



# **Request for Proposal**

## **Competitive Solicitation for Acquisition of Clean Energy Resources Dominion Energy Virginia**

Issued: April 29, 2022

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# **PART I – Request for Proposal (“RFP”) Overview**

## **A. Introduction**

About 7 million customers in 13 states energize their homes and businesses with electricity or natural gas from Dominion Energy, headquartered in Richmond, VA. The company is committed to sustainable, reliable, affordable and safe energy and to achieving net zero carbon dioxide and methane emissions from its power generation and gas infrastructure operations by 2050. Please visit [Dominion Energy.com](https://www.dominionenergy.com) to learn more.

Virginia Electric and Power Company (the “Company” or “Dominion Energy Virginia”) is a wholly owned subsidiary of Dominion Energy and is a regulated public utility that generates, transmits and distributes electricity for sale in Virginia and portions of northeast North Carolina. The Company is a member of the PJM Interconnection L.L.C. (“PJM”) Regional Transmission Organization, which operates the wholesale electric grid in the Mid-Atlantic region of the United States. As a result, the Company has transferred operational control of its transmission assets to PJM.

The Company has a diverse mix of generating resources consisting of Company-owned nuclear, fossil, hydro, pumped storage, biomass, offshore wind, and solar facilities. Additionally, the Company purchases capacity and energy from non-utility generators and the PJM market.

## **B. Purpose**

Dominion Energy Virginia is soliciting proposal(s) for the acquisition of development project assets (“Proposals”) from bidders for the following clean energy resources:

- new photovoltaic (“PV”) solar nameplate capacity
- new PV solar generation paired with energy storage nameplate capacity
- new onshore wind nameplate capacity
- new onshore wind paired with energy storage nameplate capacity
- new stand-alone energy storage nameplate capacity

The need for additional generation resources to serve the Company's projected customer load was identified in the Company's 2021 Update to the 2020 Integrated Resource Plan ("IRP"). The IRP is the Company's long-term planning document for meeting future customer needs at the lowest reasonable cost while maintaining reliability and flexibility. The IRP is available at: [2021 Dominion Energy Integrated Resource Plan](#)

New renewable generation resources and energy storage are also needed to achieve Dominion Energy's commitment of net zero carbon emissions from its power generation fleet by 2050 and to meet targets as set forth in the Virginia Code, which became effective in 2020 through the Virginia Clean Economy Act ("VCEA"). Specifically, the Company must seek the necessary approvals to construct or purchase 16,100 MW of solar or onshore wind generation and 2,700 MW of energy storage capacity in the Commonwealth by 2035, with interim targets and specific resource sub-targets. Renewable energy certificates ("RECs") from these new resources are intended to be used for purposes of compliance with the mandatory renewable energy portfolio standard program ("RPS Program"), which was also established through the VCEA. The state requires the Company to submit its plan for and progress made to meet the statutory development targets annually to the State Corporation Commission ("the Commission"), which the Company refers to as its "RPS Development Plan." The Commission approved the Company's 2021 RPS Development Plan in March 2022, a plan that included specific targets for the development of solar, onshore wind, and energy storage.<sup>1</sup> This competitive solicitation is consistent with and supports the plan set forth in 2021 RPS Development Plan.

**IMPORTANT NOTE:** *The Company has made a revision to its competitive solicitation process related to the acquisition of development project assets. Specifically, the Company will now accept Proposals on a continuous basis throughout the year for resources that meet the stated scope and requirements within the RFP. This change is an*

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<sup>1</sup> The Commission docket for this proceeding can be accessed at the following link: <https://scc.virginia.gov/docketsearch#caseDocs/142243>. The 2021 RPS Development Plan itself is part of Exhibit 2 <https://scc.virginia.gov/docketsearch/DOCS/5mk001!.PDF>.

*effort to provide flexibility for and transparency to the development community, and to maximize optionality in our efforts to procure the best clean energy resources to meet customers' capacity, energy, and REC needs while also meeting the development targets established by the VCEA. This change applies only to the acquisition of development project assets—not to power purchase agreements ("PPAs"). The Company intends to issue a separate RFP for PPAs later this year.*

## **C. Scope**

All Proposals must conform to the RFP requirements detailed below. Any Proposal that does not conform to one or more of the RFP requirements may be eliminated from further consideration.

### 1. Product

The clean energy resource types are outlined above in section I.B. For solar, both utility-scale (greater than 3 MW<sub>AC</sub>) and Distributed Energy Resource ("DER") (3 MW<sub>AC</sub> or less) Proposals are requested.

For new DER Solar, eligible facilities will generate no more than 3 MW<sub>AC</sub> of nameplate capacity at any single location or at contiguous locations owned by the same entity or affiliated entities. Multiple 3 MW<sub>AC</sub> projects at the same or contiguous locations owned by the same entity or affiliated entities will not be considered for this RFP or will be considered a single project, in the Company's sole discretion.

Please note that to be considered a conforming Proposal, all paired storage facilities must have grid charging capabilities.

### 2. Structure

The Company is seeking Proposals that must provide the right for Dominion Energy Virginia to purchase all the development assets for 100% of the project's proposed nameplate capacity, including but not limited to:

- property rights,
- permits,

- interconnection queue position,
- reports, and
- preliminary design documents and agreements that would allow the Company to complete development and construction of the facility.

The Company is not seeking PPAs as part of this RFP. As noted above, the Company intends to issue a separate RFP for PPAs later this year.

### 3. Commercial Operations Date (COD)

Bidder should propose a planned COD of 100% nameplate capacity that aligns with the status of development elements such as land control, local permitting, and interconnection agreements. During the Proposal evaluation, the Company will use provided diligence items to assess whether the proposed COD is probable and realistic. Projects will be prioritized that have a pathway to meet the Company’s annual development targets. Proposals that include actions that have been taken, or a plan to secure as high a percentage of the federal solar investment tax credits (“ITCs”) as possible, may be evaluated more favorably. The planned COD shall be clearly designated as part of all Proposals and be supported by the project’s assets.

### 4. Quantity

Annual quantity requests are designed to achieve specific development targets required by the Virginia Code and mapped out in the Company’s RPS Development Plan. As outlined by the 2021 RPS Development Plan, the Company is seeking utility-scale and DER Proposals, including solar and on-shore wind on previously developed sites<sup>2</sup> for:

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<sup>2</sup> Per VA Code §56-576 defines “previously developed sites” as, “any property, including related buffer areas, if any, that has been previously disturbed or developed for non-single-family residential, nonagricultural, non-silvicultural use, regardless of whether such property currently is being used for any purpose. “Previously developed project site” includes a brownfield site as defined in § [10.1-1230](#). (“Brownfield” means real property; the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.) or any parcel that has been previously used (i) for a retail, commercial, or industrial purpose; (ii) as a parking lot; (iii) as the site of a parking lot canopy or structure; (iv) for mining, which is any lands affected by coal mining that took place before August 3, 1977, or any lands upon which extraction activities have been permitted by the Department of Mines, Minerals and Energy under Title 45.1; (v) for quarrying; or (vi) as a landfill.” “Brownfield” means real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.

| <b>Resource Type</b>  | <b>Target Quantity Requested</b> | <b>Minimum Facility Capacity Accepted</b> |
|---|----------------------------------|---|
| New Solar PV & Onshore Wind*  | 640 MW <sub>ac</sub>             | >3 MW <sub>ac</sub>                       |
| New Energy Storage*   | 80 MW <sub>ac</sub> **           | >3 MW <sub>ac</sub>                       |
| New DER Solar PV, 3 MW <sub>ac</sub> or less***   | up to 65 MW <sub>ac</sub>        | 50 kW                                     |
| <p>*each proposal must represent generation at a single site and not aggregate multiple facilities at separate sites to meet minimum quantity</p> <p>**can be stand-alone or paired with solar or onshore wind</p> <p>***prefer facilities with unit capacity of 1 MW or less which must meet colocation and other requirements in VCEA</p> |                                  |   |

## 5. Delivery Point & Interconnection Status

For all Proposals, the Company will only consider facilities located in Virginia. Specifically, for DER projects that are less than 3 MW<sub>ac</sub> the facilities must be located within the Company's service territory where there are location grid benefits to DEV customers.

For utility-scale projects only - The Company does not have a preference whether projects are interconnected inside or outside the Company's service territory if they are in Virginia and have an Interconnect Service Agreement ("ISA") with PJM, if transmission connected, or a wholesale market participation agreement ("WMPA"), if distribution connected. Furthermore, the Company prefers separate queue positions for solar plus storage projects to provide for more optionality.

In the event facilities are connected at the distribution level, projects submitted must have an assigned interconnection queue number in the Chapter 314 State Jurisdictional Queue, have an executed initial study agreement, and submitted a study deposit. Bidders must also have applied for or obtained a WMPA with PJM.

Transmission connected facilities with a PJM ISA do not need a WMPA. For distribution or transmission level interconnections requiring interconnection rights obtained through the PJM new generator interconnection queue, the Company prefers that the project has progressed at least to the point of having a fully executed System Impact Study Agreement. Bidders must provide all studies conducted to date, and/or have an executed interconnection agreement.

All distribution interconnected projects located in DEV service territory will require Dominion Energy Virginia-owned fiber optic cable installed as the direct transfer trip telecommunications medium. The fiber must be included in the interconnection agreement scope of work and provided by Dominion Energy Virginia.

DER projects only - For state jurisdictional distribution level interconnections, DER solar projects submitted must have an assigned interconnection queue number in the Chapter 314 State Jurisdictional Queue, have an executed initial study agreement, and submitted a study deposit. They also must be connected to DEV's distribution system.

## 6. Technology & Fuel Reliability

All Proposals must utilize existing, proven technologies, with demonstrated reliable generation performance.

For all Proposals that include energy storage, the Company is requiring a four-hour duration lithium-ion AC-based battery energy storage system. The Company will also consider additional alternative storage proposals (including different storage technologies and DC-based lithium-ion battery storage options) as part of the submittal of a four-hour duration lithium-ion battery energy storage system. Each Proposal must represent generation at a single site and shall not reflect an aggregate of multiple facilities at separate sites to meet the minimum size threshold. Bidders must submit a conforming site plan and the required Storage System Technical Aspects (as found on the 2022 RFP checklists that align with the technologies that are noted above).

The Company acknowledges that lithium-ion battery energy storage systems are a developing technology in the Virginia market and that there are associated fire, safety, and environmental risks which may cause operational concerns. With the evolution of industry codes and standards, the Company has elected to implement best practices and design features that will be required on such projects including, but not limited to, spacing, setback, and firewall requirements between the storage equipment as

described in the checklists and Lithium-Ion BESS Spacing and Firewall Supplement document. These practices are likely to result in the mitigation of many of these risks. Additional design criteria may be provided in the future as needed for the Company to properly evaluate Proposals.

## 7. Checklists

Checklists have been developed for each resource and/or combination requested, and outlines "Required" and "Requested" information and specifications. These checklists are available on the RFP website and should be used to prepare all Proposals. If all required items are not included with the Proposal then evaluation of the Proposal may be suspended until the Bidder can provide evidence that the project has progressed in achieving key development milestones. However, if the Bidder provides substantiated, estimated completion dates that align with submitted development items, the Company will take that under consideration when the Proposal is evaluated. All Proposals must have a well-defined and credible development plan for either Bidder or the Company to complete the development, construction, and commissioning of the facility within a realistic timeline to support the RPS Development Plan annual targets.

## 8. Agreements

The Proposal **must** be accompanied by an exclusivity agreement ("Exclusivity Agreement") in the form provided executed by an authorized representative of the Bidder and either (i) an affirmative statement that Bidder is taking no exception to the form of asset purchase agreement (the "Form Agreement") provided pursuant to this RFP; or (ii) a fully marked-up Form Agreement that is reflective of its Proposal, and that Bidder deems execution-ready. Any proposed revisions to the Form Agreement must be clearly marked with specific language detailing the revisions and the accompanying rationale therefor. Proposals with incomplete Form Agreement revisions, edits and/or accompanying rationale, or that rely on future negotiations to finalize shall be deemed non-conforming and subject to rejection by the Company.

Both agreements are critical for the Company to properly evaluate a Proposal, and to ensure both parties can conclude diligence and acquisition in a timely manner and under exclusivity.

9. Exclusions

The Company is not seeking or accepting demand side management resources, fossil fueled generation, or renewable generation other than PV solar and onshore wind, PV solar and onshore wind plus energy storage or stand-alone energy storage. While these excluded resources are outside the scope of this RFP, the Company may consider these resources in other existing and future Company-sponsored procurement programs.

The Company will not consider Proposals that have material contingencies, such as for financing, environmental, etc.

**D. Schedule & Process**

1. Key Dates

| <b>Event</b>                   | <b>Date</b>    |
|--------------------------------|----------------|
| RFP Announcement & Issuance    | April 29, 2022 |
| Bidder Informational Webinar 1 | June 9, 2022   |
| Bidder Informational Webinar 2 | Q4 2022        |

Proposals will be considered until the next RFP is issued. The Company reserves the right to determine the appropriate timing to bring projects to the Commission.

2. RFP Milestones

Bidders can expect the process to follow the milestones mapped out in the table below. It is expected that both parties will act in good faith and demonstrate collective cooperation to achieve milestone progression in a timely manner.

| <b>Rolling RFP Acquisition Milestones</b> |  |
|---|--|
| 1   | Bidder submits intent to bid registration ("ITB") and confidentiality agreement ("CA") by email box in I.E.1.b |
| 2   | Company emails supplemental documents and executed CA to Bidder  |
| 3   | Bidder makes notification to Company to submit Proposal and request SharePoint access by email box in I.E.1.b  |
| 4   | Company provides SharePoint access and Form Agreement to Bidder  |
| 5   | Bidder submits Proposal and signed Exclusivity Agreement in SharePoint to Company                              |
| 6   | Company evaluates Proposal*  |
| 7   | Parties negotiate to final Form Agreement  |

\*Detail on the evaluation process is provided in Part II.B.

### 3. Intent to Bid Registration Form and Confidentiality Agreement

All participating Bidders must register in the RFP by submitting an ITB and an executed CA. The completed ITB and signed CA are requested to be emailed to [DEVCleanEnergyRFP-Acquisition@dominionenergy.com](mailto:DEVCleanEnergyRFP-Acquisition@dominionenergy.com). The ITB and CA can be found on the RFP website at [www.dominionenergy.com/DEVCleanEnergyRFP](http://www.dominionenergy.com/DEVCleanEnergyRFP). The Company will provide Bidders a confirmation upon receipt.

After a Bidder has successfully completed and submitted the ITB and CA, the Company will email the Bidder the fully executed CA and supplemental documents not available on the website necessary to complete a conforming proposal.

### 4. Proposal and Exclusivity Agreement Submission

When the Bidder is ready to submit a Proposal they must provide notification and request SharePoint access by email at [DEVCleanEnergyRFP-Acquisition@dominionenergy.com](mailto:DEVCleanEnergyRFP-Acquisition@dominionenergy.com). (Note: Include "Notification to submit Proposal and request SharePoint access" in the email subject and include Proposal project name in the body of the email.) The Company will respond by providing access to all contacts on the ITB to a dedicated SharePoint site to upload Proposal documentation. The Form Agreement will also be provided at this time. Proposals must be submitted electronically via the SharePoint site. The Company will not accept Proposals that are mailed, emailed, or hand delivered.

Proposals must contain all the documents and data requested in the form and format required, as described in Part III of this RFP document to be considered complete. All Proposals must be accompanied by an executed Exclusivity Agreement.

5. Proposal Evaluation and Selection

Part II.B provides more detail on the Proposal evaluation process. In general, Bidders can expect to be notified within approximately 60 days of Proposal submission whether the project has been selected to enter into further diligence and subsequent negotiations. The Company reserves the right to maintain its interest in the project and extend the exclusivity period as permitted by the Exclusivity Agreement. Note that during any phase of this evaluation process, the Company reserves the right to eliminate a Proposal from consideration or suspend evaluation until the Bidder can provide evidence that the project has progressed in achieving key development milestones.

6. Bidder Financial Information

As applicable, Bidders shall provide information for Bidders and the guarantors that are providing credit support. At the time of Proposal submission, Bidder will provide all associated entities providing equity funding, their associated percentages, and the role of each party. Additional documentation may be needed at the request of the Company.

**E. Communications**

1. Key communication means

- a. Website - [www.dominionenergy.com/DEVCleanEnergyRFP](http://www.dominionenergy.com/DEVCleanEnergyRFP)
- b. Email box - [DEVCleanEnergyRFP-Acquisition@dominionenergy.com](mailto:DEVCleanEnergyRFP-Acquisition@dominionenergy.com)

2. RFP Process Information

In addition to the information and instructions provided in this RFP document, please refer periodically to the RFP website for additional information, announcements, and

updates.

### 3. Bidder Questions & Answers

Bidders may submit questions to the Company concerning this RFP process to the email box listed above. Please note that such questions will not be treated as confidential, and the question and answer may be shared for the benefit of other interested parties via the RFP website.

**Please note that prior to Proposal selection notification Bidders must communicate via the email box above and should not attempt to contact Company employees directly with any matters related to this RFP process.**

### 4. Webinars

Webinars will be used to introduce key parameters of the RFP, discuss key considerations to a successful proposal and field questions from the development community. The Company expects to hold an Informational Webinar on Thursday, June 9, 2022. A webinar notice with date confirmation, time, and instructions on how to participate will be communicated in advance of the session. The webinar video and Q&A document will be posted to the RFP website afterwards. Notification of future webinars will be posted on the RFP website and, when needed, by email.

### 5. Company Questions & Answers

The Company may have the need for clarifications or additional information as part of its review of Proposals. In such case, the Company will call or email the designated Bidder contact. Prompt responses to these questions will be required to maintain a conforming Proposal. Bidders may not necessarily be contacted prior to the Company's decision to eliminate a Proposal from consideration.

## **F. Modifications to RFP**

The Company reserves the right to modify this RFP for any reason and at any time. To

keep active Bidders and others in the development community informed, the Company will update documentation and requirements periodically. Such changes will be communicated via the RFP website, webinars and, as needed, directly to Bidders who have submitted a Proposal.

**G. Confidentiality**

The Company will maintain the confidentiality of all Proposals submitted in accordance with the terms of the CA.

**H. Miscellaneous**

1. The Company is not pursuing Proposals that provide less than 100% of the exclusive output from a given facility. Proposed utility-scale solar projects must be greater than 3 MW<sub>AC</sub> and proposed DER solar projects must be 3 MW<sub>AC</sub> or less as described in Section I.C.1 above.
2. The Company reserves the right, without qualification and at its sole discretion, to select any Proposal or reject any and all Proposals, and/or to waive any formality or technicality in any Proposal received. Bidders who submit Proposals do so without recourse against the Company for either rejection by the Company or failure to execute an acquisition agreement for any reason.
3. The Company shall not reimburse Bidder, and Bidder is responsible for any cost incurred, including but not limited to, interconnection study costs, in the preparation or submission of a Proposal(s), in negotiations for an asset purchase agreement, and/or any other activity contemplated by the Proposal(s) submitted in connection with this RFP.
4. The information provided in the RFP, or on the Company's RFP website, has been prepared to assist Bidders in evaluating the RFP. It does not purport to contain all the information that may be relevant to Bidder in satisfying its due diligence efforts. The Company makes no representation or warranty, expressed or implied, as to the accuracy, reliability or completeness of the information in the RFP or the RFP website,

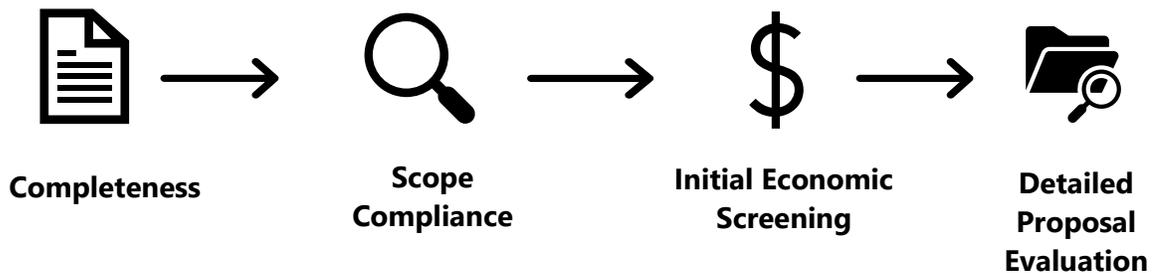
- and shall not be liable for any representation expressed or implied in the RFP or the RFP website or any omissions from the RFP or the RFP website, or any information provided to a Bidder by any other source.
5. Bidders should check the Company's RFP website frequently to ensure it has the latest documentation and information. Neither the Company nor its representatives shall be liable to any Bidder or any of its representatives for any consequences relating to or arising from the Bidder's use of outdated information.
  6. Bidder shall indemnify and hold the Company harmless from all damages and costs, including, but not limited to, legal costs, in connection with all claims, expenses, losses, proceedings or investigations that arise as a result of the RFP, including the award or denial of a Proposal pursuant to the RFP.
  7. The submission of a Proposal to the Company shall constitute Bidder's acknowledgment and acceptance of all the terms, conditions and requirements of this RFP.
  8. Bidders are expected to comply with the Dominion Energy Supplier Code of Ethics and Business Conduct found by scrolling to the bottom of the page at [www.dominionenergy.com/suppliers](http://www.dominionenergy.com/suppliers).
  9. Bidder shall obtain all licenses and permits that may be required by any governmental body or agency necessary to conduct Bidder's business or to perform hereunder. Bidder's subcontractors, employees, agents and representatives of each in performance hereunder shall comply with all applicable governmental laws, ordinances, rules, regulations, orders and all other governmental requirements.
  10. The Company encourages Bidder to provide financial assistance to localities that engage third party support for local permitting efforts.

## **PART II – Proposal Evaluation**

## A. Evaluation Methodology Overview

Using the steps outlined below in II.B, the Company will review and evaluate Proposals submitted to identify projects that provide the lowest reasonable cost, while also complying with the Virginia Code and related rules and regulations and maintaining reliability and flexibility for Dominion Energy Virginia customers. Proposals selected from the RFP process will be those that offer the most favorable combination of the price and non-price evaluation, as described further below. All Proposals will be held to the same standards and evaluated consistently to determine which provide the best value for customers. Projects that are being developed by the Company will be subject to the same price and non-price evaluation as those Proposals received through the RFP.

## B. Evaluation Process



Note that during any phase of this evaluation process, the Company reserves the right to eliminate a Proposal from consideration or suspend evaluation until the Bidder can provide evidence that the project has progressed in achieving key development milestones.

### 1. Review for Completeness

The Company will review all Proposals for completeness and whether it is a conforming Proposal. Failure to provide the requested information in accordance with the RFP requirements described in Part III may result in elimination or suspension of evaluation of the Proposal.

### 2. Review for Scope Compliance

The Company will then review Proposals for compliance with the RFP scope as described in Section I.C. In order for a project to be considered compliant, it must adhere to and/or address the scope categories including: product, proposal structure, COD, quantity, delivery point/interconnection status, technology and fuel reliability, checklists, agreements and exclusions.

### 3. Initial Economic Screening

The Company will perform an initial economic screening in order to eliminate uneconomic Proposals. This will allow the final evaluation process to focus on the most economic Proposals relative to other Proposals received.

### 4. Detailed Proposal Evaluation

The Company will conduct the final review and evaluation of remaining Proposals based on the Price Evaluation and Non-Price Evaluation as described below.

## **C. Price Evaluation**

The price evaluation will analyze each Proposal's value to Dominion Energy Virginia customers based on the Proposal's pricing. The Company will use generation planning and production cost models to determine the economic value, with the objective of minimizing present value revenue requirements for customers while maintaining grid reliability and flexibility. In addition, siting agreements and any other cost characteristics will be considered during project valuation. Balancing the requirements of the VCEA while maintaining reasonable costs for all customers is important. Additionally, only pricing on a  $\$/W_{dc}$  basis for solar or  $\$/W_{ac}$  basis for storage and onshore wind will be accepted. The amount ultimately paid to the developer will be based upon what the Company proposes for the size of the facility in its application to the Commission.

## **D. Non-Price Evaluation Criteria**

Many risks and qualitative factors must be considered when evaluating a Proposal to identify and select viable projects which meet the Company's risk profile, support annual

development targets and ultimately provide the best overall value for our customers. The Company relies on the information required in the checklist to properly evaluate a Proposal to determine whether it has a reasonable expectation of actually being developed. The non-price evaluation criteria are described below and fall into three major categories: economic community impact, constructability risk and business risk.

### **Economic Community Impact**

#### 1. Virginia Economic Benefit

The Company requires utilization of goods or services sourced, in whole or in part, from one or more Virginia businesses. The Company will consider each proposed facility's use, or expected use, of labor, materials, and other resources within Virginia and from Virginia businesses during development and expected in operation.

#### 2. Environmental Justice

In 2018, the Company adopted an Environmental Justice (EJ) Policy to affirm its commitment to ensuring the fair treatment and meaningful involvement of all people, regardless of race, color, national origin, or income, in our infrastructure planning and development process. This is also in accordance with the Virginia Environmental Justice Act (VEJA) which states that "it is the policy of the Commonwealth to promote environmental justice and ensure that it is carried out throughout the Commonwealth, with a focus on environmental justice communities and fence line communities." (See Va. Code §§ 2.2-234-235 for community definitions and policy). The project's potential to impact EJ communities alongside actual or planned community engagement as it pertains to the objectives of the Virginia Environmental Justice Act will be evaluated.

### **Constructability Risk**

The Company will assess whether key project characteristics and the associated development plan support the proposed nameplate capacity and in-service date with a reasonable cost.

### 3. Land and Constructability Risk

- a. Land – The project’s proposed site plan and topography will be assessed to determine whether the site can adequately accommodate the proposed layout of panels and/or energy storage equipment, and whether other parameters, including but not limited to, erosion and sediment features support achievement of proposed nameplate capacity and at a reasonable cost.
- b. Constructability – The site’s soil conditions and subsurface characteristics will be evaluated using push/pull test results and/or geotechnical studies to assess impact to the proposed project’s scope and cost.

### 4. Interconnection

Whether transmission or distribution level connected, the interconnection queue status and study scope upgrades will be evaluated to assess risk to project scope, cost and schedule to achieve the proposed target COD. System protection requirements will be assessed as well. Additional considerations include:

#### a. PJM Interconnection Process

For distribution or transmission level interconnections requiring interconnection rights obtained through the PJM new generator interconnection queue, the Company prefers that the project has progressed at least to the point of having a fully executed System Impact Study Agreement.

#### b. State Jurisdictional Distribution Level Interconnections,

Proposals submitted must have an assigned interconnection queue number in the Chapter 314 State Jurisdictional Queue and provide all available studies conducted to date, and/or already have an executed interconnection agreement.

#### c. Distributed Solar Interconnection and Location

Proposed facilities that are first in the interconnection queue on the Dominion Energy Virginia substation transformer to which it will feed power may be

evaluated more favorably than facilities with subordinate queue positions. The Company may consider the benefits and impacts to the distribution grid of the facilities based on location.

#### 5. Local Permitting Risk

Proposals shall include any required local use permit and siting agreement, where applicable. All required local use permit and siting agreement conditions will be evaluated to determine the risk to final engineering, construction, schedule, on-going operations and maintenance and overall cost of the project. Other factors evaluated include, but are not limited to, the status and terms of other local permits and decommissioning requirements and associated costs.

#### 6. Environmental Permitting & Approvals Risk

There are numerous environmental assessments and reports required, including but not limited to, cultural resources, wetland delineation, environmental site assessment, threatened and endangered species and natural resource mapping that will be reviewed and evaluated to assess the risk associated with a project site's environmental parameters to obtaining future permit approvals and features' impact to achieving expected project design. The project's impact on air quality will be evaluated as well. For proposals on previously developed sites, applicable environmental regulatory restrictions such as administrative orders will be evaluated.

### **Business Risk**

The Company will assess the risks associated with terms and conditions and status of key project agreements.

#### 7. Land Agreements

Bidder is ultimately responsible for obtaining and providing evidence of all necessary site control (including but not limited to project site, easements, right of ways, as well as demonstration of land control over which any discharge is anticipated to flow to get to a stormwater conveyance system). Evidence of site control is a critical factor in evaluating a

Proposal. Other parameters assessed for risk impact include ALTA survey, land agreement status and terms (project site and easements), title documents, site configuration and access. Additionally, for DER solar projects, land control must meet, at a minimum, the requirements of Section 6 of the Level 2 and 3 Interconnection Request Form for Small Generating Facility.

#### 8. Agreement Terms and Conditions

There is a separate Form Agreement for utility-scale Proposals and DER Proposals. The Company will rely on the Form Agreement terms and conditions to ensure it receives the intended value of the Proposal and to protect the Company from unnecessary risk. Therefore, the Form Agreement mark-up submitted must accurately and fully reflect Bidder's Proposal and is critical to the Company's proper evaluation of a Proposal and timely conclusion of the RFP process. Proposals that minimize revisions to the Form Agreement will receive preference in the evaluation process. Proposals that do not include an execution-ready Form Agreement, have incomplete edits, or that rely on future discussions to finalize, shall be deemed non-conforming and subject to elimination or suspension of evaluation by the Company. As reflected in the Form Agreement, Bidders will be required to represent and warrant to the Company that there are no facts or circumstances that could materially and adversely affect the ability of the Company to construct, own and operate the facility in accordance with the development schedule. The long-term performance of the proposed facility is critical to providing the intended value for the Company's customers.

#### 9. Key Risk Factors

As the price evaluation and non-price evaluation reviews are conducted, certain key risks will be compiled and included in the final evaluation ("Key Risk Factors"). These Key Risk Factors may be unique to a Proposal and, while reflected in the price and non-price evaluation, may be significant enough to independently impact the overall favorability of a Proposal. For example, if there is significant uncertainty whether a key

permit for a facility can be secured, jeopardizing the ability of the facility to be constructed, then that risk may also be included as an independent consideration in the final evaluation.

#### **E. Scoring Methodology**

The Company utilizes a comprehensive scoring system that has been reviewed by the Commission and is based on objective standards to evaluate non-price factors across all Proposals of similar renewable resources and energy storage. Based on the Company's experience, an appropriate weighting is assigned to each non-price factor based on risk and impact to the successful completion of the project. From time to time, these weightings are assessed and changed if needed based on development expectations, legal requirements and changes in the industry. All Proposals and projects that are being developed by the Company will be evaluated using the same scoring system.

### **PART III – Proposal Submittals**

#### **A. Proposal Requirements & General Instructions**

The purpose of these requirements and instructions is to acquire sufficient information from all Bidders that will ensure a uniform and impartial evaluation of each Proposal. Prior to submitting Proposal(s), Bidders must register by completing an Intent to Bid Form and execute a Confidentiality Agreement.

Bidders may submit more than one Proposal. For multiple Proposals related to a single facility (for example, solar or solar paired with storage or projects of different sizes), Bidders may provide a single Proposal submittal package that clearly identifies the Proposals' differences. For Proposals that are based on different facilities, Bidders should provide a complete and separate Proposal submittal package for each facility.

Proposals must be submitted electronically by uploading to the Bidder's dedicated SharePoint Site. The Company will not accept Proposals that are mailed, emailed, or hand delivered. Bidders should refer to the applicable checklist available for

download on the RFP website for detail on required and requested information to be included in each Proposal. Proposals must contain all the documents and data requested in the form and format required and in the specified SharePoint location as indicated in this section and in the RFP checklist to be considered complete. Any Proposals with material omissions or incomplete responses to the requested items will be deemed non-conforming and may be eliminated from consideration.

## **B. Proposal Summary**

Bidder's Proposal Summary must be provided in Microsoft Word or Adobe Acrobat PDF file format and contain the following information as applicable. Please maintain the order and content as listed below to facilitate the review of Proposals.

1. **Bidder Name and Contact information:** Proposal(s) must be submitted in the legal name of the actual party or the ultimate "upstream" organizational entity that would be bound by any resulting asset purchase agreement with the Company and authenticated by an officer or other employee who is authorized to bind Bidder to an agreement based on the Proposal(s).

The first page of the Proposal shall list the Bidder and the Bidder contact information (name, title, phone, email address, and mailing address).

2. **Proposal Summary:** Bidders shall provide a brief summary of the Proposal, including key information on the facility. Please highlight any significant unique attributes of the facility relative to similarly situated facilities in the industry as well as the facility's impact on air quality within the Commonwealth and the carbon intensity of the utility's generation portfolio.
3. **Project Price:** Bidders shall provide the price applicable for acquisition of project based on a  $\$/W_{dc}$  for solar and  $\$/W_{ac}$  for onshore wind and storage, as outlined in the Form Agreements. Prices should also be entered in Section B, Price & Terms Summary, of the Information Form Addendum document.
4. **Bidder Summary:** Bidder shall provide a summary of the Bidder that must include:

- a. Ultimate corporate parent entity and relationship to Bidder,
  - b. Prior experience and qualifications of Bidder as it relates to the execution of the Proposal, and
  - c. Summary of Bidder's and guarantor's financial strength and capabilities to complete development of the project.
5. **Key Contributors Summary:** Bidders shall provide a summary of the experience and qualifications of key contributors. Such summary must include:
- a. Prior experience and qualifications of any key developers, engineering, procurement and construction contractors, operators, or other key contributors specifically as it relates to the execution of the Proposal;
  - b. Summary of the status of contractual relationship with each key contributor;
  - c. Key contractual assurances, guarantees, warranties or commitments supporting the Proposal; and
  - d. Past experience of Bidder working with each key contributor.
6. **Site Summary:** Bidders shall provide information on the project site, including:
- a. Bidder rights (owned, leased, under recorded option) to such site. If applicable, provide details of lease or purchase agreement or option terms. A letter of intent is not sufficient land control. Bidder shall have all land rights including easements necessary for the development, construction, interconnection, and operation of the facility. This is to include demonstration of land control over which any discharge is anticipated to flow to get to a stormwater conveyance system. Note that projects with land control that covers a 35-year operating life will receive preference in the evaluation process; and

- b. A preliminary site plan per the requirements in the checklist.
7. **Development Plan:** Bidders shall provide a summary of the development plan, including:
- a. Proposed COD date
  - b. Discussion of the development schedule, and associated risks and risk mitigants for that schedule, including whether there are contract commitments from contractors supporting the proposed schedule. Bidder should be prepared to document and commit to proposed development schedule.
  - c. Discussion on permitting, including a list of all required permits, permitting status of each (including expiration dates), and key risks to securing necessary future permits approvals. Provide a permitting plan as indicated in the applicable checklist document.
  - d. Discussion on distribution and transmission interconnection, including which interconnection queues the project has been submitted into, the assigned queue number, status of application, studies and agreements, estimated cost, and estimated schedule for completion of upgrades. This should include a cost estimate for general site telecommunications for all projects (see Verizon cost estimate sheet attached to the checklist) except DER Solar and for Dominion Energy Virginia owned fiber for the direct transfer trip (DTT). DTT must be included in the Dominion Energy Virginia SGIA scope.
  - e. Discussion on any rezoning that may be required, including the schedule and process for rezoning.
  - f. Discussion on tree clearing expectations if applicable.
8. **Environmental Plan:** Please provide a summary of all environmental diligence completed to date, including any identified concerns and the associated mitigation.

For environmental diligence that remains, please provide a detailed scope and schedule that supports the Proposal's planned COD as described in Section I.C.3. Please indicate the date when referenced information must be refreshed. For all required diligence items, indicate any expirations or dates at which the data would need to be re-evaluated. Provide a schedule for refreshing prior to closing. Note that studies must be within 180 days of anticipated acquisition close.

9. **Legal Proceedings:** Bidders shall provide a summary of all material actions, suits, claims or proceedings (threatened or pending) against Bidder, its guarantor (if applicable) or involving the project as of the Proposal date, including those related to employment and labor laws, environmental laws, or contractual disputes for the development, construction or operation of the facility. Bidder shall update information when there is a change as needed at any point during the exclusivity period.
10. **Environmental Violations / OSHA Recordables:** Provide a list of all environmental violations and OSHA recordable incidents incurred within the last three (3) years by the Bidder or its contractors on projects developed and/or built by Bidder. Also include a description of mitigation efforts to address these incidents and the measures that will be employed in the future to avoid recurrences.
11. **Virginia Economic Impact:** Bidders shall provide a description of the expected use of labor, materials, and other resources from Virginia and/or Virginia businesses during the development, construction, and operation of the project. Additionally, provide a description of the expected benefits to be derived by the industries and communities associated with the development, construction, and operation of the project. In addition, indicate any direct benefits the project will provide for the local community.
12. **Environmental Justice:** Bidders shall submit a standard report from EPA's EJSCREEN website and, where needed, provide information on what specific

actions have been taken to engage any EJ communities affected by the project. Specific instructions will be provided in the checklist. An “environmental justice screening” is a type of social impact assessment that includes a demographic profile of the project’s surrounding community and identification of nearby sensitive receptors like places of worship and schools. The screening is a first step taken to identify potential EJ communities. Where EJ communities are identified, proactive and targeted outreach is appropriate to ensure opportunity for feedback is provided. Identification of an EJ community is not intended to disqualify development in those areas. The Company will evaluate the project’s EJ factors using the EJSCREEN reports, the summary of community engagement provided, and other relevant information outlined in the applicable checklist.

13. **Project Tax Credits:** Proposals that include actions and plans that have been taken to maximize the Federal Solar ITC, or some reduced percentage thereof, should detail how that credit is expected to or could be secured.

**C. Information Form Addendum**

The Information Form Addendum can be found on the RFP website at [www.dominionenergy.com/DEVCleanEnergyRFP](http://www.dominionenergy.com/DEVCleanEnergyRFP). The Proposal’s Information Form Addendum must be provided in Microsoft Excel file format, and contain the information requested as applicable to the Proposal. Please maintain the order and format of the worksheets to facilitate the Company’s review of the Proposal. The completed form should be uploaded to the Bidder SharePoint site.

**D. Form Agreements**

After the Bidder provides proper notification by email that they intend to submit a proposal, the Company will provide the Form Agreement along with access to the SharePoint site. The Proposal must be accompanied by either (i) an affirmative statement that Bidder is taking no exception to the Form Agreements provided pursuant to this RFP; or (ii) a fully marked-up Form Agreement that is reflective of its

Proposal, and that Bidder deems execution-ready. This is critical for the Company to properly evaluate a Proposal, and so both parties can complete negotiations in a timely manner. Any proposed revisions to the Form Agreements must be clearly marked with specific language detailing any such revisions. Proposals with incomplete Form Agreement revisions, edits, or that rely on future negotiations to finalize shall be deemed non-conforming and subject to elimination or suspension of evaluation by the Company. While proposed revisions to the Form Agreements may be considered, Proposals that minimize such revisions will receive preference in the evaluation process.

In the case of clause (ii) above, Bidder's Proposal must contain two Form Agreement submittal files. The first shall be a file in Microsoft Word or Adobe Acrobat PDF file format that reflects all the proposed edits to the Form Agreement, as redline marks. The second shall be a file in Microsoft Word format that is a "clean" version, reflecting acceptance of all proposed edits. Reasons or explanations for proposed edits can be included in the text of the documents, or as a separate file.

#### **E. Exclusivity Agreement**

An executed Exclusivity Agreement must be submitted at the same time as the Proposal by uploading to the Bidder's dedicated SharePoint site in the Legal folder. The Exclusivity Agreement must be signed by an authorized representative of the Bidder. The form Exclusivity Agreement will be provided with other supplemental documentation by email once an ITB and CA are received by the Company.

[www.dominionenergy.com/DEVCleanEnergyRFP](http://www.dominionenergy.com/DEVCleanEnergyRFP)