Evaluation Team Response to 83E Round 2 Bidder Questions

RFP Due Date, Submission and Future Schedule (cont.)

<u>Question 2</u>: *Given our team's priorities and current closings, meeting the September 10, 2026 proposal deadline is a tight turnaround on our end. That said, this RFP is of interest to us for our portfolio throughout MA. We are curious to know if this RFP is likely to be issued again in Q1/Q2 2027, as that timeline would allow us the time to dedicate proper attention and submit thoughtfully across our full portfolio.*
That said, do you anticipate this being a recurring RFP, with additional rounds beyond the current solicitation? We'd appreciate any guidance you're able to share on this.

<u>Answer 2</u>: Please see the August 13, 2026 Bidder's Conference Presentation which may be found here. In particular, Slide 22 provides the Overall 83E Procurement Schedule.

Please note, after the Bidder Conference presentation the Bid Submission Date and subsequent solicitation schedule dates for the 83E Round 2 solicitation were extended. **Bids are now due on October 8, 2026 at 12:00pm EDT.** The complete revised 83E II Timeline has been posted here – please follow the revised dates.

<u>Question 3</u>*: We are requesting a bid-specific ShareFile URL to use to submit a Section 83E Round 2 RFP package. We are interested in submitting bids for 4 separate distribution projects. Do we need 4 unique ShareFile URLs, or can we submit the 4 projects through the same ShareFile URL?*

<u>Answer 3</u>: No. Bidders need one URL per Bidder. Please submit all proposals through the same ShareFile URL, though the proposals should be organized such that they are self-contained.

<u>Question 4</u>*: In the "Appendix A - Bidder Response Form" under "Section A-5: Financial & Legal", there are two separate Questions marked as "5.25".* Should we keep the numbering the same, or should we re-number the second (5.25) as 5.26 and continue as such until the questions end with 5.29 instead of 5.28?

Answer 4: The Evaluation Team is agnostic as to how Bidders address the numbering error in Section A-5 of the RFP as long as Bidders address all questions required of the RFP, which includes Section A-5.

Question 5:

- ***Equipment identification at bid submission (Appendix A Sections 3.4, 9.1, 9.2, and 9.5):*** *Please clarify whether equipment manufacturers must be identified by model number at bid submission, or whether bidders may identify a qualified equipment shortlist and provide a committed deadline for selecting the final equipment configuration.*
- ***Technology degradation evaluation where final configuration is not fixed (Appendix A Section 3.11; CPPD Parts V(b)–(d)):*** *Please clarify how the Evaluation Team will assess technology degradation when the proposed augmentation strategy, warranty terms, or final equipment configuration has not yet been fixed, including what assumptions bidders should use in the degradation, maintenance, and overbuild profiles.*
- ***Technology substitution after selection (RFP Section 3.5; Appendix A Sections 9.1, 9.4, and 9.5):*** *Please confirm whether the RFP permits technology or major equipment substitution after selection if the substituted equipment satisfies or exceeds the original bid's safety, performance, warranty, and delivery characteristics, and identify any limits on such substitution.*
- ***Definition and measurement of Full Rated Capacity (RFP Definitions; Appendix A Section 3.1; CPPD Part IV):*** *Please define how Full Rated Capacity will be measured and certified for purposes of contract compliance, including whether the relevant measurement point is inverter AC output, net plant output at the delivery point, or another specified point.*
- ***Duration requirement over the contract term (RFP Definitions and Section 2.2.1.7; Appendix A Sections 3.1 and 3.11; CPPD Parts V(b)–(d)):*** *Please clarify whether the four-to-ten-hour duration requirement must be demonstrated at Commercial Operation Date only, on an annual or other periodic basis, or throughout the contract term after degradation and augmentation are taken into account.*
- ***Minimum contractual performance standards (Appendix A Sections 3.1, 3.2, and 3.9–3.11; CPPD Parts IV and V):*** *Please identify the minimum availability,*

capacity retention, round-trip-efficiency, ramp-rate, response-time, and delivery-performance standards that will apply under the Form Long-Term Contract, including the applicable measurement methodology, testing protocol, tolerances, and cure or penalty provisions.

- ***Treatment of outages, constraints, and curtailments (RFP Section 2.2.1.7; Appendix A Sections 3.9, 3.10, and 6.8; CPPD Part V):*** *Please clarify how planned maintenance outages, forced outages, augmentation outages, grid outages, transmission or distribution constraints, and curtailments will affect delivery obligations, availability calculations, damages, and other penalties under the Form Long-Term Contract.*
- ***Status of the monthly delivery profile (RFP Sections 2.2.1.7 and 2.5; Appendix A Sections 3.6 and 4.1; CPPD Parts V and VII):*** *Will the Evaluation Team evaluate the submitted monthly delivery profile as a binding performance commitment or only as a forecast for bid evaluation? If it is binding, please clarify the applicable tolerances, measurement period, and consequences of shortfalls.*
- ***Post-selection revisions to operational schedules (RFP Sections 2.2.1.7 and 3.5; Appendix A Sections 3.6 and 3.11; CPPD Part V):*** *Please confirm whether bidders may revise operational schedules after selection to reflect updated market conditions, degradation, augmentation, or changes to CPS charging windows, and, if so, identify the required approval process and any limitations on such revisions.*
- ***Accounting for charging and delivery losses (Appendix A Sections 3.1, 3.2, and 3.6; CPPD Parts IV–VII):*** *How will the Evaluation Team and the Form Long-Term Contract treat charging energy losses, parasitic or station-service load, auxiliary consumption, inverter clipping, state-of-charge limitations, and minimum operating reserves when calculating delivered CPECs or Energy Services?*
- ***Concurrent participation in multiple markets (RFP Sections 1.1 and 2.2.1.7; Appendix A Sections 3.6 and 3.8):*** *Please define the required accounting treatment where the facility participates simultaneously in energy, capacity, ancillary-service, and CPEC markets.*
- ***Changes to CPS and GIS rules (RFP Sections 2.2.1.7 and 3.5; Appendix A Sections 3.7 and 4.1):*** *How will the Form Long-Term Contract address a change in CPS rules, charging windows, multipliers, GIS protocols, or CPEC eligibility that materially changes the project's achievable delivery profile, including any adjustment, relief, reopener, or other risk-allocation mechanism?*
- ***Basis for evaluating augmentation and overbuild (Appendix A Section 3.11; CPPD Parts V(c) and V(d)):*** *For degradation mitigation, will augmentation or overbuilding be evaluated based on nameplate capacity, net deliverable capacity,*

duration, or expected annual Environmental Attribute deliveries, and how should bidders reconcile the degradation and overbuild assumptions entered in CPPD Parts V(c) and V(d) with the project's delivered MW and CPEC forecasts?

- ***Describe what evidence Bidders should provide to show the value of the relative proximity of each project to large loads and/or clean energy generation facilities: (Appendix A Section 3.3(ii)):*** *What evidence would you like to see to gauge the value of the relative proximity of the system to large loads and/or any clean energy generation facility, including any decreased risk of curtailment and/or deferred investment for the generation facility*
- ***Clarify what documentation is required to demonstrate projects' ability to deliver environmental attributes (Appendix A Section 4.1)****: What kind of documentation would you like to see to demonstrate the project will deliver into the Distribution Companies' NEPOOL GIS accounts, GIS Certificates representing CPECs and any other Environmental Attributes?*
- ***Provide examples of rules that limit bidders' ability to transfer CPECs to the EDCs (Appendix A Section 4.1):*** *We are not aware of any ISO rules that would prevent us from keeping title to or for transferring CPECs to the utility. Do you have any such specific rules you have been notified of that you can provide examples of?*
- ***Bidders should not be required to provide copies of financial statements and annual reports at the time of bid submission (Appendix A Section 5.10):*** *Due to the confidential and commercially sensitive nature of audited financial statements and annual reports, would it be acceptable for bidders to provide these materials only upon project selection or prior to contract award, rather than as part of the initial RFP submission?*
- ***Clarify the minimum requirements for interconnection of distribution projects (RFP Section 2.2.1.8; Appendix A Section 6.2):*** *For distribution-interconnected projects that have not yet received the results of a distribution system impact study, would a third-party interconnection study be required to satisfy this requirement? Alternatively, once completed, would the utility-issued distribution system impact study be sufficient to meet the minimum requirements of Section 6.2?*
- ***Safety plan maturity and final deliverables (RFP Section 2.2.2.11; Appendix A Section 8.1):*** *Please confirm whether a safety plan may identify a specific technology platform and equipment configuration as "proposed" or "under development" at bid submission, provided that final project drawings, Hazard Mitigation Analysis, Emergency Response Plan, and fire-protection documents are delivered by the applicable milestone before construction or Commercial Operation Date.*

- ***Hazard Mitigation Analysis scope and modeling (RFP Section 2.2.2.11(d); Appendix A Section 8.1(iv)):*** *Please define the minimum level of detail expected for the project-specific Hazard Mitigation Analysis, including whether it must model thermal runaway propagation, gas generation, deflagration, explosion prevention, and potential off-site impacts.*
- ***UL 9540A testing scope (RFP Section 2.2.2.11; Appendix A Sections 8.1(iii) and 8.1(vii)):*** *Where installation-level UL 9540A testing for the exact proposed configuration is not yet available, will the Evaluation Team accept cell-, module-, unit-, or other available testing?*
- ***Fire-suppression and equivalent risk mitigation (Appendix A Sections 8.1(ii), 8.1(vii), and 8.3):*** *Please clarify whether third-party fire-suppression systems are required for all proposed technologies, or whether bidders may demonstrate equivalent risk mitigation through passive design, equipment spacing, detection, ventilation, monitoring, controls, and emergency-response measures.*
- ***Disclosure of prior thermal events (RFP Section 2.6.1.6; Appendix A Sections 8.8 and 9.7):*** *Please confirm whether prior thermal events involving the same manufacturer but a different cell chemistry, enclosure, software version, or system architecture must be disclosed, and clarify how the Evaluation Team will determine whether the proposed technology is the same technology for purposes of these disclosure requirements.*

Answer 5: The RFP provides the level of detail that the Evaluation Team will be expecting in order to evaluate bids. All sections of Appendix A should be answered thoroughly. When in doubt, please provide as much detail as possible to completely and comprehensively address the section or question. Missing documentation or lack of responsiveness may impact the evaluation of the bid.

Question 6*: Could you please let me know what information is needed by me to provide in order to request a URL?*

Can the party requesting a bid-specific ShareFile URL, transfer or share that specific ShareFile URL with their unaffiliated partner so that the partner can submit the bid through that ShareFile URL?

Answer 6: Its the bidder's responsibility to manage who they allow to access the ShareFile to provide their bid.

Question 7: *Can the RFP deadline be extended by 3 weeks?*

Answer 7: The deadline has been extended. Both Public and Confidential proposals are now due October 8, 2026 at 12:00 (noon) EDT. Please see the complete revised 83E II Timeline here.

Question 8: *Section 2.2.3 (Security Requirements) sets the same per-MW rate $40,000/MW × Buyer's Percentage Entitlement, for both development period security and operating period security. Can the Evaluation Team explain the rationale for using an identical rate across both phases, given that the risk profile differs materially between development (e.g., project delay, financing failure, permitting failure, or abandonment before commercial operation) and operations (e.g., underperformance or failure to deliver contracted CPEC volumes on an ongoing basis)?*

Answer 8: The RFP, including section 2.2.3, was approved by the Massachusetts Department of Public Utilities on July 27, 2026.

Existing Projects

Question 2: *The Certification, Project and Pricing Data Form contemplates bids from existing facilities, directing that an existing facility enter the proposed date of the Contract Services Term in place of a Guaranteed Commercial Operation Date. The Form Long-Term Contract for Distribution Projects contains no corresponding provision.*

Section 6.1(a) requires Development Period Security to secure obligations "in the period between the Effective Date and the Commercial Operation Date," and the Confirmation *requires Critical Milestones, a Guaranteed Commercial Operation Date, and Delay Damages calculated per day after that date.*

For a proposal from a facility that has already achieved commercial operation, please confirm: (a) whether Development Period Security is required at contract execution and in what amount; (b) which of the Critical Milestones in the Confirmation apply, and what should be entered for milestones already satisfied; and (c) what date should be entered as the Guaranteed Commercial Operation Date.

Answer 2:

(a) Development Period Security is required for all projects with an executed contract, in the amount specified in Section 2.2.3 of the RFP (Security Requirements).
(b) All Critical Milestones apply for every executed contract. If the obligation has been met prior to contract execution, the milestone has been achieved.
(c) The Guaranteed Commercial Operation Date is the date the bidder is willing to begin operation under the contract.