



Consolidated Edison Company of New York, Inc.

# Request for Information

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## Utility Thermal Energy Networks Pilot Projects

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## Introduction

Consolidated Edison, Inc. is one of the nation’s largest investor-owned energy companies providing electric service to approximately 3.6 million customers and gas service to approximately 1.2 million customers.

Consolidated Edison, Inc. provides a wide range of energy-related products and services to its customers through its two regulated subsidiaries: Consolidated Edison Company of New York, Inc., which provides electric, gas and steam services to New York City and Westchester County; and Orange & Rockland Utilities, Inc., which provides electric and gas services in Rockland County and Orange County of New York State, and also parts of New Jersey and Pennsylvania.

## Background

Consolidated Edison Company of New York, Inc. (the “Company” or “Con Edison”) extends this request for information (“RFI”) to qualified and experienced vendors (“Respondents”) to propose utility-owned thermal energy network projects, as well as reimbursed and/or funded front-end engineering and design costs, which may include ground source heat pumps, waste heat usage, district geothermal, condensate recovery and/or a combination of the aforementioned solutions with the addition of other alternatives such as air source heat pumps. Con Edison will be the ultimate owner and operator of the thermal energy network for the final selected project(s).

Con Edison is interested in evaluating projects at various stages of project lifecycle, from project concept / feasibility phase through construction-ready designs. Projects that have not identified sites and/or potential customers are premature for evaluation, though Respondents with early-stage sites may be eligible for future RFIs.

The final selected pilot project(s) will be developed and executed in accordance with New York State’s Utility Thermal Energy Networks and Jobs Act<sup>1</sup> and accompanying Public Service Commission Order<sup>2</sup> in support of the advancement of utility-owned thermal energy networks within the state. Each pilot will receive separate and distinct approval and funding. **Con Edison may award up to three pilot projects.** Each of the awarded pilots must be located geographically within the Con Edison gas and electric service territory. Con Edison has filed for PSC approval for up to three pilots with at least one pilot located in a disadvantaged community.

All selected pilot project(s) must receive final approval from the New York State Public Service Commission (“Commission”) in consideration of the portfolio of other pilot projects selected throughout the state. Con Edison will seek to select pilot project(s) that:

*“... (1) will “develop information useful for the commission’s promulgation of regulations governing thermal energy networks”; (2) “furthers the climate justice and/or emissions reduction mandates of the climate leadership and community protection act [CLCPA]”; (3) “advances financial and technical approaches to equitable and affordable building electrification”; and (4) “creates benefits to customers and society at large.””<sup>3</sup>*

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<sup>1</sup> Laws of 2022, Chapter 375 (enacted July 5, 2022).

<sup>2</sup> Case 22-M-0429, *Proceeding on Motion of the Commission to Implement the Requirements of the Utility Thermal Energy Network and Jobs Act* (Thermal Energy Network Proceeding), Order on Developing Thermal Energy Networks Pursuant to the Utility Thermal Energy Network and Jobs Act (issued September 15, 2022).

<sup>3</sup> *Ibid.*

## RFI Purpose

This RFI solicits responses from qualified Respondents to present thermal energy network systems that connect multiple buildings using a shared ambient loop. The Company seeks to conduct pilot project(s) to achieve key learning objectives, test scalability, and inform future policy. All Respondents should consider these topics listed below in their pilot project response.

- **Societal Benefit**
  - Test the effectiveness of a shared thermal energy network by providing an affordable, reliable, and safe service to customers.
  - Test the reduction of energy consumption and potential electric peak for overall networks compared to individual building use and quantify GHG reduction as a result of implementation of Thermal Energy Network
- **Operational Efficiency**
  - Assess the feasibility of geothermal loop installations in a dense urban environment (include expansion feasibility study, if done);
  - Develop methods for efficient use of waste heat in a shared thermal energy loop system; and
  - Identify balancing technology, siting, and operation requirements for a thermal energy network, during baseload operation and peak demand.
- **Customer Engagement**
  - Evaluate the education, awareness, and type of contractual agreement necessary to foster customer acceptance and adoption of new thermal energy network systems;
  - Assess the level of engagement and effort from customers to contribute waste heat to a utility-owned thermal energy network; and
  - Determine the level of utility involvement and technological knowledge necessary to attract and retain new customers.
- **Business Model**
  - Test different thermal energy network revenue-generation and recovery methods;
  - Gather thermal energy network and customer data to determine potential criteria for rate design;
  - Determine if thermal energy networks are a scalable solution;
  - Determine the level and form of subsidies required for customer-side conversions required to connect to a thermal energy network;
  - Determine how to procure waste heat and build a market between waste heat suppliers and a utility-owned thermal energy networks;
  - Determine whether thermal energy networks can be a viable option to supplement non-pipeline solutions and long-term future of gas planning; and
  - Determine the impact of thermal energy networks on the long-term planning of the Company's electric and steam distribution systems, respectively.

## General Guidelines

Con Edison expects that each RFI response should, at a minimum, detail the Respondent's proposed site, any planned or previous customer acquisition activities and related results, load shift impact, expended and



upcoming engineering and construction costs, construction implementation plans, the proposed monitoring and billing structure, and a timeline for implementation, as outlined in the Proposal Response Format section below.

Respondents are expected to be technically capable of developing, permitting, and constructing the proposed project(s), as well as providing a plan for commissioning, measurement, and verification of operations. Selected pilot project teams must have a project sponsor (project owner or developer) and include both design and construction services. Proposals must also provide a mechanism for Con Edison to balance the thermal energy network to account for potential changes and/or fluctuation in load. Furthermore, Con Edison intends to leave all existing gas customers in service.

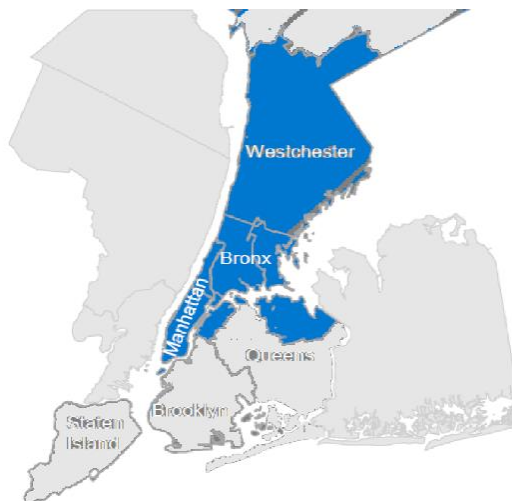
Respondents must also be capable of complying with the Company's vendor qualifications and reporting requirements. Con Edison will make reasonable efforts to evaluate each Respondent's solution in a manner that equitably balances that solution against the solutions proposed by other Respondents and the system needs. Professionalism and organization of proposal responses will also be taken into consideration during the review process.

If Con Edison enters into contract with a Respondent, then the Respondent will be subject to additional verification milestones to ensure that the Respondent is on track to provide the project on time and on budget. Respondents are additionally **required** to provide **a complete response** to the accompanying **Questionnaire** in addition to the proposal.

## Thermal Energy Network Eligibility and Requirements

### Project Eligibility

Eligible proposals must include a thermal energy network that provides heating (and optional cooling) load to two or more standalone existing buildings. Additional new buildings planned within the thermal energy network are acceptable. Projects that exclusively focus on new buildings and thermal energy network construction are not eligible for award. Proposed buildings and associated customers must be in Con Edison's geographic combined electric and gas service territory: Manhattan, Bronx, Westchester, and portions of Queens. It is not a requirement that the buildings being proposed currently receive service from Con Edison (blue shaded area on map below).



- **Customer acquisition:** Respondents are highly encouraged to include a location and interested participants in their pilot proposal. Respondents who have not yet formalized a site must put forth a detailed strategy to target and acquire the customers needed for the proposed thermal energy network pilot. Signed letters of support or other indicators of intent from customers who plan to implement the solution at their site(s) are strongly encouraged as well as plans for siting the equipment and technology. Con Edison expects that Respondents shall be able to have effectively reached their target audience without reliance on Con Edison resources or customer data.
- **Siting:** The proposed project must be located within the Con Edison electric and gas service territory. Extra consideration will be given to projects where the solution does not solely require significant vertical drilling (necessary for ground source heat pump technology) but proposes alternative waste heat solutions for thermal networks connecting multiple existing buildings in dense, urban environments.
  - **Disadvantaged communities:** Projects located in disadvantaged communities are strongly preferred. Respondents should refer to the most current working definition of disadvantaged communities proposed by Climate Justice Working Group formed in accordance with the CLCPA. Respondents should use the NYSERDA website for disadvantaged communities: <https://www.nyserdera.ny.gov/ny/disadvantaged-communities>.

### Qualifying Technologies

All thermal energy network technologies will be considered with preference given to proven technologies being combined-together to create an innovative solution. Solutions may include but are not limited to; closed-loop geothermal systems, heat recovery (through wastewater, surface water, or other sources of industrial/commercial excess heat), and water source heat pumps.

### Financial Analysis

In the Appendix, Respondents must put forth a detailed financial model that proposes a cost-competitive solution for the Respondent, participating customers, and the Company. All costs must be broken down by the four categories listed below. All revenue items must be categorized by their respective revenue source (i.e. customer rates, grants, incentives, etc). The analysis must include:

1. Total installed capital costs for engineering, procurement, and construction
  - a. Respondents should clearly identify the contingency included in its estimated installation cost. Con Edison is open to contingency ranges up to +/-50%
  - b. Respondents should indicate whether open-shop or union labor is used as its basis for construction estimating
2. Projected annual operations and maintenance costs for both the utility and the individual customers
3. Annual revenue projections with detail provided on metering / billing proposals
4. Government grants and incentives being leveraged for project costs, including NYSERDA PON 4614, Clean Heat, Non-Pipes Alternatives, C&I Incentives, Section 48D of the IRS Tax Code (Inflation Reduction Act of 2022), or others
5. Identification of any costs not currently funded
6. An investment grade 25-year life cycle cost analysis, including operation and maintenance costs, energy costs and/or savings from the current systems, equipment replacements required within the analysis period, Local Law 97 penalties (if applicable), carbon savings (if in Westchester), and anticipated electric peak demand for the proposed solution.
7. List of exclusions or scopes excluded from the cost projects.

Financial models will be evaluated on a variety of factors with a focus on the capital expenditure projections. Con Edison will reserve the right to make a final determination on the utility and customer demarcation point. For the purposes of proposal, it should be assumed that the demarcation point will be located at the point of entry in a customer building, and that thermal energy network equipment will be owned by the customer.

Construction cost estimates should be organized and detailed as follows:

Utility Infrastructure (to be owned by Con Edison)

- Ambient Loop Piping connecting buildings (typically located in right of way)
- Ambient loop pumps and piping in street
- Geothermal boreholes, if required, up to energy transfer stations
- Energy transfer station pumps
- Customer side connection (Piping, heat exchangers, pumps, and other equipment up to the point of customer owned infrastructure)
- Anticipated site improvements (new pavement or landscaping)
- Environmental remediation costs (soils and/or groundwater handling, transport, and disposal)

Utility Energy Supply (to be owned by Con Edison)

- Equipment needed for heat injection and rejection
- Building Management System controls and monitoring

Customer-Owned Thermal Energy Network Compatible Equipment

- Heat pumps in buildings
- Necessary upgrades to existing building and HVAC systems, including updated duct work

- Necessary upgrades to electrical service
- Equipment required to install for contingency operation

#### Customer Thermal Energy Network Supply

- Customer-owned heat exchange equipment required to capture waste heat
- Asbestos, lead paint and/or other abatement costs
- Retirement of existing equipment or reduction in operation expenses associated with waste heat removal (e.g., dry cooler to remove excess heat from the building)

### Project Schedule

Respondents should provide a project timeline with key milestones, as listed below. Preference will be given to projects in which the customer acquisition is already completed or near final completion. In order to satisfy the intent of the PSC Order Case 22-M-0429, significant learning from these pilots must take place over the next two years. Therefore, projects that can meet an 18-month installation timeline are highly desirable. Projects that still require significant time to complete designs or acquire customers will limit the amount learning that takes place. Con Edison understands that some projects may take longer to design than others and encourages the submittal of these projects as well.

Key Milestones	Timeframe (from project selection)
Site Selection & Customer Acquisition	End of 2022
Feasibility Analysis	1-2 months
Preliminary Design	3-4 months
Detail Design	4-5 months
Construction Completion	14-16 months
Start-up & Commissioning	18-20 months

Significant deviations from this implementation timeline are not grounds for disqualification. Con Edison requests that the schedule drivers be explained as a result. Respondents shall provide schedules in Gantt format (MS Project or similar).

### Installation and Operational Status

Each submittal **must** include a design in which the utility, Con Edison, can add or remove heat and circulate the fluid inside loop, to maintain the required temperature and flow to operate during all peaks.

### Measurement and Verification (M&V)

Con Edison (including by its contractors and subcontractors) reserves the right to conduct pre- and post-installation inspections of the site to ensure operational availability and conduct performance testing to achieve the stated objectives of the projects proposed by any proposal to meet the objectives of this RFI. If deemed necessary, Con Edison may install data loggers and/or download building management system data for M&V purposes. Overall, the Respondent will be responsible for providing site-specific access, data, supporting documentation and otherwise cooperate fully in support of this effort.



## RFI Response Evaluation Approach

Solutions proposed in response to this RFI will be reviewed in detail by Con Edison. Con Edison will use an evaluation framework to select the optimal solutions to address the identified need. The review process is intended to be fair and equitable, with the objective of achieving the greatest overall value to Con Edison customers while inform future rules and regulations associated with large scale thermal energy networks. The primary proposal review criteria are listed below.

Respondents should note that although Con Edison will be reviewing each Respondent’s proposed solution, assuming the submission criteria are met, there is no guarantee that it will be selected. All potential selections will be evaluated by a professional thermal energy engineering consultant.

### Proposal Evaluation Criteria

Proposals will be evaluated and scored based on the following criteria which are generally listed in order of relative importance. Each project will be evaluated on its unique characteristics that Con Edison can use to learn about the viability of the operational and commercial models.

Review Approach	Objective
<b>Customer Acquisition</b>	The extent to which the proposed location of the project aligns with the Respondent’s solution and needs of the selected customer(s). Preference will be given to proposals that include commitments from eligible customers to install the project(s).
<b>Load Reduction and Load Balancing Potential</b>	The ability of the proposed solution to achieve fossil fuel emissions reduction by replacing the existing heating and/or cooling system in the participating buildings. Provides assurance that the system will provide a solution for long-term thermal balance and manages the system such that as load changes in the system will not be adversely impacted. This includes the ability for Con Edison to add or remove heat and circulate the system.
<b>Execution Risk</b>	The expected ease of project implementation within the timeframe (e.g., siting, permitting, construction, customer-sided improvements, stakeholder approvals, and other operating risks). The ability to meet Con Edison’s schedule including customer acquisition and interconnection requirements. The extent to which the project schedule reflects realistic and sufficient detail from contract execution to project implementation and completion.
<b>Innovative Solution</b>	Innovative thermal network solution that (i) targets customers and uses technologies and approaches applicable to a dense, urban environment, (ii) considers generally underserved customer segments (i.e., low to moderate income residential customers), and/or (iii) is based on the use of advanced technology that can be applied through a utility-ownership model at scale to foster building electrification and reduced consumption of fossil fuels.
<b>Community Impact</b>	The impact that the proposed solution may have on the community in the identified area including proximity to a disadvantaged community and temporary disruption. <i>Note: At least one of the selected projects must be located within a DAC.</i>

<b>Qualifications</b>	The relevant experience and past success of Respondents, including their partners, in providing their proposed solutions to other locations, including as indicated by reference checks and documented results. Qualifications include relevant experience in siting, permitting, designing and constructing the proposed solution. Experience and data from fully operational thermal energy networks is preferred.
<b>Project Costs</b>	Total cost of the project (divided into categories mentioned earlier), requested incentive from Con Edison, and utilization of existing incentives for the proposed solution.
<b>Proposal Content and Presentation</b>	Information requested has been provided and is comprehensive to allow for evaluation. Professionalism and organization of proposal responses will also be taken into consideration during the review process.

### Questionnaire Completion

The **Questionnaire** must be fully completed and submitted with the Respondent’s proposal. Respondents should provide complete benefit and cost details for each measure they identify in the **Questionnaire** and submit them with the proposal.

All fields in the **Questionnaire** are critical to allow for a thorough review of a potential project, as well as provide information important to the creation of the portfolio of awarded projects. Both tabs within the **Questionnaire** must be completed. Failure to submit a completed **Questionnaire** is cause for disqualification.

### RFI Submission and Timing

Below is the expected schedule to be followed for this solicitation:

RFI Solicitation Milestones	Completion Date*
RFI issued	10/21/2022
RFI Webinar	10/27/2022
Deadline for Respondents to submit clarification questions	11/02/2022
Con Edison responses to clarification questions due	11/8/2022
Deadline for Respondents to become enabled in Con Edison Procurement System	11/16/2022
Qualified Respondents proposals due	<b>11/22/2022 at noon</b>

**\*Con Edison reserves the right to change any of the above dates.**

### Clarification Questions

All Respondents should direct questions during the clarification question timeframe by emailing [tenpilotprojects@coned.com](mailto:tenpilotprojects@coned.com). All questions and answers deemed essential for the viable submission of a



proposal will be publicly posted at: <https://www.coned.com/home/business-partners/business-opportunities/thermal-energy-networks> and must be submitted by deadline above. Respondent names will be kept confidential. Respondents must not reach out to other Con Edison personnel regarding this RFI.

### Submittal Instructions

All proposals must be submitted through the Company's Oracle RFQ System on or prior to the due date and time. Respondents who fail to submit by the due date and time will be locked out of the Oracle RFQ System. Therefore, Respondents are encouraged to upload submissions well in advance of the closing time to avoid any potential issues that may occur, including any unfamiliarity with the Oracle RFQ System.

Respondents who have never participated in a Con Edison RFI should follow the following process:

1. Email Louis Yauri at [YAURIL@coned.com](mailto:YAURIL@coned.com) and copy [tenpilotprojects@coned.com](mailto:tenpilotprojects@coned.com), indicating your interest in participating.
  - a. Provide the following documents to become enabled in the Oracle RFI System:
    - i. W-9 form
    - ii. Supplier Enablement Template (will be provided upon request)
2. Once approved, respondents will receive login credentials for Oracle RFI System to submit the RFI response and associated attachment(s). This process may take 2-3 days.

**Note:** The Oracle RFI System is only capable of accepting individual documents no larger than 5MB in size. Respondents may find it necessary to split up large documents into smaller files due to this system constraint.

### RFI Response Format and Content

This section outlines the requirements for responses to this RFI, including the format and content. Respondents are strongly encouraged to submit their proposal in accordance with the summary instructions outlined in this section. Any limitation regarding a Respondent's ability to supply information requested in this RFI (or to support or perform a particular function or service) should be explicitly stated in the proposal response. Any Respondent partnering with other solution providers to perform a particular function or service must be explicitly stated.

### Proposal

Respondents must submit the response in the following separate documents:

1. Proposal with format and content as described below (as a digital PDF document)
2. Thermal Energy Network Questionnaire (Attachment A)
3. Proposal attachments, if necessary

The proposal content must be organized as follows:

<b>Proposal</b>	
This document must be titled " <i>ProjectName_VendorName_Proposal</i> " (e.g., "Thermal Network_ConEdison_Proposal")	
Section	Section Description
<b>Cover Letter</b>	Respondent's Cover Letter must include Respondent's legal name and address; the name, title and telephone number of the individual authorized to negotiate and execute the agreement that might result if there is an award; the signature of a person authorized to contractually bind Respondent's organization; a statement that Respondent has read, understands and agrees to all provisions of this RFI, or, alternately, that indicates exceptions will be taken to this RFI.
<b>Table of Contents</b>	Include a clear identification of the proposal by section and by page number as identified above.
<b>Executive Summary</b>	In this section, Respondent should provide an executive overview and summary of the key features of Respondent's solution.
<b>Proposal Body</b>	<p>The main body of the proposal must be presented with specified sections. Refer to <a href="#">Proposal Content</a> below for detailed descriptions.</p> <ul style="list-style-type: none"> <li>• Proposed Project Description including a description of the load balance of the system</li> <li>• Project Schedule, Siting and Acquisition Plan</li> <li>• Execution Risks, Challenges, and Community Impacts</li> <li>• Pilot Project Implementation Plan (including design, construction, and customer acquisition)</li> <li>• Professional Background and Experience of the team with the Proposed Solution, including identification of the engineer of record</li> </ul>
<b>Financial Model</b>	Respondents should provide cost and revenue estimates by category as described and organized in the Financial Analysis section above.
<b>Assumptions and Clarifications</b>	Respondents should provide a list of assumptions made in developing the response to this RFI that should be considered when evaluating the response. Respondents should provide a stand-alone section listing any exceptions to this RFI.
<b>Glossary of Terms</b>	Respondent should provide a glossary of terms that is specific to Respondent's solution.
<b>Appendices</b>	
<b>Appendix</b>	<p>In the Appendix, Respondents should provide:</p> <ul style="list-style-type: none"> <li>• Completed <b>Thermal Energy Network Questionnaire (Attachment A)</b></li> <li>• Detailed costs and assumptions associated with proposed solution</li> <li>• Project organizational chart and project team resumes</li> <li>• Financial statements for the past three years and services offered</li> <li>• Letters of support from customers</li> <li>• Project summaries of other relevant projects that have already been completed.</li> </ul>

- |  |                                                                                                                                                                                                                                                       |
|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <ul style="list-style-type: none"><li>• Any other relevant information deemed appropriate and noteworthy supporting and validating the proposed solution</li><li>• Printout showing disadvantaged community status from the NYSERDA Website</li></ul> |
|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## Proposal Content

The following information addresses major areas that must be included in Respondent's main body of the proposal.

### *Proposed Project Description*

Project proposals must demonstrate how the proposed solution will provide required thermal energy to properly balance the ambient loop during all conditions including peak demands. It must also include a detailed design of all required infrastructure for both the loop and customer-sided integrations. Detailed project information must include:

- General scope of work
- Technology/Solution description (including discussion on technology readiness, references to relevant case studies, permitting required and applicability to customer site selected, if applicable)
- Indicate the point of ownership between the utility and customers
- One-Line diagram indicating all components in the thermal network, inclusive of energy sources, ambient loop pumps, ground sourced heat pumps, chillers, boilers, boreholes, heat exchangers, and any other component that would be required for use in your design.
- Performance characteristics of technology and approach
- Status of engineering, including details of any calculations, data, methodology, and / or assumptions that illustrate how the proposed thermal energy network will provide a reliable, resilient, and safe supply of energy to meet the heating and/or cooling needs of all customers connected to the network, during all demands including winter and summer peaks.
- **Technical Building Profiles** for each building associated with the project (Questionnaire, Tab 2):
  - Existing Equipment: Energy sources (gas/electric/steam), HVAC equipment, hot water equipment, and cooking sources, and any other energy usage equipment.
  - New Equipment: listing of all new equipment and required piping/electrical upgrades inside of the building to connect and convert to thermal energy equipment. If this building is also going to contribute energy to the ambient loop, then this profile should also include all associated equipment and piping.
  - Building Operations and Characteristics: chance of building function/business change over 25 years, facility occupancy schedules, noise constraints, topography, etc.
  - Underground Conditions: Geological or hydrogeological conditions for ground coupling, ground water, etc.
- Annual operation and maintenance plan for the thermal energy network once it is in service.
- Confirmation of cooperation to facilitate any Measurement & Verification that the Company may deem necessary

### *Project Schedule, Siting and Acquisition Plan*

Proposed pilot projects must include a schedule that contains all phases of the project starting from design and concluding at a fully installed and operational thermal energy network, where all customers are connected to the system and utilizing it for their energy needs. Projects that can meet an 18-month installation timeline are desirable and preferred, but it is not a requirement.

- Design and engineering plan and detailed timeline from design to construction and customer acquisition, and full operation of thermal energy network.
- Existing partnerships with Engineering, Procurement, and Construction (EPC) firms and any additional relevant subcontractor agreements.
- Listing of all permits, approval and authorizations needed to implement the project.
- Customer Building Profiles which include items such as renters vs owners, board approval requirements, property management company, residential/commercial use, etc.
- Letters of commitment from owners of associated buildings, or proposed timeline for solidifying commitment letters, with intent to use the thermal energy network as a resource or contribute energy/waste heat to the network.
- Respondents proposing to market the installation of measures to customers must include the following:
  - Selected customers and site selection including necessary acquisition and marketing plan
  - A full and complete outline of the project, including at a minimum, a description of participating building typologies and use cases, existing building conditions, and applicable technologies to be installed
  - Customer protection plans for the proposal thermal energy network solution
  - Letters of support from partners, vendors, and/or any party that will influence the success and desired outcomes of Respondent's proposal
  - Letters of support from customers who plan to implement the solution at their site in the applicable area of need identified (Note: since customer qualifications will need to be verified and confirmed by Con Edison, please provide customer account numbers if applicable).

### *Risks, Challenges, Community Impacts*

Respondents must provide the following:

- Identify and explain risks, barriers and challenges associated with implementing the solutions such as:
  - Permitting
  - Construction
  - Interconnection
  - Operations
  - Customer acquisition and stakeholder approvals (building owners, tenants, coop board etc.)
  - Heat source (ground, wastewater, waste heat etc.)
  - Cost
  - Contingency plan for inability to achieve load reduction
- Extent of construction required in public right of way
- Extent of construction required on private property
- Detailed description of non-energy benefits associated with the proposed solution, if any

- Information on elements of the proposal that affect the environment and community (both positive and negative) including, but not limited to, associated GHG emissions, waste streams and management, job creation potential, and visual or noise impacts.

### *Professional Background and Experience with the Proposed Solution*

Respondents must provide the following:

- Firm's core business and organizational structure including:
  - Major subcontractors (design and construction) credentials/background
  - Engineering design experience and skills (mechanical and geotechnical)
- Relevant project experience and examples of prior industry specific work that is similar in nature and relevant to thermal energy networks, with particular emphasis on implementation of the solution, such as at other utilities, large municipalities, building owners, or any other applicable facilities
- References and contact information of customers where the solutions have been implemented (at least three references)
- Firm's commitment to supplier diversity (**see Vendor Qualifications below**)
- Project organizational chart and project team resumes (**include in Appendix**)
- Any other relevant information deemed appropriate and noteworthy supporting and validating the proposed solution (**include in Appendix**)
- Financial statements for the past three years, and services offered (**include in Appendix**).
- Safety Record – EMR

### *Detailed Costs Associated with Proposed Solution*

**Exclude all cost and pricing information associated with an RFI response from the body of the proposal (e.g., executive summary, solution description, assumptions, and exceptions, etc.). Cost information must be submitted as separate files in an appendix.**

Respondents must provide the following:

- A detailed cost breakdown, also requested in the **Questionnaire (Attachment A)**, with explanations and validation of funding strategies providing examples which are provable and repeatable
- Identification of other funding streams that will be utilized to mitigate project costs (i.e., City, State, utility, Federal and private sector incentive, and funding opportunities)
- Description of anticipated financing, including transaction structures and pricing formulas.

### **Supplier Diversity**

All attachments referenced below will be provided through the Vendor Qualification Application process.

#### *Minority-Owned and Women-Owned Business Enterprises*

The Company recognizes the importance of supplier diversity in all aspects of our business and procurement practices and actively encourages the development, utilization, and economic growth of certified Minority-owned and Women-owned Business Enterprises (MWBEs). We are committed to including MWBE's as prime vendors, 2nd Tier subcontractors, and value-added resellers in our Supply Chain to the maximum extent practicable.

As such, Respondent must outline how Respondent's procurement practices for tier-2 suppliers and manufacturers incorporates sustainable practices impacting both the Company's service area and the material source's local community.

This section sets forth the required efforts by a supplier related to the Company's Supplier Diversity Program if Respondent should become a supplier, including the use of certified diverse suppliers and the regular reporting of such use.

### ***Supplier's Good Faith Efforts***

Supplier must make a good faith effort (see SDP Attachment A1 for further guidance related to Good Faith Efforts) to include MWBE Utilization and submit a MWBE Subcontracting Good Faith Effort Summary form (SDP Attachment A2).

Examples of Good Faith Efforts include participating in industry trade association outreach and matchmaker events, creating joint ventures or reseller agreements, with MWBEs, and including diverse vendors in bid list solicitations for subcontracting opportunities.

### ***MWBE 2<sup>nd</sup> Tier Utilization Plan Summary***

Supplier is required to submit a MWBE 2nd Tier Utilization Plan Summary (SDP Attachment A3) outlining Vendor's plan to subcontract direct and/or indirect business to diverse suppliers.

The completion and submission of the MWBE 2nd Tier Utilization Plan Summary does not constitute a contractual agreement between a supplier and named subcontractor but is solely for documenting proposed compliance with Con Edison's Supplier Diversity Program requirements.

Supplier must maintain the following records, which must be made available to the Company upon request:

- Documentation of Subcontractor's MWBE certification
- List of MWBEs solicited for subcontract opportunities
- Organizations contacted to source potential subcontractors
- Documentation to support payment data

MWBE 2nd Tier Utilization Plan Summaries must be submitted with the proposal submission. A MWBE 2nd Tier Utilization Plan Summary must contain the following components:

1. Contract Number and/or Statement of Work (SOW) Number
2. Legal company name of the supplier
3. Description of operational services and/or supplies to be subcontracted.
4. Target goal percentage to be subcontracted to diverse businesses.
5. Contact information for a prime vendor's supplier diversity efforts



## **RFI Terms and Conditions**

It is solely the responsibility of each Respondent to ensure that all pertinent and required information is included in its submission. Con Edison reserves the right to determine at its sole discretion whether a submission is incomplete or non-responsive.

Respondents should state clearly all assumptions made with respect to this RFI. In the absence of an explicit statement to the contrary, each Respondent shall be deemed to have agreed with and understood the requirements of this RFI. While Con Edison has endeavored to provide accurate information, Con Edison makes no warranty or representation of accuracy.

Any exceptions to the requirements herein must be specifically noted and explained by Respondent in Respondent's response to this RFI. Respondents agree to keep confidential all information provided by Con Edison in connection with this RFI.

### **Qualifications of Respondents**

The Company may make such investigations as the Company deems necessary to determine the qualifications of Respondents and proposed subcontractors to perform the work. A Respondent should promptly furnish any information and data as may be requested by the Company as part of any such investigation. The failure of a Respondent to produce timely information and data requested by the Company may provide a basis for rejection of the proposal.

### **Proprietary Information**

If a proposal includes any proprietary data or information that a Respondent does not want disclosed to the public, then such data or information must be specifically designated as such on each page on which it is found. Con Edison shall be held harmless from any claim arising from the release of proprietary information not clearly identified as such by a Respondent. Because of the need for public accountability, the following information regarding the proposal may not be considered proprietary, even if such information is designated as such: pricing terms and non-financial information concerning compliance with RFI specifications, and, whenever possible, such information if required to be shared may be shared in a fashion not identifiable to an individual Respondent.

### **Cost of Proposal Preparation**

The cost of preparing a proposal in response to this RFI, including, but not limited to, the cost associated with site visits and preliminary engineering analysis, will not be reimbursed by Con Edison.

### **Environmental Health and Safety**

The Company's Environmental Health and Safety (EH&S) guidelines and requirements can be found on the Company's Oracle Procurement System. There are also local, state, and federal requirements, which include, but are not limited to, building codes, proper disposal/recycling of ballasts and fluorescent lamps, air conditioning and refrigeration equipment, hazardous material, and equipment removal from program participants. When entering into a contract with the Company, a corporate EH&S plan must be submitted to the Company, and a task-specific EH&S plan must be created and approved before any work may begin.

### **Right to Reject**

This RFI shall not be construed to create an obligation on the part of Con Edison to enter into any contract, or to serve as a basis for any claim whatsoever for reimbursement of costs for efforts expended by Respondent. Con Edison shall not be obligated by any statements or representations, whether oral or written, that may be made by the Company, its employees, principals, or agents.

Con Edison reserves the right to accept any responsive proposal, to reject any and all proposals, and to waive irregularities or formalities if deemed to be in the best interests of the Company. Any such waiver shall not modify any remaining RFI requirements nor excuse any Respondent from full compliance with all other RFI specifications and contract requirements if Respondent is awarded a contract. Con Edison shall reject the proposal of any Respondent that is determined not to be a responsible bidder, or whose proposal is determined by the Company to be non-responsive.

Con Edison reserves the right to withdraw this RFI at any time and for any reason, and to issue such clarifications, modifications, and/or amendments at any time as it may deem appropriate. Receipt by the Company of a response to this RFI confers no rights upon a Respondent, nor any obligations upon the Company.

### **Revisions to this RFI**

Con Edison reserves the right to make changes to this RFI by issuance of one or more addenda or amendments and to distribute additional clarifying or supporting information relating thereto. Con Edison may ask any or all Respondents to elaborate or clarify specific points or portions of their submission. Clarification may take the form of written responses to questions or phone calls or in-person meetings for the purpose of discussing this RFI, the responses thereto, or both.

If it becomes necessary to clarify or revise this RFI, such clarification or addendum shall be issued by the Company by letter, e-mail, or written addendum to this RFI. Any RFI addendum shall be delivered by hand, certified mail, facsimile, e-mail, or delivery by courier service which certifies delivery. Only those Respondents that have already received the proposal documentation directly from the Company will be provided the clarification. Any addendum to, and/or clarification or revision of this RFI, shall become part of this RFI and, if appropriate, part of the agreement that derives from this RFI.

### **Basis of Proposal Award**

Award of proposal shall be made to the most responsive and responsible respondent meeting the specifications, price and other factors considered, as determined by the Company, in its sole discretion. The proposal evaluation criteria are set forth within this RFI.

### **Collusion and Other Prohibited Activities**

Collusion with other Respondents at any time in connection with this RFI is strictly prohibited. Collusion and other prohibited activities include, but are not limited to: discussing bid strategies with other program participants, engaging in any activity with the intent to influence the outcome of this RFI in a manner inconsistent with competitive behavior, or taking any action to undermine the competitive nature of this RFI and otherwise benefit from Con Edison incentives with no intent or expectation of providing the amount of Peak Demand Reduction or Annual Energy Savings submitted in the Respondent's proposal. The Company shall have the discretion to determine when collusion or other prohibited activities have occurred and to take any



appropriate action, including barring participation in future RFIs or programs, and reporting the activity to the New York State Department of Public Service, the PSC and any other appropriate state or federal agencies.

### **Subcontracting and Assignment**

No portion of the work associated with any solution resulting from a successful response to this RFI by a Respondent may be delegated, subcontracted, assigned, or otherwise transferred without the prior written approval of the Company in each case.