**SAN JOSE CLEAN ENERGY**
**Request for Bids to Buy from SJCE 2026 and Resource Adequacy Products**
**Date Issued: April 24, 2026**

Pursuant to this Request for Offers (RFO), San José Clean Energy (SJCE) is seeking bids/offers from prospective counterparties to buy/sell Resource Adequacy Products to/from SJCE as further described herein:

**SJCE Sells: 2026 RA**

- Product: System or System with Flex
- Delivery Term: June through December, monthly, or as a multi-month strip
- Quantity: All volumes of 5 MW or greater
    - Bid MW: Total amount of Capacity bid
    - Flex MW: Total amount of Flex Capacity (up to 2x the Bid MW for storage resources)
- Technology Available: Thermal, Storage, Wind
- Substitute RA: If the bid is for Substitute RA. Quantity will be sold for full month or bal-month, whichever is greater.

**SJCE Sells: 2027 RA**

- Product: System or System with Flex
- Delivery Term: January through December, monthly, or as a multi-month strip
- Quantity: All volumes of 5 MW or greater
    - Bid MW: Total amount of Capacity bid
    - Flex MW: Total amount of Flex Capacity (up to 2x the Bid MW for storage resources)
- Technology Available: Thermal, Storage, Wind

**SUBMISSIONS OF BIDS AND OFFERS**

Please submit all bids to buy Resource Adequacy Products from SJCE using the Bid Form attached. All bids must be submitted to the following SJCE contacts no later than at Friday, May 1, 2026 Noon Pacific Time:

- sjcerfo@sanjoseca.gov
- Nino Mijares: nino.mijares@sanjoseca.gov
- Paul Innamorato: paul.innamorato@sanjoseca.gov

Upon receipt of any bids submitted in response to this RFO, SJCE will evaluate such bids/offers and determine if SJCE will seek to enter into a confirmation. SJCE will strive to notify all respondents close of business Monday, May 4, 2026. SJCE aims to execute the final confirmation by Monday, May 18, 2026 and will strive to prioritize substitution confirmations.

**CONTRACTING INSTRUMENT**

SJCE intends to transact under the WSPP Agreement or an EEI-based agreement. SJCE's preferred forms for WSPP and EEI Resource Adequacy Transaction Confirmation is attached. Parties are

encouraged to submit any proposed changes to these forms (or alternative preferred enabling agreements and/or confirms) to Stephen Hall at steve@hallenergylaw.com, Nino Mijares at Nino.Mijares@sanjoseca.gov, and Paul Innamorato at Paul.Innamorato@sanjoseca.gov on or before submitting their bids.

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 three (3) 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

SJCE provides the following information to interested suppliers to facilitate their assessment of SJCE as a counterparty:

- San José Clean Energy is housed in the City of San José's Energy Department. The program is provided for in San José's municipal code Title 26, available at the following link: https://library.municode.com/ca/san_jose/codes/code_of_ordinances?nodeId=TIT26COEN
- San José Clean Energy's Implementation Plan is available here: http://www.sanjoseca.gov/DocumentCenter/View/71410
- San José Clean Energy's risk management policy was approved by San José City Council and is available here: https://sanjose.legistar.com/LegislationDetail.aspx?ID=3478118&GUID=32319D40-8EA7-%204D1A-9E48-B1CC78BB2E5E
- SJCE's initial funding plan is described in a memo to City Council in August 2017. The SJCE has followed through with this plan: http://sanjose.granicus.com/MetaViewer.php?view_id=&event_id=2699&meta_id=650894
- The City of San José is the signatory to WSPP Agreement and will be the signatory to the confirmations.
- The Energy Department is an enterprise department of the City of San José. Please see below language that we have added to our draft confirmation to explain this arrangement.
- A link to our municipal advisor letter is here: www.sanjoseca.gov/DocumentCenter/View/39975

Finally, to do business in San José, Sellers who are not already registered will have to register with the City of San José within 90 days of commencing business within the city. Details are available at the following: http://www.sanjoseca.gov/BusinessTax

**PUBLIC NATURE OF PROPOSAL MATERIAL**

All correspondence with SJCE including responses to this solicitation will become the exclusive property of the City of San José and will become public records under the California Public Records Act (Cal. Government Code section 6250 et seq.) All documents that you send to SJCE will be subject to disclosure if requested by a member of the public. There are a very limited number of narrow exceptions to this disclosure requirement.

Therefore, any proposal which contains language purporting to render all or significant portions of their proposal "Confidential", "Trade Secret" or "Proprietary", or fails to provide the exemption information required as described below will be considered a public record in its entirety subject to the procedures described below. Do not mark your entire proposal as "confidential".

The City will not disclose any part of any proposal before it announces a recommendation for award, on the grounds that there is a substantial public interest in not disclosing proposals during the evaluation process. After the announcement of a recommended award, all proposals received in response to this RFP will be subject to public disclosure.

In order to designate information as confidential, the Seller must clearly stamp and identify the specific portion of the material designated with the word "Confidential" and provide a citation to the California Public Records Act that supports keeping the information confidential. Seller should not to over-designate material as confidential. Over-designation would include stamping entire pages or series of pages as confidential that clearly contain information that is not confidential. Upon request or demand of any third person or entity not a party to this Agreement ("Requestor") for production, inspection and/or copying of information designated by Seller as confidential information (such designated information, the "Confidential Information"), SJCE will notify the Seller as soon as practical that such request has been made. The Seller shall be solely responsible for taking whatever legal steps are necessary to protect information deemed by it to be Confidential Information and to prevent release of information to the Requestor by the City. If the City takes no such action after receiving the foregoing notice from the Seller, the City shall be permitted to comply with the Requestor's demand and is not required to defend against it.

If required by any law, statute, ordinance, a court, Governmental Authority or agency having jurisdiction over the City, including the California Public Records Act, the City may release Confidential Information, or a portion thereof, as required by the Applicable Law, statute, ordinance, decision, order or regulation. In the event the City is required to release Confidential Information, it shall notify the Seller of the required disclosure, such that the Seller may attempt (if it so chooses), at its sole cost, to cause the recipient of the Confidential Information to treat such information in a confidential manner, and to prevent such information from being disclosed or otherwise becoming part of the public domain.

**SUPPLIER DIVERSITY**

Pursuant to California Senate Bill 255, Community Choice Aggregators (CCAs) are required to report to the California Public Utilities Commission on their diverse suppliers, as defined by CPUC General Order 156. Consistent with the California Public Utilities Code and California Public Utilities Commission policy objectives, respondents that execute an agreement with SJCE will be

required to complete a Supplier Diversity questionnaire. SJCE will NOT consider race, sex, color, ethnicity, or national origin in procurement decisions.

SJCE encourage all eligible parties to get certified with the CPUC as a woman, minority, disabled veteran and/or LGBT owned business enterprise (WMDVLGBTBE).
For overview information on the CPUC Supplier Diversity Program, please visit the program homepage (https://www.cpuc.ca.gov/supplierdiversity/). For information on the certification process and requirements, please visit the Certifications page (https://www.cpuc.ca.gov/Certifications/).

**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 Energy Department, Lori Mitchell, no later than ten (10) calendar days after the proposer(s) is notified that it was not awarded a contract, 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 José, Energy Department
200 East Santa Clara Street
San José, CA 95113

Please submit an electronic version of the protest to protestSJCE@sanjosecleanenergy.org.