

# REQUEST FOR PROPOSAL

## Monroe County Water Authority



### Load Shedding Services – NYISO Operational Reserve Program

September 10, 2021

Monroe County Water Authority  
4799 Dewey Avenue  
Rochester, New York 14612

File: 21-S04

## **SECTION 1 – INVITATION TO PARTICIPATE**

### **1.1 Purpose**

The Monroe County Water Authority (“MCWA”) would like to participate in New York Independent System Operator’s (NYISO’s) demand response Operating Reserves-30 Demand Side Ancillary Services Program (DSASP) load shedding program and is soliciting proposals from energy aggregators who can coordinate MCWA’s participation in the program including enrollment of facilities, power data collection and reporting, load shedding payments, and related services.

In responding to this RFP, Proposers must follow the prescribed format as outlined in Section 2. By doing so, each Proposer will be providing MCWA with comparable data submitted by the other Proposers and, thus, be assured of fair and objective treatment in the MCWA review and evaluation process.

### **1.2 RFP Procurement Officer**

Pursuant to State Finance Law §§ 139-j and 139-k, this RFP includes and imposes certain restrictions on communications between a Governmental Entity (MCWA) and Bidder/Offerer during the procurement process. The RFP Procurement Officer identified below is the sole point of contact regarding this RFP from the date of issuance until the selection of the successful Proposer.

Chris King, Senior Production Engineer  
Monroe County Water Authority  
4799 Dewey Avenue  
Rochester, NY 14612  
Phone: (585) 442-2001, ext. 511  
Email: [chris.king@mcwa.com](mailto:chris.king@mcwa.com)

### **1.3 Presentation and Clarification of MCWA’s Rights and Intentions**

MCWA intends to enter into a multi-year contract with the selected Proposer to provide the load shedding program services described in Section 2. The Contract will be for an initial one-year term with the option to renew on a calendar year basis, if mutually agreeable to both parties, for up to a maximum term of five years. This intent does not commit MCWA to award a contract to any responding Proposer, or to pay any costs incurred in the preparation of the proposal in response to this request, or to procure or contract for any services. MCWA reserves the right, in its sole discretion, to accept or reject in part or its entirety any proposal received as a result of this RFP if it is in the best interests of MCWA to do so.

### **1.4 Time Line**

The schedule of events for this RFP is anticipated to proceed as follows:

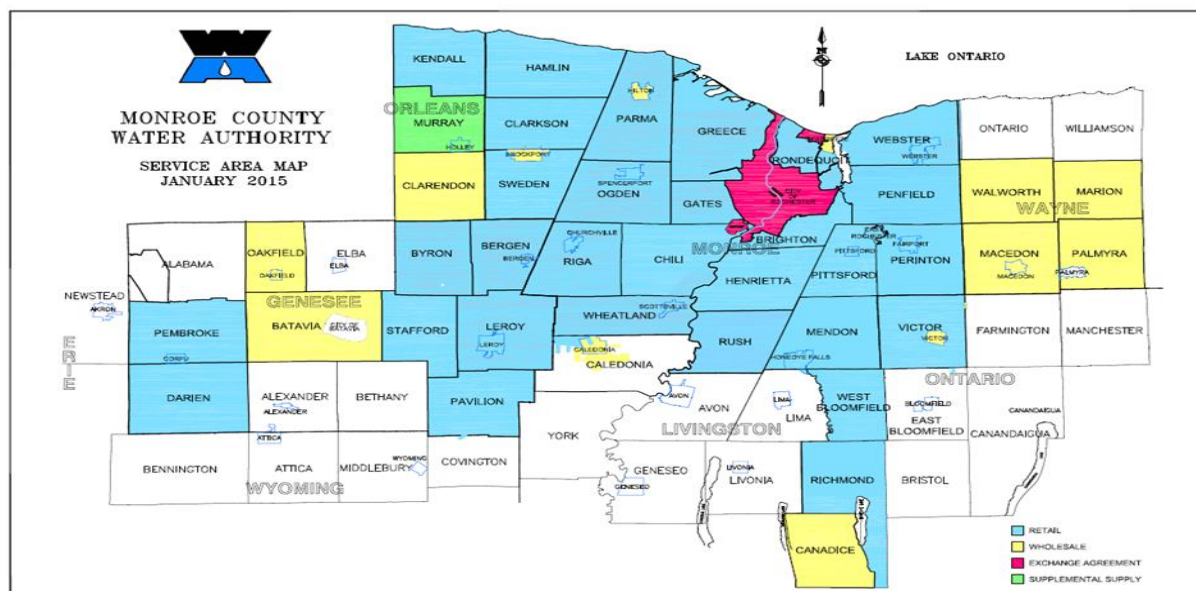
- All requests for RFP clarification must be submitted in writing to the RFP Procurement Officer at the Email address provided in Section 1 and received no later than 3:00 p.m. EST on Friday, September 17, 2021
- If required, an Addendum to the RFP will be distributed on or before Tuesday, September 21, 2021.
- The Final RFP submissions must be received by 3:00 p.m. EST on Tuesday, September 28, 2021 at the address shown in Section 1.2.

## 1.5 Overview of the Organization

MCWA provides high quality, safe and reliable potable water to retail, commercial, and wholesale customers located in a five-county area surrounding Rochester, NY.

Select water system statics include the following:

- ◆ Estimated Population Served: 751,300 (retail and wholesale) people.
- ◆ Number of Accounts: 186,693.
- ◆ Number of water treatment plants: 3
- ◆ Number of Finished Water Storage Facilities: 57.
- ◆ Number of Pumping Stations: 50
- ◆ Average System Water Use: 54.1 million gallons per day.
- ◆ Number of Fire Hydrants: 26,676.



MCWA has 166 electric accounts that use a combined 45 to 50 million kWh per year. However, the seven largest facilities account for over 85% of the total energy usage. These seven accounts include two treatment plants and five pumping stations (see list below), and are currently enrolled in two load shedding programs: the SCR/EDRP program and the CSRP/ICAP program. MCWA would also like to enroll in NYISO's "Operational Reserve-30" load shedding program.

MCWA has the ability to shed approximately 2 MW in the summer program and approximately 1 MW in the winter program. These quantities can be refined in consultation with the selected Proposer, who will be provided with historical power usage data and account information as needed. The selected Proposer will be given access to the seven facilities for the purposes of installing power monitoring equipment if required. Each of these facilities has utility interval meters and are service class SC8. MCWA does not expect to incur any costs related to participation in the program, and instead expects the selected Proposer to recoup all costs through a percentage of the payments received from NYISO for the load shedding performed by MCWA.

<b>Resource Name</b>	<b>RG&amp;E Acct.#, Service class</b>	<b>Address</b>
Shoremont WTP	20011176466, SC8 Sub Trans	4799 Dewey Ave, Greece
Low Lift Pumping Station	20011176383, SC8 Sub Trans	639 Edgemere Dr, Greece
Webster WTP	20023727447, SC8 Primary	593 Basket Rd, Webster
Lake Water Pumping Station	20023731803, SC8 Primary	1720 Lake Rd, Webster
Lee PS	20011176672, SC8 Primary	795 Lee Road, Greece
Mt. Read PS	20011176573, SC8 Sub Trans	2835 Mt Read Blvd, Greece
Echo Street PS	20011176771, SC8 Primary	216 Echo St., Irondequoit

## **SECTION 2 SPECIFIC PROPOSAL REQUIREMENTS**

### **2.1 Submission of Proposer's Statement of Qualifications and Proposal**

- A. Acceptance Period and Location:** To be considered, Proposers must submit a complete response to this RFP. Proposers not responding to all information requested in this RFP or indicating exceptions to those items not responded to may have their proposals rejected.

Proposals must be received at the address below before the date and time listed in Section 1. All Proposals must be submitted in a sealed envelope clearly marked as "Load Shedding Services Proposal" with the Proposal date. Proposals may be submitted via delivery service, such as Federal Express or UPS, courier, or hand-delivery. Proposals must be addressed to "Purchasing Manager – Load Shedding Services Proposal" with instructions to "Deliver to Bid Box located at Employee Entrance, Door #19" at 475 Norris Drive, Rochester NY 14610. Proposals submitted via US Postal Service will be returned unopened.

Monroe County Water Authority  
Operations Center  
475 Norris Drive  
Rochester, NY 14610

There will be no public opening of the Proposals.

- B. Required Copies:** Proposers must submit (1) signed original and two (2) copies of their response to this RFP. They should be clearly marked as "Load Shedding Services". The Proposer will make no other distribution of this submittal.
- C. Economy of Preparation:** Proposals should be prepared as simply as possible and provide a straightforward, concise description of the Proposer's capabilities to satisfy the requirements of the RFP. Emphasis should be concentrated on accuracy, completeness, and clarity of content. All parts, pages, figures, and tables should be numbered and clearly labeled. Vague terms such as "Proposer complies" or "Proposer understands" should be avoided.

### **2.2 Clarification of RFP and Questions**

Questions that arise prior to or during preparation of the Proposal must be submitted in writing or via Email pursuant to instructions in Section 1 of this RFP. As per NYS Finance Law, no contact will be allowed between the Proposer and any other member of MCWA with regard to this RFP during the RFP process unless specifically authorized in writing by the RFP Procurement Officer. Prohibited contact may be grounds for Proposer disqualification.

### **2.3 Addenda to the RFP**

In the event it becomes necessary to revise any part of this RFP, addenda will be issued by MCWA. An acknowledgement of such addenda, if any, must be submitted with the RFP response.

## 2.4 Organization of the Proposal

This section outlines the information that must be included in your Proposal. Please respond with your information in the same order as the items in the section.

- A. Transmittal Letter:** Provide a letter of transmittal that summarizes key points of the proposal and which is signed by an officer of the firm authorized to bind the Proposer. The transmittal letter should also include a phone number, and email address for the Proposer's contact person.
- B. Company Information:** Provide a brief history of your company including the number of years in business, identification of company ownership, and the number of employees. Describe the company's qualifications to undertake all aspects of this project, including experience with this particular load shedding program.
- C. Description of Services and Implementation:** Provide a description of how your company will implement the project and conduct MCWA's participation in the load shedding program. Items should include, but are not limited to:

  - a. Energy monitoring equipment installation and maintenance, including coordination with the local utility, Rochester Gas & Electric, an Avangrid Company (RG&E), for any temporary shutdowns required to complete the installation and any maintenance requirements.
  - b. Other coordination with the RG&E, as required.
  - c. What power data will be collected and how it is transmitted to the company.
  - d. MCWA's user interface with the program data.
  - e. Describe any initial and ongoing costs, if any, that MCWA would incur due to participating in this load shedding program.
  - f. Indicate what portion of the NYISO payments would belong to MCWA and how it is calculated.
  - g. Describe how the basis for each payment will be documented (e.g. a load shedding summary which shows, for each event (and monthly reserve payment if applicable), the kW basis, the price per kW paid by NYISO and the payment received by MCWA.) Describe the timing of such payments to MCWA relative to the payments made to the Proposer by NYISO.
  - h. Describe what penalties, if any, would be incurred by MCWA for failure to meet load shedding targets.
  - i. Include a sample agreement between MCWA and your company for these services.
  - j. Approximate implementation schedule
- D. Value Added Services/Benefits:** Describe any value added service your company will provide as part of this contract and any specific benefits to MCWA as a result of this partnership, such as energy monitoring software, electric bill checking, etc.

- E. M/WBE:** If your firm qualifies as an MBE/WBE, please provide a statement to that effect in your response to this RFP.
- F. Procurement Form:** Include the procurement disclosure form found at the end of Section 3.

## **2.5 Method of Evaluation and Selection**

- A. Evaluation Committee:** Selected personnel from MCWA will form the evaluation committee for the RFP. It will be the responsibility of this committee to evaluate all properly prepared and submitted proposals and make a recommendation for award.
- B. Evaluation and Selection Criteria:** All properly prepared and submitted proposals shall be subject to evaluation deemed appropriate for the purpose of selecting the Proposer with whom a contract may be signed. Responses to this RFP will be evaluated according to the following criteria:
- Proposer's Experience and Qualifications
  - Program services and MCWA support
  - Value Added Services/Benefits
  - Costs and Payments Information

## **SECTION 3 – GENERAL INFORMATION FOR THE PROPOSER**

### **3.1 Reservation of Rights**

MCWA reserves the right to refuse any and all submittals, in part, or in their entirety, or select certain products from various Proposer proposals, or to waive any informality or defect in any Proposal should it be deemed to be in the best interest of MCWA. MCWA is not committed, by virtue of this RFP, to award a contract or to procure or contract for services. The proposals submitted in response to this request become the property of MCWA. If it is in its best interest to do so, MCWA reserves the right to:

- A. Make selections based solely on the proposals or negotiate further with one or more Proposers. The Proposer selected will be chosen on the basis of greatest benefit to MCWA as determined by an evaluation committee.
- B. Negotiate contracts with the selected Proposers.
- C. Award a contract to more than one Proposer.

### **3.2 Investigations**

MCWA reserves the right to conduct any investigations necessary to verify information submitted by the Proposer and/or to determine the Proposer's capability to fulfill the terms and conditions of the bidding and the anticipated contract. MCWA will not consider Proposers that are in bankruptcy or in the hands of a receiver at this time of tendering a proposal or at the time of entering into a contract.

### **3.3 Incurring Costs**

MCWA is not liable for any costs incurred by Proposer prior to the effective date of the contract.

### **3.4 Material Submitted**

All right, title and interest in the material submitted by the Proposer shall vest in MCWA upon submission to MCWA without any obligation or liability by MCWA to the Proposer. MCWA has the right to use any or all ideas presented by a Proposer.

MCWA reserves the right to ownership, without limitation, of all materials submitted. However, because MCWA could be required to disclose documents received under the New York Freedom of Information Law, MCWA will, to the extent permitted by laws, seek to protect the Proposer's interests with respect to any trade secret information submitted as follows:

Pursuant to Public Officers Law Section 87, MCWA will deny public access to Proposer's proposal to the extent the information constitutes a trade secret, which if disclosed would cause substantial harm to the Proposer's competitive position, provided the Proposer identified the information it considers to be a trade secret and explains how disclosure would cause harm to the Proposer's competitive position.

### **3.5 Procurement Policy**

Pursuant to State Finance Law Section 139-j and 139-k , this Request for Qualifications includes and imposes certain restrictions on communications between a Governmental Entity (including the Authority) and Bidder/Offerer during the procurement process. A Bidder/Offerer is restricted from making contacts from the earliest notice of intent to solicit offers through final award and approval of the Procurement Process by the Authority to other than the Authority's Procurement Officers unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law Section 139-j(3)(a). The Authority's Procurement Officers for this Governmental Procurement, as of the date hereof, are identified herein. Authority employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the Bidder/Officer pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for the contract award and in the event of two findings within a four (4) year period; the Bidder/Offerer is debarred from obtaining Government Procurement Contracts. Further information about these requirements may be obtained from the Procurement Officers.

The Authority reserve the right to terminate this contract in the event it is found that the certification filed by the Bidder/Offerer in accordance with State Finance Law Sections 139-k(5) was intentionally false or intentionally incomplete. Upon such findings, the Authority may exercise its termination right by providing written notification to the Bidder/Offerer in accordance with the written notice terms of this contract.

### **3.6 Insurance Requirements**

The successful Proposer shall procure and maintain at their own expense until final completion of the Work covered by the contract, insurance for liability for damages imposed by law of the kinds and in the amounts hereinafter provided, issued by insurance companies authorized to do business in the State of New York, covering all operations under the contract whether performed by the Proposer or by their subcontractors.

The successful Proposer shall furnish to MCWA a certificate or certificates of insurance in a form satisfactory to MCWA Attorney showing that they have complied with all insurance requirements set forth in the contract for services, and certificate or certificates shall provide that the policies shall not be changed or canceled until thirty (30) days written notice has been given to MCWA. Except for Worker's Compensation Insurance, no insurance required herein shall contain any exclusion of municipal operations performed in connection with the contract resulting from this proposal solicitation. The kinds and amounts of insurance are as follows:

A. **WORKER'S COMPENSATION AND DISABILITY INSURANCE:** A policy covering the operations of the Proposer in accordance with the provisions of Chapter 41 of the Laws of 1914, as amended, known as the Workers' Compensation Law, covering all operations under contract, whether performed by him or by his subcontractors. The contract shall be void and of no effect unless the person or corporation making or executing same shall secure compensation coverage for the benefits of, and keep insured during the life of said contract, such employees in compliance with the provisions of the Worker's

Compensation Law known as the Disability Benefits Law (Chapter 600 of the Laws of 1949) and amendments hereto.

B. LIABILITY AND PROPERTY DAMAGE INSURANCE issued to the Proposer naming MCWA as an additional insured, and covering liability with respect to all work performed by him under the contract. The minimum limits for this policy for property damage and personal injury shall be \$1,000,000 per occurrence, \$3,000,000 aggregate covered under liability and damage property. All of the following coverage shall be included:

- Comprehensive Form
- Premises-Operations
- Products/Completed Operations
- Contractual Insurance Covering the Hold Harmless Provision
- Broad Form Property Damage
- Independent Proposers
- Personal Injury

C. CONTRACTOR'S PROTECTIVE LIABILITY INSURANCE issued to the Proposer and covering the liability for damages imposed by law upon the said Proposer for the acts or neglect of each of his subcontractors with respect to all work performed by said subcontractors under the contract.

D. PROFESSIONAL LIABILITY INSURANCE covering errors and omissions of the Proposer with minimum limits of \$1,000,000 per occurrence.

E. MOTOR VEHICLE INSURANCE issued to the Proposer and covering liability and property damage on the Proposer's vehicles in the amount of \$1,000,000 per occurrence.

**OFFERER/BIDDER DISCLOSURE OF PRIOR NON-RESPONSIBILITY DETERMINATION AND AFFIRMATION/CERTIFICATION IN ACCORDANCE WITH NYS FINANCE LAW SECTIONS 139-J and 139-K**

Name of Individual or Entity Seeking to Enter into the Procurement Contract:\_\_\_\_\_

Address:\_\_\_\_\_

Name and Title of Person Submitting this Form:\_\_\_\_\_

Contract Procurement Number:\_\_\_\_\_

Date:\_\_\_\_\_

1. Has any Government Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years?

(Circle one):

Yes

No

If yes, answer the next questions:

2. Was the basis for the finding of non-responsibility due to a violation of State Finance Law Section 139-j?

(Circle one):

Yes

No

3. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity?

(Circle one):

Yes

No

4. If you answered yes to any of the above questions, provide details regarding the finding of non-responsibility below.

Governmental Entity:\_\_\_\_\_

Date of Finding on Non-Responsibility:\_\_\_\_\_

Basis of Finding of Non-Responsibility:\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Add additional pages as necessary.)

5. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information?

(Circle one):

Yes

No

6. If yes, please provide details below:

Governmental Entity:\_\_\_\_\_

Date of Termination:\_\_\_\_\_

Basis \_\_\_\_\_ of \_\_\_\_\_ Determination \_\_\_\_\_ or  
Withholding: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Add additional pages as necessary.)

By signing below, Bidder/Offerer affirms that it understands and agrees to comply with the MCWA Water Authority's Procurement Disclosure Policy, Code of Ethics Policy and Conflict of Interest Policy as required by NYS State Finance Law Sections 139-j(3) and 139-j(6)(b) and certifies that all information provided to the Monroe County Water Authority with respect to the NYS State Finance Law Sections 139-k and 139-j is complete, true and accurate.

By: \_\_\_\_\_

(Signature of Person Certifying)

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Title: \_\_\_\_\_

Bidder/Offerer Name: \_\_\_\_\_

(Company Name)

Bidder/Offerer Address: \_\_\_\_\_

Bidder/Offerer Phone Number: \_\_\_\_\_