

**SAN JOSE CLEAN ENERGY**  
**REQUEST FOR OFFERS TO SELL CY 2020, CY 2021, AND CY 2022**  
**RESOURCE ADEQUACY PRODUCTS TO SJCE**

Prospective Resource Adequacy Suppliers:

Pursuant to this Request for Offers (RFO), San José Clean Energy (SJCE) is seeking offers from prospective suppliers to sell 2020, 2021, and 2022 Resource Adequacy Products to SJCE as further described herein:

**Product Description**

- System Resource Adequacy Products
- Local Resource Adequacy Products
  - Greater Bay Area Local Capacity
  - PG&E Other Local Capacity
- Flexible Resource Adequacy Products

Requested quantities for each Resource Adequacy Product are listed in the RA Offer Form attached hereto.

In addition, prospective suppliers may propose a contract term of up to five years and indicate any changes in pricing for an extended term. Any contract extending beyond 2022 will require additional approval by the San José City Council.

Supplemental to the Resource Adequacy Products described above, SJCE is also accepting proposals for incorporation of energy storage solutions from which Resource Adequacy Products may be supplied. Any offers that may include energy storage options must be separately stated and priced.

**Submission of Offers**

Please submit all offers to sell Resource Adequacy Products to SJCE using the RA Offer Form attached hereto.

**All offers to sell Resource Adequacy Products must be submitted to the following SJCE contacts on or prior to March 29, 2019 at 5:00 PM Pacific:**

- San José Clean Energy: [RFO@sanjosecleanenergy.org](mailto:RFO@sanjosecleanenergy.org)
- Mike Whitney (NCPA): [mike.whitney@ncpa.com](mailto:mike.whitney@ncpa.com)
- Tony Zimmer (NCPA): [tony.zimmer@ncpa.com](mailto:tony.zimmer@ncpa.com)

Upon receipt of any offers submitted in response to this RFO, SJCE will evaluate such offers and determine if SJCE will seek to enter into any confirmation for a transaction at the conclusion of this solicitation.

### **Contracting Instrument**

For reference, please find attached hereto SJCE's preferred form of Resource Adequacy Transaction Confirmation for use with the WSPP. SJCE will also consider use of a Resource Adequacy Transaction Confirmation structured to work in conjunction with an EEI to be negotiated between the parties. Please find attached hereto SJCE's preferred EEI cover sheet.

In addition, SJCE is in the process of qualifying potential counterparties pursuant to its Risk Management Policies. Potential suppliers that are not yet qualified are encouraged to contact SJCE as soon as possible if they intend to respond to this Request for Proposals. SJCE will only be able to transact with entities that have been qualified by its finance department.

If a prospective supplier does not disclose financial information publicly, SJCE will also require a prospective supplier to provide the information described below for the past two (2) financial years. Also, a prospective supplier with its primary business in sectors other than energy should provide financial information and a description of its energy product operations and trading.

- Consolidated Statement of Income
- Consolidated Statement of Cash Flows
- Consolidated Balance Sheets
- Results of Operations
- Notes to Financial Statements
- Off-Balance Sheet Liabilities, if any

For any questions regarding this RFO, please contact Tony Zimmer at [tony.zimmer@ncpa.com](mailto:tony.zimmer@ncpa.com).

#### Disclaimers:

SJCE reserves the sole and discretionary right to (i) reject any offers received in response to this solicitation for any reason, and (ii) accept any offers received after the deadline for submittals as indicated herein. Additionally, SJCE reserves the right, at its sole discretion, to not enter into any confirmation for the transaction at the conclusion of this solicitation. SJCE reserves the right to modify the terms and conditions of this solicitation at any time based on changing needs and market feedback. SJCE also reserves the right to rescind this solicitation at any time prior to SJCE's execution of a binding agreement. SJCE will not be liable at any time for any costs the prospective supplier may incur in preparing or submitting its response to this solicitation.

If an unsuccessful PROPOSER wants to dispute an award or award recommendation, a protest must be submitted in writing to the Director of Community Energy, Lori Mitchell, no later than ten (10) calendar days after announcement of the successful PROPOSER(s), detailing the grounds, factual basis and providing all supporting information. Protests will not be considered for disputes on the grounds that material provision in this RFP is ambiguous. Failure to submit a timely written protest to the contact listed below will bar consideration of the protest.

The address for submitting protests is:

Attention: Lori Mitchell, Director  
City of San Jose, Department of Community Energy  
200 East Santa Clara Street, 14th Floor  
San Jose, CA 95113

Please submit an electronic version of the protest to [lori.mitchell@sanjoseca.gov](mailto:lori.mitchell@sanjoseca.gov), and [Jeanne.sole@sanjoseca.gov](mailto:Jeanne.sole@sanjoseca.gov)