this RFP process at the discretion of AMEA.
 - F. AMEA will be entitled to specific amounts of installed capacity, energy and any and all related environmental, ancillary, renewable, and other attributes of the project (except for tax incentives), including but not limited to renewable energy credits, green tags, greenhouse gas or carbon credits, and any other related attributes. AMEA's rights to specified project attributes of the project will be on a first call or pro rata share basis. AMEA will not consider projects where AMEA's rights are secondary to the rights of any other party.
 - G. Provider will be responsible to supply the site for the project and understand, account for, and comply with applicable interconnection requirements of the owner of the electric transmission system and the Southern Company OATT. Provider will be responsible for all interconnection costs. AMEA will work with Provider and Southern Company to address network upgrade costs at or beyond the point of interconnection ("POI") including, reimbursement. (For more information see Section 5: Transmission and Market Requirements)
 - H. Provider will be responsible for demonstrating deliverability of firm power to the AMEA Participating Member loads.
 - I. AMEA specifically will not be responsible for, and will be indemnified against, any and all costs over the life of the project and subsequent to the term of the PPA except for costs, if any, that the provisions of the PPA specifically assign to be AMEA's responsibility.
 - J. AMEA will have specified rights to all or a specified portion of the installed capacity of the project.
 - K. Providers will express expectations and limitations on degradation of the capacity and energy to be available to AMEA from the project for each year of the term of the PPA. PPA provisions will identify key component replacement and renewal schedules and anticipated impacts of renewals and replacements on the capability of the project to produce energy.
 - L. AMEA strongly prefers that the PPA provides that the only basis for charges to AMEA will be an energy charge computed as the product of an energy price expressed on a \$/MWh basis and the MWhs of energy supplied or made available to AMEA at the delivery point. AMEA requests that Providers propose energy charges that are fixed for the entire term of the PPA.
 - M. The PPA will clearly specify amounts of and basis for determining AMEA's entitlements to energy and other attributes from, and of, the project and provide that AMEA's entitlement to energy and all other attributes available from the project in all hours will be at least proportionate to AMEA's pro rata share of the resource's capability.

Alabama Municipal Electric Authority

Request for Solar Photovoltaic Power Supply Proposals

- N. The PPA will provide for AMEA to take and pay for energy as and if available from the project. If any energy is available but not delivered from the project due to a curtailment or other scheduling or dispatch flexibility provided to AMEA in the PPA, the Provider will receive energy payments from AMEA for AMEA's pro rata share for any MWhs that were not delivered due to a curtailment or other scheduling or dispatch flexibility reduction of the project's electricity output.
- O. Providers will be required to post a five-million dollar (\$5 million) performance guarantee in the form of cash, a letter of credit or a guaranty upon the execution of a PPA as a result of this RFP. The performance guarantee will be AMEA's sole remedy in the event of a default by Provider under the PPA between AMEA and the Provider. Guaranties shall be provided by issuers AMEA determines to be credit-worthy.
- P. PPAs will require Providers to bear all risks, financial and otherwise, associated with eligibility to receive (i) production and/or investment tax credits or qualify for accelerated depreciation and (ii) other applicable financial incentives. More generally, Providers will retain rights to any tax incentives of the project and bear all risk that Provider will not receive anticipated tax incentives.
- Q. PPAs will require Providers to, at their sole expense, design, engineer, construct, and operate the project and all related facilities in accordance with prudent utility practices and other relevant specifications and ensure there are no recurring power quality issues or other issues that disrupt the normal operation of affected transmission and/or distribution systems.
- R. Other pricing terms that the Provider believes may offer potential benefits to AMEA.

4. Proposal Content

All proposals must include completed Bid Forms 1 and 2 (to be placed at the front of each proposal package). All proposals must also provide the following information and should be organized as indicated below.

- A. Completed Bid Forms 1 and 2.
- B. Executive summary of the proposal.
- C. Information describing the Provider and its ability to provide the services called for by this RFP, including but not limited to Provider's overall experience with completed solar projects, completion of solar projects of similar size to that being proposed, and Provider's current project development pipeline.
 - a) This information must also include a description of any projects that were planned or under development by Provider (including any Provider subsidiary, affiliate, LLC, etc.) that were ultimately cancelled, modified, or delayed, including discussion of the reasons for the cancellation, modification, or delay (including the duration of the delay beyond the anticipated commercial operation date), as well as a description of any PPA under which force majeure (including description of the reason for force majeure) was claimed by Provider (including any Provider subsidiary, affiliate, LLC, etc.). If Provider (or Provider subsidiary, affiliate, LLC, etc.) has not had any such projects or PPAs, Provider's submittal must include a statement to this effect.
- D. Providers must demonstrate that they have built at least three other similarly sized PV projects in the US.

Alabama Municipal Electric Authority
Request for Solar Photovoltaic Power Supply Proposals

- E. Project description and related information, including but not limited to:
- 1) Location or target area;
 - 2) Physical site acreage (footprint);
 - 3) Distance in miles from Black Bear Solar Project.
 - 4) Other key physical characteristics;
 - 5) Current status of project site, including land acquisition, status of permitting, site development, equipment procurement, and electric transmission interconnection studies requested and performed;
 - 6) Required electric transmission interconnection facilities and network upgrades, including required transmission facilities ratings and voltage of interconnection;
 - 7) Description of the total project site performance, including total installed PV module capacity (maximum DC rating), total inverter capacity (maximum input DC and maximum output AC ratings), and total project capacity output to electric transmission system (maximum coincident AC rating and voltage);
 - 8) Any other infrastructure requirements;
 - 9) Current status of procurement of major equipment and discussion of plans to procure major equipment, including clarifications as to whether proposed PPA pricing is contingent upon final costs for equipment; and
 - 10) Project development plan and timeline with major milestones depicted for design, permitting, procurement, equipment delivery, construction, transmission interconnection and any network upgrades, substantial completion, and commercial operation.
- F. Projected project energy production, including but not limited to the following.
- 1) Projection of the proposed project output, as described below, for a period of at least one calendar year. If data is provided for an initial year, the amount of any degradation that is included in the initial year shall be clearly defined and additional information regarding any projected degradation over the proposed term of the PPA shall be provided.
 - a) If the project is existing or to be developed on a known site, site specific projected output data must be provided.
 - b) If the project is to be developed on a site to be determined, output data for the targeted site area must be provided.
 - c) If equipment has been procured or selected, output data must be equipment specific.
 - d) Any energy that is to be supplied by the electric system should be depicted in the data provided (e.g., energy required for auxiliaries or inverter operation).
 - e) The projected output data shall include, or allow AMEA to readily determine, at a minimum: hourly output for each hour of a full calendar year (i.e., 8,760 hours of projected facility output representing full chronological weather events).
 - 2) Providers shall provide a full description of the source and basis for determining the projected output data, including, at a minimum:
 - a) Name of the software model used to develop the projected output data;

Alabama Municipal Electric Authority
Request for Solar Photovoltaic Power Supply Proposals

- b) Site assumed, including both a general description and latitude and longitude;
 - c) Meteorological data used (vendor and weather station);
 - d) PV technology modeled;
 - e) PV module efficiency;
 - f) Inverter technology modeled;
 - g) Inverter efficiency;
 - h) Tracking technology (including any unique operating approaches);
 - i) Orientation (azimuth and tilt);
 - j) Ground coverage ratio;
 - k) Maximum DC rating;
 - l) Maximum AC rating; and
 - m) Name of manufacturer of equipment and location where equipment was manufactured and assembled.
- G. If the project on which a Provider's RFP response is based is an existing facility, the Provider should also provide actual output data for the most recent five years (or since commercial operation of the project if less than five years). Data shall be provided on at least an integrated hourly basis, including all hours of each historical year provided (please indicate whether the data represents integrated or instantaneous readings).

5. Transmission and Market Requirements

AMEA recognizes that long-term firm transmission service must be obtained and maintained to meet planning reserve requirements. To that end, AMEA requires proposals for resources that can be designated as network resources under the Southern Company OATT. Providers must propose resources that can be interconnected to the Southern Company transmission system and must coordinate with AMEA to acquire necessary network resource designations under the Southern Company OATT. Prior to executing a contract with a Provider, AMEA may need to file a network transmission service request with Southern Company and request that Southern Company prepare required transmission studies to evaluate deliverability of proposed resources to the Participating Members and to assess transmission facility upgrade requirements, if any. All cost associated with interconnecting the facility to the Southern Company transmission system will be the responsibility of the Provider. The cost associated with designating a project as a network resource under the Southern Company OATT will be the responsibility of AMEA. However, AMEA will reserve the right in the PPA to terminate the PPA should the transmission upgrades be considered significant, as solely determined by AMEA. In the event the interconnection costs include network upgrades to the Southern Company transmission system (upgrades at or beyond the POI), AMEA will work with the Provider to address such cost, including reimbursement to the Provider, consistent with the Southern Company OATT and Federal Energy Regulatory Commission ("FERC") policies regarding network upgrades (for more information see the Southern Company OATT - Attachment J - LGIA – Section 11.4).

Providers are encouraged to provide within their proposal information pertaining to the availability of firm transmission service.

Alabama Municipal Electric Authority
Request for Solar Photovoltaic Power Supply Proposals

6. RFP Schedule

The timetable for this RFP process is shown below. The dates and times shown are approximate and may be changed at any time at the sole discretion of AMEA. All times of day in this RFP are Central Prevailing Time (“CPT”).

Release RFP	-	April 4, 2023
Provider Questions Deadline	-	May 30, 2023, at 4PM CPT
Submission of Intent to Bid Form	-	June 30, 2023
Proposals Due	-	October 1, 2023 at 4PM CPT
Proposal Evaluations and Shortlist*	-	November 3, 2023 (Estimated)
Power Purchase Start	-	Between January 1, 2026 – December 31, 2027

* The date for completion of evaluation may change at the sole discretion of AMEA.

7. Interpretations and Addenda

All questions regarding interpretation of this RFP, technical or otherwise, must be submitted in writing by E-Mail to:

Attn: 2023A RFP
Alabama Municipal Electric Authority
80 TechnaCenter Drive
Suite 200
Montgomery, Alabama 36117
PlanningAndEngineering@amea.com

AMEA will only respond to Provider’s written questions for those Providers that have submitted an Intent to Bid Form (included as Bid Form 3) prior to submitting a written question. Only written responses provided by AMEA will be considered official. A verbal response by AMEA will not be considered an official response. Responses to questions will only be provided to the Providers who submitted the questions unless the questions are determined by AMEA, at its sole discretion, to be applicable to the RFP process in general. In this case, AMEA will provide a written response in the form of an addendum to the RFP to all Providers that have submitted an Intent to Bid Form. AMEA reserves the right to not respond to any question proposed by a Provider, at its sole discretion.

All written questions and requests for information or clarification must be received by AMEA at the E-Mail address noted above before 4:00 p.m. CPT on May 30, 2023. AMEA is not obligated to respond to questions and requests received from Providers after this deadline.

Any changes to the RFP schedule or additional information that AMEA wishes to communicate to Providers will be included in published addenda which shall be issued to Providers that submitted an Intent to Bid Form.

8. Form and Submission of Proposal

Providers are required to submit complete RFP Forms 1 and 2 attached at the end of the document. RFP Form 1 must be signed by a duly authorized official representing the Provider. A Provider may submit more than one proposal. AMEA requires that proposals remain valid until December 31, 2023.

Alabama Municipal Electric Authority

Request for Solar Photovoltaic Power Supply Proposals

Providers must be ready to provide the development security of five million dollars (\$5 million) in the form of cash, a letter of credit, or a guaranty to secure the pricing offered in the Provider's proposal immediately after the execution of an agreement.

Providers are required to submit an electronic copy and may submit a paper copy of each proposal including forms and attachments to be received before 4:00 p.m. CPT on October 1, 2023 at the following address:

Attn: 2023A RFP
Alabama Municipal Electric Authority
80 TechnaCenter Drive
Suite 200
Montgomery, Alabama 36117
PlanningAndEngineering@amea.com

An electronic copy of the full proposal, including completed proposal pricing information and all other spreadsheets and supporting information included in the submitted proposal, must be submitted in Microsoft Office or PDF format, with all spreadsheets submitted with working calculations in Microsoft Excel or compatible format, by email or USB flash drive. Each package must be clearly marked "AMEA 2023 Solar RFP" and shall clearly state the name of the Provider.

9. Errors, Modification or Withdrawal of Proposal

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

Amendments to proposals received by AMEA will only be accepted if submitted by the Provider prior to the proposal due date. The Provider may withdraw a proposal by giving notice to AMEA at the email address noted above prior to the proposal due date.

10. Reserved Rights

Each Provider acknowledges that AMEA is exempt from competitive bid laws under the state of Alabama pursuant to Section 11-50A-29, Code of Alabama 1975, as amended. AMEA, at any stage in the RFP process, reserves the right to:

- A. Reject any and/or all proposals received in response to this RFP with no reason provided;
- B. Waive errors or omissions by Providers in any proposal if corrected to the satisfaction of AMEA;
- C. Reject any proposals not received on or before the proposal due date and time;
- D. Reject any proposal if the Provider fails to extend the validity date as requested by AMEA;
- E. Not disclose detailed reasons for rejecting a proposal;
- F. Accept other than the lowest price proposal due to non-price considerations;
- G. Negotiate arrangements for power supply with one or more Providers;
- H. Request clarifications from Providers at any time; and
- I. Amend or cancel this RFP at any time.

Alabama Municipal Electric Authority
Request for Solar Photovoltaic Power Supply Proposals

11. Disqualification of Proposal

A proposal may be disqualified at any point in the evaluation process if AMEA determines, in its sole discretion, that the Provider has attempted to gain an advantage through conduct deemed unethical, conflict of interest, interference, or any such means.

12. Collusion

By submitting a proposal to AMEA in response to this RFP, the Provider certifies that the Provider has not divulged, discussed, or compared its proposal with other Providers and has not colluded with any other Provider or parties to other proposals whatsoever. AMEA represents that none of the information received through this RFP will be shared with any other Providers.

13. Proprietary Confidential Business Information

Unless required to be disclosed, and/or not protected under exceptions to the Alabama Public Records Law, Al. Code Section 36-12-40 et seq., all materials submitted by the Provider will be held in confidence by AMEA. If any Freedom of information ("FOI") request for Provider's submitted information results in litigation seeking that information's release, the Provider will defend and hold harmless AMEA. Any failure to so defend and hold harmless will be deemed permission for AMEA to release such information to the requesting party. If requested by a Provider for treatment as a "Competitor or Provider" exception to the Alabama Public Records Law, any information must be clearly labeled "PROPRIETARY CONFIDENTIAL BUSINESS INFORMATION". Each page of information in the proposal to which the Provider would like AMEA to give such treatment must be clearly labeled "PROPRIETARY CONFIDENTIAL BUSINESS INFORMATION" at the top of the page. AMEA reserves the right to disclose all information submitted with the proposal to its consultant(s), attorneys, employees and agents for the purpose of evaluating the proposals. AMEA will require the consultant(s), attorneys, employees and agents to maintain the confidentiality of documents so marked. All proposals shall become the property of AMEA.

14. Proposal Evaluation

AMEA will evaluate proposals based on price, Provider experience, Provider creditworthiness, qualitative considerations, transmission considerations, and any other evaluation criteria that AMEA in its sole discretion deems appropriate for consideration.

During the evaluation process, AMEA may choose to initiate discussions with one or more Providers. For purposes of this RFP, discussions shall simply indicate an interest of AMEA in a particular proposal and its desire to obtain from the Provider additional detailed information that may not necessarily be contained in the proposal. Discussions with a Provider will in no way be construed as commencing "negotiations" with a Provider. AMEA intends to use such discussions as a method of reducing the number of proposals to those, if any, that AMEA determines warrant further evaluation. AMEA reserves the right to offer Providers a chance to improve their offer as part of such discussions.

AMEA reserves the right to complete its proposal evaluations without discussions with one or more Providers.

At the conclusion of its evaluation process, AMEA may develop, at its sole discretion, a shortlist of proposals for contract negotiations.

Alabama Municipal Electric Authority
Request for Solar Photovoltaic Power Supply Proposals

15. Contract Negotiations

AMEA, at its sole discretion, may conduct simultaneous negotiations with one or more selected Providers. Negotiations may be held in person or by phone/video conference. AMEA reserves the right to offer Providers a chance to give a best and final offer during contract negotiations. Prior to the initial meetings with the Providers, AMEA may send each Provider a draft of a contract that incorporates terms and conditions in the Provider's proposal.

16. RFP Forms

The following forms are attached to this RFP.

Form 1 - Proposal Summary Form

Form 2 - Pricing Form

Form 3 - Intent to Bid Form

RFP Form 1

The undersigned Provider, having read and examined the RFP, hereby acknowledges:

- 1. That the Provider has or will comply with the communications and submission protocols specified in this RFP;
- 2. That the Provider is fully capable of providing the \$5 million development security as outlined in Section 3 and Section 8, as required at the completion of contract negotiations;
- 3. That the Provider has not engaged in Collusion as defined in Section 12 of the RFP;
- 4. That the Provider agrees that any proprietary or confidential information submitted by the Provider is appropriately labeled and that AMEA may manage, and the Provider will defend, any such information as described in the section entitled Proprietary Confidential Business Information in Section 13 of the RFP;
- 5. That the Provider agrees that its proposal may be evaluated as described in the section entitled Proposal Evaluation in Section 14 of the RFP;
- 6. That the Provider and the attached proposal meet all other specifications and requirements provided for in the RFP.

Provider Company Name _____

Authorized Signature _____

Printed Name _____

Title _____

Date _____

Provider's Designated Contact
(Person authorized to respond to questions or engage in communications concerning Provider's proposal.)

Printed Name _____

Title _____

Phone _____

Email _____

Shipping Address _____

Mailing Address _____

RFP Form 2

Providers are required to provide the essential elements of an Indicative Term Sheet as requested in this RFP Form 2. Providers may also provide additional information and explanation as deemed appropriate by Provider. At a minimum, Providers will provide information at the level of detail normally included in a proposed purchased power term sheet. Providers must complete each of the items contained in the RFP Form 2 but may reference a specific document that is included with their attached proposal instead of including a full description for each item in the form. Any references must clearly identify the document name, including referenced page number(s) or other clearly distinguishing references, to permit AMEA to easily identify the referenced item(s). Failure to complete RFP Form 2 and provide clear references, if provided, may result in AMEA disqualifying a proposal.

Item	Provision/Description/Reference
1. Buyer	AMEA
2. Anticipated Seller	
<p>3. Credit Support Approach</p> <p>(Describe and document anticipated Seller’s or Parental Entity’s credit ratings and whether its anticipated credit support will be provided through parental guarantees or letters of credit)</p>	
4. Installed Capacity – MW(AC)	
5. Anticipated Degradation	
6. Attributes to be Sold	
7. Term of Agreement	
8. Conditions Precedent to Seller’s Obligations	
<p>9. Energy Price</p> <p>a. Confirm Fixed Pricing for Term of PPA</p>	
10. Project Interconnection Point (and Project Delivery Point, if different) and Voltage	
11. Availability Guarantees Offered	

Item	Provision/Description/Reference
<p>12. Exceptions or Clarifications (Exceptions or clarifications to the requirements and preferences set forth in the RFP Section titled "Proposal Content")</p>	
<p>13. Description of Contingencies (Description of Contingencies that may affect proposed pricing, if any)</p>	
<p>14. Other Considerations (if any)</p>	

Notice of Intent to Bid Form
To Be Submitted via Email to: PlanningAndEngineering@amea.com
Due: June 30, 2023 (4:00 PM Central)

Provider Company Name _____
Contact Name _____
Phone Number _____
Email Address _____

Proposal Summary:

Signature _____
Printed Name _____
Title _____
Date _____