



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Administration
DIVISION OF LEGAL SERVICES
One Capitol Hill, 4th Floor
Providence, RI 02908-5890

Tel: (401) 222-8880
Fax: (401) 222-8244

Daniel W. Majcher, Esq.

March 25, 2020

SENT VIA ELECTRONIC MAIL ONLY [Luly.Massaro@puc.ri.gov]:

Luly E. Massaro
Commission Clerk
Public Utilities Commission
89 Jefferson Boulevard
Warwick, Rhode Island 02888

**RE: Docket No. 4604 - Office of Energy Resources 2020 Funding Request
Solar Quality Assurance Study**

Dear Ms. Massaro:

Enclosed for filing on behalf of the Rhode Island Office of Energy Resources ["OER"] is a pdf copy of the *Commissions First Set of Data Requests Directed to the Rhode Island Office of Energy Resources. (Issued March 11, 2020)*. Also attached for filing, is the *Request for Proposals #7599811 Contract Addendum 1*.

If ten (10) hard copies are needed, please let me know and I will mail those out to you today.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Daniel W. Majcher
Legal Counsel
Department of Administration
on behalf of the Office of Energy Resources a

DWM/njr

c. Docket #4604 Service List

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION**

**IN RE: OFFICE OF ENERGY RESOURCES :
2020 FUNDING REQUEST : DOCKET NO. 4604
SOLAR QUALITY ASSURANCE STUDY :**

**COMMISSION’S FIRST SET OF DATA REQUESTS DIRECTED TO RHODE ISLAND
OFFICE OF ENERGY RESOURCES**

Issued March 11, 2020

1. Please provide a copy of the contract between the State of Rhode Island and Natural Power.

RESPONSE: Please see attached fully executed contract.

2. Referring to the language in OER’s January 28, 2020 filing:
 - a. Was the phrase “Payment for all services rendered must be pre-approved by the Rhode Island Public Utilities Commission” included in prior year contracts?

RESPONSE: No. The reconciliation request for the quality assurance work was approved prior to the contract execution. In the case of 2019, the PUC approved the reconciliation request on January 14, 2019 and the contract amendment was executed in February.

- b. Does the quoted language in (a) above contemplate the PUC will be required to affirmatively approve each payment to the vendor? Or is the PUC being requested to only approve the overall funding for the contact? Please explain.

RESPONSE: The PUC is being asked to approve the overall funding for the contract. This is similar to what has been requested in previous years. The major difference in 2020 is that OER needed to go out to bid for a new vendor. Natural Power was selected and the contract between OER and Natural Power was executed prior to the reconciliation request funding approval.

REQUEST FOR PROPOSALS # 7599811
CONTRACT ADDENDUM 1

This **Contract Addendum 1** (this "**Addendum**") is entered into as of the date of the last signature below, by and between the State of Rhode Island and Providence Plantations, acting by and through its Office of Energy Resources, located at One Capitol Hill, Providence, RI 02908 (the "**State**"), and Natural Power Consultants LLC at 60 Railroad Place, Suite 205 Saratoga Springs, NY 12866 (the "**Vendor**"). The State and the Vendor are individually referred to herein as a "**Party**" and are collectively referred to herein as the "**Parties**".

RECITALS

WHEREAS, on October 9, 2019, the State's Division of Purchases (the "**Division**") issued request for proposals # 7599811 (the "**RFP**") to solicit proposals from qualified firms to provide a Solar Quality Assurance Inspection Study and Report;

WHEREAS, the Division received one proposal including a responsive proposal dated November 7, 2019 submitted by the Vendor in response to the RFP which is referred to herein as "**Vendor's RFP Proposal**";

WHEREAS, through correspondence dated December 5, 2019, the Division notified the Vendor that the State tentatively selected the Vendor to provide the services requested in the RFP;

WHEREAS, the Parties agree and acknowledge that no work in connection to the RFP shall commence until and unless a Purchase Order is issued by the Division;

WHEREAS, the Parties agree and acknowledge that the Purchase Order along with any and all contractual documents incorporated by reference thereto, including but not limited to the General Conditions of Purchase, 220-RICR-30-00-13, will constitute the entire and exclusive agreement between the State and the Vendor in connection with Vendor's performance of the services described within the RFP (the "**Contract**");

WHEREAS, the Parties desire to include this Addendum as a contractual document to be incorporated into the Contract;

NOW THEREFORE, in consideration of the premises and of the mutual agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows.

ADDENDUM

1. RECITALS

The above Recitals are hereby incorporated into this Addendum.

2. SERVICES

Vendor shall provide the State with the services as described in the RFP (the "Services") in accordance with the terms and conditions specified in the RFP, the Vendor's RFP Proposal, the General Conditions of Purchase and any other contractual documents incorporated into the Contract.

3. COMPENSATION

As compensation for providing the Services, the State shall pay the Vendor a fixed amount of One Hundred Forty-Six Thousand Four Hundred Dollars (\$146,400.00).

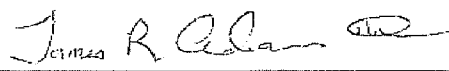
The total amount paid to the Vendor for the Services and all other work performed in connection with the RFP shall not exceed One Hundred Forty-Six Thousand Four Hundred Dollars (\$146,400.00) unless additional work and payment for such additional work are expressly authorized and approved by the Office of Energy Resources and the Division.

Payment for all services rendered must be pre-approved by the Rhode Island Public Utilities Commission.

4. INCORPORATION OF THIS ADDENDUM INTO CONTRACT


This Addendum shall have no force or effect unless a Purchase Order is issued by the Division to the Vendor in connection with the RFP. If such a Purchase Order is issued, this Addendum shall be incorporated into the Contract.

AGREED AND ACCEPTED:



Natural Power Consultants LLC
Name: James Adams
Title: President

1/24/2020
Date



State of Rhode Island acting by and through
its Office of Energy Resources
Name: Nicholas Ucci
Title: Acting Commissioner

1/23/20
Date