

NYS Department of State
Request for Quote 19-UIU-49

Wholesale Electric Markets Consulting and Advocacy Services

Questions & Answers

The RFP has been amended as follows:

1. Section 2.1.2 Consumer Advocacy Services letter a. is amended to read:

- a. Developing robust working relationships with NYISO staff, DPS staff and other stakeholders in wholesale electric markets including members of all four ~~five~~ NYISO subject matter areas.

The responses to questions included herein are the official responses by the State to questions submitted by potential bidders and are hereby incorporated in RFQ #19-UIU-49 issued on November 8, 2019. In the event of any conflict between the RFQ and these responses, the requirements or information contained in these responses will prevail.

Q1. We are a minority owned small business, however, we are in the process of being certified by New York State. Is it appropriate for the purposes of this proposal to indicate as such and for the purposes of this RFP what can correctly be put for percentages to minority enterprises?

A1. In accordance with New York State Executive Law Section 15-a and RFP Section 5.1.15, only certified minority- and women-owned businesses can claim MBE or WBE status for this procurement. Only certified M/WBEs will receive credit in the scoring process.

Q2. Does DOS/UIU consider reporting services of NYISO's meetings for other (state or not) agencies a potential conflict of interest? Please note that the services are only reporting, and not of the "advocacy" type.

A2. Yes, UIU considers this a conflict and it is not permitted during the term of this contract. A consultant for UIU should be working solely for UIU during work billed to this contract. In addition, when representing UIU at NYISO or any other forum, any notes or other work product is the sole property of UIU and cannot be distributed to other clients after the completion of the project.

Q3. Section 2.1.1.k: Would DOS/UIU consider a different rate for participation of Service Provider into legal proceedings? If Service Provider is requested by DOS/UIU to participate in legal procedures, will UIU provide legal counsel as necessary?

A3. For the purposes of this answer, it appears that the question is meant to refer to Section 2.1.2.k, and the answer makes this assumption. First, DOS/UIU will not consider a different rate for participation in legal proceedings. Second, the consultant is intended to provide technical advice only during any such proceedings; UIU will provide legal counsel as necessary.

- Q4. Do any of the documents requiring signature need to be notarized?**
- A4. No.
- Q5. The Attachment 6, Diversity Practices Questionnaire, seem to be directed to companies that are not MBE. Please clarify. For example, how to answer question 5 if company is already a NY ESD certified MBE?**
- A5. Diversity Practices are the efforts of contractors to include New York State Certified MWBE's in their business practices. The Diversity Practices Questionnaire is meant for all companies, both M/WBE and non-M/WBE. Please note that the Diversity Practices Questionnaire is included in the bid evaluation.
- Q6. Do attachments 2,3, and 4 need to be included in the Cost Proposal only? Please clarify**
- A6. As specified in RFP section 3.1.2, the Proposer's cost proposal should contain Attachments 2, 3, and 4. These attachments do not need to be included in the Technical Proposal submittal.
- Q7. Please confirm the understanding that for submitting the proposal the following is required:**
- Technical proposal: one (1) original and four (4) copies**
- Cost Proposal: only two originals.**
- A7. Correct. As stated in RFP section 3.5, proposers should submit one original and four exact copies of the Technical Proposal and two originals of the Cost Proposal.
- Q8. Vendor Responsibility Form: Does this form need to be completed before sending the proposal?**
- A8. As stated in RFP section 5.1.10, Proposers should complete and certify the Vendor Responsibility Questionnaire no more than six months prior to the proposal due date. The Vendor Responsibility review will be completed at the time of contract development, should your firm be the winning Proposer, and having a current Questionnaire ensures that the process will not be held up waiting for its completion/certification.
- Q9. Page 8 item a. indicates "...including members of all five NYISO subject matter areas. On page 7, the RFP references four Subject Matter Areas (a. – d.). Are there four or five Subject Matter Areas?**
- A9. This is a typographical error. Page 8 item a should read "including members of all four NYISO subject matter areas." The RFP is hereby amended as shown at the top of this Question and Answer document.
- Q10. Does the guidance on what to assume for hours per year of contracted work provided on page 7 of the RFP for the four Subject Matter Areas include related advocacy and consulting services for FERC and NYSRC matters?**
- A10. Advocacy and consulting services for the Subject Matter Areas are anticipated to take place primarily before NYISO, and also before FERC and NYSRC as needed. The estimated hours are

meant to encompass work on matters before all three bodies. Please also refer to Attachment 9. The total number of hours per year are estimates for bid evaluation purposes only and are no guarantee of hours under this contract. Actual hours will vary based on need and may fluctuate over the course of the contract.

Q11. More broadly, does the guidance on what to assume for hours per year of contracted work provided on page 7 of the RFP for the four Subject Matter Areas include related advocacy and consulting services for the full range of “Consumer Advocacy Services” (items a. – m. pages 8 – 9)?

A11. Yes, as needed. Actual hours will vary based on need and may fluctuate over the course of the contract.

Q12. What is the timeframe for the development of an annual report that summarizes key issues for the past year (item j. page 8)?

A12. The annual report is due two months after the end of the contract year. Some latitude will be given if comments from UIU on the draft are delayed.

Q13. What is the frequency with which UIU will “...provide written or oral directions to the consultant as to which meetings to attend and which issues to focus upon in the short- and intermediate-term as the NYISO, FERC, and the NYSRC”?

A13. The written and oral directions will vary depending on the issues being discussed at meetings. It could be as infrequently as monthly if market rules are changing slowly, or it could be as frequently as daily to brief UIU on follow-up items and strategize before meetings.

Q14. Referencing page 10 of the RFP “Proposers must describe relevant work experience...”, is work experience within the NYISO a requirement? Will work experience in other ISOs/RTOs be considered responsive to this requirement of the Qualifications and Overall Experience section of the Technical Proposal?

A14. Work experience specifically within the NYISO is not a requirement, and work experience in other ISOs/RTOs will be considered responsive to the work experience requirement. Also note that, under Section 1.7, “[t]en or more years of demonstrated knowledge and expertise in the wholesale electric market” is a preferred qualification.