

**ATTACHMENT S (MASTER)**

**Request for Proposal - Form for Submission of Questions**

#	Solicitation Reference (Document Name, Page & Section)	Site, document, or reference (“All” or list pertinent site Numeric & Alphanumeric building IDs e.g. “P1_RFP_FS_2021_07_BD_01_H1”)	Question	Response
1	RFP Page 10		The Mandatory virtual site tour requirement does not clearly state that all 3 sessions were to be attended. It appeared to us that there were three time slots offered – which seemed reasonable given the short notice of the timing and duration of the meetings. Could this be waived if the bidder attends all the non-mandatory site walks?	Bidder’s attendance of the mandatory Virtual Technical Question and Answer Sessions requirement stated in section 7.2, page 13 of the RFP cannot be waived.

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2	Attachment B. 1C	Contractors License	If the proposer does not hold a B or C-10 license and will not name an B or C-10 contractor in their response but will be the contractual counterparty and will hire a licensed EPC to perform the work are they still eligible to bid?	All contractor(s) performing construction work under the Agreements must hold a valid State of California Class B, general building license, Class C-10, electrical license, and/or a Class C-46, solar Licensee’s license, as applicable, for the duration of all construction work. See Addendum #3 with corresponding revisions to Attachment B Rev 1, § 1.C; Attachment E Rev1, Ex. O, § 1.1; Attachment N.2 Rev1 , Ex. O, § 1.1.

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3	RFP-FS-2021-07-BD	General	I (N.S.) was late to the first Q&A technical session and thus did not fill out the sign-in sheet. I was however on the call. This can be referenced in the session as I submitted a question that was answered during the call. I want to make sure we are not disqualified for this. Thanks.	See the response to Question #1.
4	General	General	Are fire suppression system costs to be included in the PPA or Lease if they are required under solar arrays if proposed locations are up against the buildings.	See Specification 011000, Sections 2.02 C.4 requiring the scope to include all ancillary equipment and 2.02.G.2 which requires AHJ, SFM, and DSA approvals.
5	General	General	If someone missed the first Mandatory Virtual Pre-Bid meeting, will that exclude them from bidding?	See the response to Question #1.

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6	General	General	Can we get the 15 minute interval data and utility bill costs for each site, in electronic format?	Yes, this will be provided via an Addendum to the solicitation by the estimated date of 10/14/2022.
7	General	General	We would like to propose the elimination of the SVP or JV requirement that one entity perform construction, financing and operations and maintenance. This will allow us to offer a more competitive bid. It is reasonable and customary for an investor to hold a portfolio of generation and storage assets, while the EPC and O&M company perform all construction, operations, maintenance and monitoring and guarantees for financier.	One entity is not required to perform financing, construction, and O&M. The forming of a JV or a SPV is optional bidder strategy to meet the minimum requirements. For the sake of clarity the bidding entity, contracting entity, and entity registered on DIR must be the same per RFP sections 1.3, 3.3, and 9.1.3.

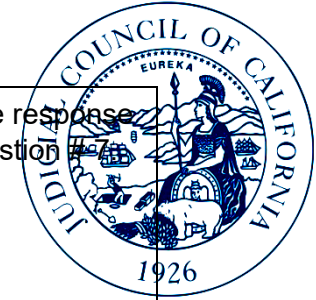
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8	General	General	Does PPA or Lease have to include re-striping and handicap paint of parking spots?	See the response to Question #4. DSA ADA stripping and path of travel requirements are included in this.
9	General	General	Does the PPA or the Lease have to include any and all ADA upgrades required to comply with path of travel? This could really add up and distort the PPA and/or Lease pricing.	See the response to Question #4. DSA ADA stripping and path of travel requirements are included in this.
10	General	General	Will the successful bidder have to carry the costs and manage the roof replacement scope of work or will that be paid for and managed directly by JCC?	Per Attachment C2, The proposals for Site 01-H1 includes a roof replacement cost of \$2,080,000.00 as a project development cost assumption <i>if</i> a rooftop PV system is installed.



<p>11</p>	<p><b>Document</b> RFP-FS-2021-07-BD-Addendum-No-1-Recised-Section-4.0-Timeline, <b>Section 1.3,</b> <b>pg. 3</b></p>		<p>As stated in the form as well as confirmed in the technical question and answer session, it is a requirement that the person or entity submitting a proposal must sign the SPPA. It is not uncommon in the solar industry to have the EPC/developer have a different legal entity that is signing the PPA. A lot of times, this usually entails a JV or separate tax equity vehicle to be the legal countersigned party on a PPA, even though the EPC/development team will be responsible for responding to the RFP and seeing the project through to completion.</p> <p>It is clear that JCC wants to have a dedicated project team, and not be handed off to a separate third-party financing, but having a separate entity sign</p>	<p>See the response to Question #7</p>
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			<p>the PPA does not mean that there wouldn't be a dedicated project team between an EPC and a financier that would be responsible for project completion.</p> <p>Would JCC be open to an EPC partnering with a financier to submit on this bid?</p>	
12	RFP-FS-2021-07-BD	General	<p>I was late to the first Q&amp;A technical session and thus did not fill out the sign-in sheet. I was however on the call. This can be referenced in the session as I submitted a question that was answered during the call. I want to make sure we are not disqualified for this. Thanks</p>	<p>See the response to Question #1.</p>

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13	Request for Proposals, RFP-FS-2021-07, BD, page 13, section 7.2, Virtual Technical Question and Answer Sessions (Mandatory)		Is there registration information available for the three (3) mandatory virtual Technical Questions meetings? Could not find this information in the RFP or on the RFP’s webpage.	The joining instructions were included in the RFP Addendum No 1, which included the Revised Section 4.0 Timeline for this RFP (revised 9/20/22).
14		All	Can JCC confirm that it will sign one PPA per project location for a total of 32 PPAs? We highly recommend this approach. It allows the customer to receive their renewable power sooner and eases our burden when tax equity financing the project.	Each site will have its own agreements.



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15		All	<p>There are several provisions in the Site License Agreement that govern the System’s design and construction, customer purchase rights, System financing and its performance guarantee. Traditionally these provisions are housed in the PPA, and the Site License Agreement strictly governs site access during construction and the operations term. Will the JCC consider realigning their agreements in a way that reflects the industry norm?</p>	<p>Any proposed changes to the Agreements must be submitted using Attachment F.</p>
16		All	<p>Can conduits be run on exteriors of buildings? If so, do they need to be painted</p>	<p>Electrical equipment can be run on the exterior. If so, it must be painted per Attachment O7 2.02 N.</p>

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17		All Rooftop systems	Since the JCC will be doing all roofing, will the JCC be supplying all slip sheets and conduit penetration flashing on new and existing roofs?	All project aspects will be delivered by the solar contractor, including the reroofing work for project site 01-H1 if a roof solar system is to be proposed by the contractor as shown in Attachment C.1 Site Data Tab. For other roof system sites, the flashing, penetration, and slip sheet details will be reviewed by JCC and require approval by the current roof warranty holder.

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18		All	Do all electrical tie-ins / shutdowns need to happen during off hours? Are there any periods when facilities are closed for substantial amount of time? Are all sites closed on weekends?	<p>All tie-ins/shutdowns for interconnection shall be assumed to occur during unoccupied facility hours and with minimum disruption to the relevant court’s operating hours. State of California court facilities are closed per the holiday schedule available at:</p> <p><a href="https://www.courts.ca.gov/holidays.htm">https://www.courts.ca.gov/holidays.htm</a></p> <p>Court facilities are typically closed on weekends.</p>
19	Spec section 48 14 00 PV System. Page 6, Section N	All Carports	Do exposed conduits above the inverter heights in the carport canopies need to be painted?	<p>Conduits shall match the carport structural steel. If the structural steel is painted, paint the conduit. If the structural steel is galvanized, use galvanized conduit. Attachment O7 2.02 N.</p>

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20	Spec section 05 90 02, page 6, section 2.2 A.1 EV charging spares	All canopies located in parking lots	Can you clarify how many and of what size conduits are required. Spec says provide spares to 30% of covered parking spots. Do these need to be individual conduits to each of these parking spots? Or can larger homerun conduits be used for feed larger quantity of spaces?	Conduit shall be designed to support at least a 70A-rated charger to each Electric Vehicle parking space.
21		All	JCC as plan reviewer and inspection authority? This will impact design and review process.	Plans will be reviewed by the Judicial Council and the State Fire Marshall. Inspections will be carried out by the JCC and the SFM, as applicable.

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22		All	<p>JCC background checks for contractor employees onsite? This will impact/delay production due to background checks sometimes taking up to 2 months. For union contractors, it would mean having to have a new hire come in, submit background information, wait the duration of the background check, then be able to work – very costly and unproductive, especially with RFP projects that span multiple Union locals. Will there be any expedited background checks?</p>	<p>Background checks will be required for all staff that will work on-site, as defined in Attachment-L-RFP-FS-2021-07-BD-Internal-Background-Check-Policy.</p>

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23		All	Please provide any available geotech reports.	No geotechnical reports are available. Unknown soil conditions which result in design changes will be handled under the concealed conditions provision in the SLA.
24		Roof mount sites	If As-builts are incomplete for a roof installation – who will be responsible for re-creating an accurate As-built? EPC Contractor or Sage?	Creating accurate as-built drawings will be the responsibility of the solar contractor.
25		All	Please provide clarity on the application of DSA’s permitting rules even though these sites will not be reviewed by DSA. Does this simply mean that the “shade as amenity” concept is applied to ADA parking?	The carport structural design will not be reviewed by DSA; however, the DSA will review the designs for ADA compliance, including (but not limited to) shade as an amenity and path of travel.

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26		All	Please provide any information on phasing and/or night work installation plan requirements.	<p>Contractors shall assume a rolling phased approach and provide information on their project approach regarding schedule and amount of parking spots that would be closed and for how long.</p> <p>All roof construction shall occur between the hours of 6:00PM and 6:00AM or on weekends. Parking area construction causing significant noise shall be limited to the same working hours as listed for roof work.</p>

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27		01-H1	Is there any single line that includes the existing PV?	There is a preliminary SLD that includes some of the existing PV information to be verified during the site walk. This will be provided via addendum by approximately 10/28/2022.
28		Roof top sites	Will there be preference between ballasted vs attached roof top systems?	Attached systems are preferred over ballasted.
29		All	Will JCC be interested in keeping the poles only or poles + fixtures for removed lights in parking lots?	TBD
30		All	Can you provide the available easement maps on each site? This may help find engineering efficiencies in the design.	Yes, this will be provided via an Addendum to the solicitation by the estimated date of 10/28/2022.



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31		19-AX1	Did JCC confirm with LADWP that they will allow PV generation conduits to cross the public street? If not, is there a separate meter feeding the garage?	TBD
32		All	Several project locations are in jurisdictions where third-party sales of energy are prohibited. For example, Solar Power Purchase Agreements and System Lease Agreements are not permitted in LADWP. Would JCC entertain purchasing a solar system outright in the jurisdictions where the intended transaction is prohibited?	The Solar Operating Lease and Site License Agreement set of contracting documents were specifically developed for the four project sites where the electricity utility has certain restrictions. A cash purchase is not an option for any project site due to a lack of budget.

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33	General	General	<p>Would the Judicial Council of California (JCC) be willing to entertain other financing options in addition to the PPA and Lease options as stated in the RFP if these alternate options provided for greater savings? This could be proposed on a site by site basis.</p>	<p>The Judicial Council of California is not able to allow alternate financing options for these projects at this stage.</p> <p>Nevertheless, bidders that are willing to propose alternate financing models, <u>in addition to the required options</u>, are not discouraged from doing so in the main body of their proposal.</p>

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34	General	General	<p>Would it be acceptable to JCC if proposers articulate in their proposals that their approach is to form a legal joint venture (JV) or special purpose vehicle (SPV) between their assembled team if awarded the project.</p> <p>As proposers, we would like to avoid incurring unnecessary costs to form a legal entity at the time of proposal only to find out that we didn't get selected, however, we will commit in the proposal to create the legal entity if we are awarded the project.</p>	See the response to Question # 7.

(If required, add more lines)