

ADDENDUM #2
REQUEST FOR PROPOSALS
FOR
TURN-KEY DESIGN-BUILD SERVICES
FOR A
PHOTOVOLTAIC GENERATION SYSTEM
Original Scope of Services Dated: June 24, 2009
Addendum #2 dated: August 14, 2009

On Tuesday July 28, 2009 a second collective site visit was held at 10:00 a.m. at the Authority's main office at 401 N. Virginia Avenue, Atlantic City, NJ. There were no significant issues that were raised at the meeting that required response by the Authority or modification of the contract. Attendance lists for both site visits are included with this addendum.

However the Authority has determined that it is in its best interest to make the following changes to the Request for Proposals (RFP):

1. The current proposal format allows for a wide variety of options, if the proposal includes an agreement to share in SREC revenue with the ACMUA. The Authority has decided to limit the options of SREC sharing to only one choice: the payment of 15% of the SREC penalty amount (as determined by the NJ BPU). Therefore section 5 under

A. Proposal Format will be modified to read:

5. Business Proposals: Proposals to be considered shall include one or both of the following separate scenarios:

a. Power Purchase Agreement – Proposer finances, plans/permits, designs, builds, owns, operates and provides electricity to ACMUA at a fixed rate for a contract term of 15 years. Proposals may include an agreement to share in SREC revenue with the ACMUA, under the following formula: *Proposer shall make an annual payment to the ACMUA equal to 15% of the SREC penalty rate set by the New Jersey Board of Public Utilities for the calendar (or fiscal) year in which the SRECs are first available for sale. The payment must be made within 10 business days of the close of the calendar (or fiscal) year and must be paid without regard to whether the SRECs have been sold or the price at which they have been sold. Proposals may include an alternate formula;*

however those proposals must include a financial analysis comparing their formula to the 15% formula, including a net present worth analysis that considers the entire term of the project. Alternate formulas that do not include the required analysis will be considered incomplete proposals and will not be considered.

- b. (No changes) ACMUA Ownership – ACMUA Finances. Proposer to enter into a design build contract with the ACMUA. Proposer plans/permits, designs, builds, and turns-over the complete and operating PV system to the ACMUA. The PV System size, number of acres to be used, cost, estimated annual production, method of interconnection, etc. to be included. Proposer should also include a proposal for annual operation and maintenance of the system.

2. There is no clear end of contract terms. Therefore the following language is added as c. under business proposals:

c. **End of Contract Term Provision:** The following options are provided for the end of the contract term. The ACMUA shall make the choice of which option shall be utilized.

- (1) Remove solar electric system at end of contract from ACMUA property at no cost to the Authority.
- (2) Extend contract for additional term under no less favorable terms.
- (3) Sell solar electric system to the ACMUA at market value as determined by a third party.

3. Due to the change in bid date, the Target Dates in Article V will change as listed below:

Event	Date
RFP Issued	June 24, 2009
Site Visit	July 8, 2009
Questions Due	August 14, 2009
Proposals Due	September 9, 2009
Award Contract	October 21, 2009
Start of Work and Permitting Process	November 2, 2009
Completion of Work	July, 2010

SITE VISIT MEETING

Atlantic City Municipal Utilities Authority

DATE: TUESDAY, JULY 28, 2009
PROJECTS: ♦ PROVIDE TURN-KEY DESIGN-BUILD SERVICES FOR A PHOTOVOLTAIC GENERATION SYSTEM

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SITE VISIT MEETING

Atlantic City Municipal Utilities Authority

DATE: TUESDAY, JULY 08, 2009
PROJECTS: ♦PROVIDE TURN-KEY DESIGN-BUILD SERVICES FOR A PHOTOVOLTAIC GENERATIONSYSTEM

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