



Australian Capital Territory

Next Generation Renewables Auction

Request for Proposals

*issued in relation to the competitive process determined in Electricity Feed-in
(Large-scale Renewable Energy Generation) FiT Capacity Release Determination
2016 (No 1) (the Determination).*

May 2016

It is the responsibility of all Proponents to register for this auction in accordance with the requirements set out in Section 7 of this document. Addenda and other information will only be supplied to registered Proponents. See Section 7 for requirements relating to lodgement of Proposals.

Any amendments or additions that have been made to previous versions of the Request for Proposals are indicated by the use of [blue text](#).

Contents

1	Preliminary	4
	Background	4
	Purpose of this RFP	5
	Disclaimer	5
	Further terms and conditions for participation in the auction	6
	100 per cent Renewable Energy Target.....	6
2	Definitions	8
3	The Auction	12
	Key elements of this auction	12
	Terms and conditions of participation.....	14
	Conditions of Entitlement.....	14
	Interconnected National Electricity System connection	17
	Access to and use of land in the ACT or other Participating Jurisdiction	17
	General	17
4	Evaluation processes	19
	Process summary.....	19
	Special conditions for projects outside of the ACR	22
	Value for money assessment.....	22
	Request further information	23
	List of Eligibility and Evaluation Criteria	23
	Closing time and date for submission and other auction milestones	24
	4(a) Nomination of alternative project capacities and FiT prices	26
5	Guide to Eligibility and Evaluation Criteria	27
	General	27
	Proponent Eligibility Criteria (EL 1 to 5)	27
	Proposal Eligibility Criteria (EL 6 to 11).....	29
	Proposal Evaluation Criteria (EV 1 to 4).....	32
6	General terms and conditions for participation in the auction	39
	Obtaining approvals.....	39
	No warranties or representations arise from evaluation of a Proposal.....	39
	Transfer of FiT Entitlement prior to commissioning of generating system.....	39
	Clarifications and requests for further information	39
	Late lodgement of Proposals	40

Authority to seek further information.....	40
Ineligible Proposals.....	40
Addenda.....	41
Ownership of Proposal documents	41
Price basis, English language and metric units	41
Confidentiality	42
Costs of preparing and submitting Proposals.....	43
Conflicts of interest or collusion.....	43
Insurance	44
7 Registering and Lodging a Proposal	45
Publication of Enquiries & Answers.....	47

ATTACHMENTS

- Attachment A – Proposal Form
- Attachment B – Financial model template
- Attachment C – Draft Deed of Entitlement
- Attachment D – Renewable Energy Local Investment Framework
- Attachment E – Best Practice Community Engagement in Wind Development

1 Preliminary

Background

- 1.1 The ACT Government is committed to encouraging the generation and use of renewable energy as part of its energy and greenhouse gas abatement policies.
- 1.2 To this end, the ACT Government established the Large-scale Feed-in Tariff Scheme (scheme) by the *Electricity Feed-in (Large-scale Renewable Energy Generation) Act 2011* (the Act). The Act provides the Minister for Environment and Climate Change (the Minister) with the power to grant feed-in tariff (FiT) entitlements for up to 550MW of generation capacity and requires the ACT electricity distributor to pay FiT Support Payments to holders of FiT Entitlements.
- 1.3 Pursuant to the Act, the Minister determined (**the Determination**) that 109MW of the scheme capacity would be made available through a competitive process for large-scale Renewable Energy Generation Capacity, to be located either in the Australian Capital Region (ACR) or, if a Proposal for a generating system satisfies certain additional threshold criteria (as per Section 11(1)(b) of the Act), located elsewhere in a Participating Jurisdiction.
- 1.4 The Determination established that for [the](#) 109MW scheme capacity release:
 - a) the grant of FiT Entitlements will be by a competitive process (referred to in this document as the 'auction');
 - b) the capacity release would be open to Large Renewable Energy Generation—being wind or solar or an energy source declared by the Minister for the Environment and Climate Change to be a renewable energy source;
 - c) the term of FiT Entitlements is 20 years;
 - d) a generating system must be located in the Australian Capital Region or, provided certain additional criteria are met, located elsewhere within a Participating Jurisdiction; and
 - e) the minimum generating capacity of a generating system must be at least 9MW.
- 1.5 The capacity available may be varied by the Government.
- 1.6 Renewable Energy Generator developers are invited to participate in this auction that will be undertaken in accordance with this Request for Proposals (RFP).
- 1.7 Proponents that are considering submitting a proposal that is not a wind or solar Renewable Energy Generator may propose to the minister, through the Next Generation Renewables Secretariat, the eligibility of another renewable energy source in this auction (see paragraph 5.18 below).

- 1.8 The intended outcome of the auction is that the Minister will, subject to this RFP and the Act, grant FiT Entitlements for up to 109MW of Large Renewable Energy Generation Capacity in respect of Proposals that offer the greatest value for money for the Territory when assessed against the criteria set out in this RFP.

Purpose of this RFP

- 1.9 This RFP:
- a) outlines and explains the requirements for the auction;
 - b) establishes further terms and conditions for participation in the auction; and
 - c) calls for Proposals for the construction and operation of Renewable Energy Generators in Participating Jurisdictions by eligible entities seeking to be granted FiT Entitlements under the Act.

Disclaimer

- 1.10 By participating in this auction Proponents agree to be bound by the terms and conditions of the auction set out in this RFP, including this disclaimer and the general terms and conditions of participation.
- 1.11 While this RFP and any information supplied by the Territory (including its authorities and bodies), or the Minister, as part of this auction, is prepared with care, the Territory does not warrant or represent that such information is free from inaccuracy, error or omission. Neither the Territory, nor any of its officers or agents, shall be liable to any person with respect to:
- a) statements made, or information given in, or in relation to this RFP or for delay in providing any information; or
 - b) the granting (or not granting) of any approvals or authorisations of any kind which a person may seek or require in relation to their Proposal, including in connection with any delay caused by the Territory or others in providing any approval or authority.
- 1.12 Neither the Territory, nor any of its officers or agents, will be liable for any costs, losses or damage that any person claims or suffers as a result of relying on information provided or in relation to the grant, or non-grant of any approval or authority.
- 1.13 This RFP is not intended to contain all information relevant to a Proponent preparing a Proposal. Proponents are required to undertake their own enquiries and investigations and independently assess any information provided that they may choose to rely on in preparation and submission of their Proposals.
- 1.14 In preparing and submitting a Proposal, Proponents acknowledge that they:

- a) have made and relied upon their own enquiries and obtained independent advice, where appropriate, regarding any information provided to them affecting their Proposal; and
 - b) are satisfied, for their own purposes, about the correctness, accuracy and sufficiency of the information provided (including to the extent necessary to address the criteria) based on independent advice obtained and their own enquiries and assessment.
- 1.15 Proponents may be required to seek information or approvals from third parties, including Commonwealth, NSW Government and ACT Government owned or operated bodies and authorities as well those of other Participating Jurisdictions. The Territory accepts no responsibility, and Proponents will have no claim in relation to, the accuracy or completeness of any information provided, or for failing to, or causing delay in, a Proponent being provided with any information or approval sought from any third party. It is the sole responsibility of a Proponent to ensure that any information, or assistance provided or required, is appropriate and obtained within time to allow submission of a Proposal by the relevant closing date.

Further terms and conditions for participation in the auction

- 1.16 The Minister, or delegate, may determine that such further terms and conditions will apply to the auction established by this RFP as considered appropriate for the fair and equitable conduct of the auction and for the protection of the interests of the Territory and successful achievement of the objects of the Act (see further below in Section 6 regarding Addenda).

100 per cent Renewable Energy Target

- 1.17 On 29 April 2016, the Minister announced that the ACT will have 100 per cent of its electricity needs met by renewable energy by 2020, and that in order to facilitate the achievement of this target, legislation would be introduced to expand the FiT capacity available under the Act.
- 1.18 The Minister also announced that, subject to the passage of the amending legislation, an additional 91MW of capacity would be made available for large-scale Renewable Energy Generation Capacity. The legislation is expected to establish that for the additional 91MW scheme capacity release:
- a) the grant of FiT entitlements will be by a competitive process (referred to in this document as the 'auction') or by a direct grant to a person the Minister considers appropriate;
 - b) the capacity release will be open to Large Renewable Energy Generation—being wind or solar or an energy source declared by the Minister to be a renewable energy source;
 - c) the term of FiT Entitlements will be 20 years;

d) a generating system must be located in the Australian Capital Region or, provided certain additional criteria are met, located elsewhere within a Participating Jurisdiction; and

e) the minimum generating capacity of a generating system must be at least 9MW.

1.19 It is the Government's intention to allocate FiT entitlements for up to an additional 91MW of generation capacity on the basis of one or more proposals submitted through the 109MW Next Generation Renewables Auction process. This may use of the merit order of unsuccessful Proposals in the 109MW Auction, or by other means.

2 Definitions

2.1 Terms used in this RFP have the same meaning as in the Act unless the context provides otherwise.

2.2 The following provides a list of terms and their definitions:

ACR or Australian Capital Region	have the same meaning as in the Act (meaning the ACT and 17 surrounding local government areas).
ACR Proposal	means a Proposal for a Generating System (including its connection point to an electricity network) which is wholly located within the ACR.
Act	means the <i>Electricity Feed-in (Large-scale Renewable Energy Generation) Act 2011</i> as amended.
ACT or Australian Capital Territory	means the region of the Australian Capital Territory in a geographical sense.
ActewAGL Distribution	means the joint venture between ACTEW Distribution Limited ACN 073 025 224 and Jemena Networks (ACT) Pty Ltd providing electricity distribution services in relation to the electricity network in the ACT.
Advisory Panel	means an advisory panel(s) established to advise and make recommendations to the Minister with respect to the grant of FiT Entitlements pursuant to the auction established by this RFP.
AEMO	means Australian Energy Market Operator Limited (ACN 072 010 327).
AER	means the Australian Energy Regulator which is established under Section 44AE of the <i>Competition and Consumer Act 2010</i> (Cth).
Alternative Capacity	means the alternative capacity to which the proposal may be scaled (in MW), and the corresponding nominated FiT per MWh of eligible electricity sought, with all other elements of the proposal remaining the same.
Auction	means the competitive process established by the RFP and the Determination under the Act.
Capacity Release	means the making available of FiT scheme capacity for this auction under the Determination.
Completion Date	means the date specified by a Proponent in its Proposal as the date by which a Proponent proposes that construction of its Generating System will be completed and supplying eligible electricity to the relevant Electricity Network.
Deed of Entitlement	means the Deed with the Territory that Successful Proponents will be required to enter into as a condition of receiving a FiT Support Payment.
Determination	means the FiT Capacity Release Determination made by the Minister in respect of which FiT Entitlements are made available in this auction.

Development Approval	means approvals necessary to reach financial close, construct, commission and transition into operation for the proposed Renewable Energy Generator. Note that minor construction and/or transportation related approvals normally obtained after financial close, or during construction of the Renewable Energy Generator generating system, may not necessarily fit within this definition.
Electricity Network	has the same meaning as Network as defined in the National Electricity Rules.
EL or Eligibility Criteria	means the Proponent Eligibility Criteria and the Proposal Eligibility Criteria.
Eligible Electricity	has the same meaning as in the Act.
EPD Director General	means the Director-General of the Environment and Planning Directorate, or her/his delegate.
EPD	means the Environment and Planning Directorate of the ACT Government.
EV or Evaluation Criteria	means the Proposal Evaluation Criteria.
FiT or Feed-in tariff	has the same meaning as in the Act.
FiT Entitlement	has the same meaning as in the Act.
FiT Support Payment	has the same meaning as in the Act.
FiT Support Start Date	means the date specified by a Proponent in its Proposal Form as the date upon which the Term of FiT Entitlement will commence for its Generating System, if a Proponent is successful in the auction and granted a FiT entitlement.
Generating System	has the same meaning as in the Act.
Government	means the Government of the ACT unless otherwise specified.
Insolvency Event	<p>for an entity means:</p> <p>a) any of the events listed in sub-sections 459C(2)(a) to (f) of the <i>Corporations Act 2001</i> (Cth) occur in respect of the entity; or</p> <p>b) any other event which, in the reasonable opinion of the Territory is likely to result, or have resulted, in the insolvency or winding up of the entity, or appointment of a controller (as that term is defined in the <i>Corporations Act 2001</i> (Cth)) in respect of part or all of the property, of the entity.</p> <p>For the purposes of this definition, subsections 459C(2)(a) to (f) <i>Corporations Act 2001</i>(Cth) are to be read as if applying to all incorporated entities.</p>
Interconnected National Electricity System	has the same meaning as in the <i>National Electricity (ACT) Law</i> .
LGC or Large-scale Generation Certificate	means a large scale generation certificate created under the <i>Renewable Energy (Electricity) Act 2000</i> (Cth).

LRET or Large-scale Renewable Energy Target Scheme	means the scheme of this name established under the <i>Renewable Energy (Electricity) Act 2000</i> (Cth).
Minister	means the Minister for Environment and Climate Change or his/her delegate.
MW	means one megawatt, the unit of electrical power.
MWh	means one megawatt hour of electricity, the unit of electrical energy.
National Electricity Law	means the National Electricity Law set out in the schedule to the <i>National Electricity (South Australia) Act 1996</i> (SA) and applied as a law of the Australian Capital Territory by the <i>Electricity (National Scheme) Act 1997</i> .
National Electricity Rules	means the national electricity rules established under the <i>National Electricity Law</i> .
NEM or National Electricity Market	means the National Electricity Market established under the National Electricity Law.
Network Service Provider	has the same meaning as in the National Electricity Rules.
Non-ACR Proposal	means a Proposal for a Generating System (including its connection point to an electricity network) which is not wholly located within the ACR.
Participating Jurisdiction	has the same meaning as in the Act.
Person	means a legal person and includes a company.
PGCM or Proposed (Year 1) Guarantee Cap Multiplier	means the amount (in \$/MW AC) proposed by Proponents in part EV 4 of the Proposal Form, in response to Evaluation Criteria 4.
Primary Proposal	means the Proposal detailed in the Proposal Form not including any Alternative Capacity and FiT prices nominated in part F of the Proposal Form.
Proponent	means a person who has submitted a Proposal, or intends to submit a Proposal, to receive FiT support payments in the auction established under this RFP.
Proposal	means a proposal submitted in the auction to receive FiT support payments and where the context includes all matters relating to the Proponent relevant to Proposal Eligibility and Evaluation Criteria.
Proposal Form	means the form used by Proponents to set out their Proposal, being a Next Generation Renewables Auction Proposal Form (<u>Attachment A</u> to the RFP)
Related Entity	has the meaning given by the <i>Corporations Act 2001</i> (Cth).
Renewable Energy Generator	has the same meaning as Large Renewable Energy Generator under the Act currently being a wind or solar renewable energy source or another source declared by the Minister under the Act (see paragraph 5.18 about proposals to expand this definition).
RFP or Request for Proposals	means this document including all attachments, addenda and amendments.

Scheme Capacity	has the same meaning as in the Act.
Secretariat	means the administrative support team within the Environment and Planning Directorate that has responsibility for administration of the auction.
Successful Proponent	means a Proponent the subject of a grant of a FiT Entitlement by the Minister pursuant to the auction.
Term of FiT Entitlement	has the meaning given by Section 3.12 of this RFP.
Territory	means the body politic established by Section 7 of the <i>Australian Capital Territory (Self-Government) Act 1988</i> (Cth).

3 The Auction

Key elements of this auction

Renewable energy source and location

- 3.1 This auction seeks Proposals for the commissioning of Renewable Energy Generators located in the ACR, or if a Proposal for a Renewable Energy Generator satisfies certain additional threshold criteria (as per Section 11(1)(b) of the Act), located elsewhere in a Participating Jurisdiction. See *Special conditions for projects outside of the ACR* at paragraphs 4.10 to 4.13 of this RFP).

Amount of generation capacity (maximum and minimum)

- 3.2 The total maximum generation capacity in respect of which entitlements may be granted by the Minister in this auction is **109MW (noting the potential for an additional 91MW to be granted on the basis of Proposals submitted)** regardless of a Proposal's renewable energy source, subject to this cap being extended at a future time.
- 3.3 The maximum generating capacity of the Renewable Energy Generator for which a single Proponent (including all related entities of the Proponent) may submit Proposals, or be granted FiT Entitlements, in this auction is 109MW. Proponents submitting Proposals for generating systems that, in aggregate, exceed this threshold will be deemed ineligible to participate in the auction.
- 3.4 The minimum capacity of a Renewable Energy Generator for which a Proposal may be submitted or a FiT Entitlement granted under this auction is 9MW. A Proposal for a generating system that has a capacity of less than 9MW will be deemed ineligible to participate in the auction.
- 3.5 For the purposes of determining Proposal eligibility, the Minister will strictly apply the method for determining generating system capacity as set out in paragraph 5.19 of this RFP.
- 3.6 A Proposal must relate to a Renewable Energy Generator with a single point of connection to the Interconnected National Electricity System. A generating system may be made up of multiple generating units at separate locations provided that it is connected to the Interconnected National Electricity System at a single point and that the ACT FiT supported part(s) of the generating system is(are) separately metered to other parts.

Multiple Proposals from one Proponent

- 3.7 A Proponent may submit more than one Proposal (to a maximum of two) provided the Proposals are not mutually exclusive. For example, a Proponent may not submit two Proposals, with respect to two alternative generating systems, that are proposed to be sited on the same area of land and only one of the generating systems is intended to be implemented. [However, as detailed in paragraphs 4.20 to 4.22, a Proponent may, in part F of its Proposal Form, nominate different capacities and corresponding FiT prices for its proposal that may be mutually exclusive.](#)
- 3.8 Each Proposal will be evaluated independently and may be the subject, if successful, of a separate grant of FiT Entitlement.

Large-scale Generation Certificates

- 3.9 In this auction it will be a condition of a Successful Proponent's FiT Entitlement that the Proponent, at no cost to the Territory, will create and transfer to the Territory Large-scale Generation Certificates under the *Renewable Energy (Electricity) Act 2000* (Cth) (or any equivalent entitlement arising under legislation that amends or replaces this Act) for all eligible electricity generated by the generating system for a period of 20 years following a Grant of Entitlement. One Large-scale Generation Certificate is required for every MWh of renewable electricity generated in order to satisfy the definition of eligible electricity under the Act.
- 3.10 In signing a Deed of Entitlement, successful Proponents acknowledge that the requirement to create and transfer Large-scale Generation Certificates under relevant clauses of the Deed will survive a surrender of the Grant of FiT Entitlement under Section 14 of the Act.

GreenPower Accreditation

- 3.11 The Proponent must ensure that its generating system is approved as a GreenPower Generator under National GreenPower Accreditation Program Rules.

Energy Storage Contribution

- 3.12 The Next Generation Renewables Auction is part of the ACT Government's Next Generation Renewables strategy that will stimulate the rollout of distributed energy storage in the Territory.
- 3.13 As part of the Government's Next Generation Renewables strategy, successful proponents in the Next Generation Renewables Auction will be required to make a financial contribution (an Energy Storage Contribution) of *up to* \$230,000 per MW of Renewable Energy Generation Capacity. The total Energy Storage Contribution (i.e. calculated as MW Capacity x \$230,000) is the Proponent's Aggregate Energy Storage Contribution.

- 3.14 The Proponent must be prepared to make an Energy Storage Contribution of up to \$230,000 per MW of capacity. Proponents must indicate in Part C3 of the Proposal Form the FiT price impact at each Energy Storage Contribution band up to \$230,000 per MW.
- 3.15 A FiT Entitlement may be awarded based on a contribution of any amount up to \$230,000 per MW (pro rata).

Term of entitlement on offer

- 3.16 The period for which a Successful Proponent will be entitled to receive FiT support payments (Term of FiT Entitlement) granted pursuant to this auction is 20 years. The Term of FiT Entitlement will commence on the FiT Support Start Date.

Grant of FiT Entitlements

- 3.17 The Minister may decide not to grant any FiT Entitlements if no Proposals are assessed by the Minister as offering value for money in accordance with this RFP.

Terms and conditions of participation

Conditions of this RFP

- 3.18 All Proponents wishing to receive a FiT Entitlement must submit Proposals that satisfy the Eligibility Criteria regardless of their renewable energy source. Proposals that meet the Eligibility Criteria will be assessed in accordance with the evaluation processes at paragraphs 4.8 to 4.18 of this RFP.
- 3.19 It is a condition of participating in this auction that Proponents comply with all of the requirements set out in this RFP, including the general terms and conditions of participation set out under Section 6 of this RFP regardless of a Proposal's renewable energy source.

Conditions of Entitlement

Agreement to a Deed of Entitlement

- 3.20 The Act provides for the Minister to impose conditions on FiT Entitlements. Without limitation, the Minister will impose conditions on FiT Entitlements that require Successful Proponents to implement their Proposals and achieve key milestones in accordance with the timelines indicated in their Proposals.
- 3.21 For Successful Proponents, these conditions will be set out in the Grant of FiT Entitlement and Deed of Entitlement (set out as [Attachment C](#)). It is a condition of the auction that Proponents are willing to, in relation to any Proposal submitted:
- a) enter into the Deed of Entitlement with the Territory, without variation; and
 - b) accept, as legal obligations under the Deed of Entitlement, any claim made by the Proponent as part of its Proposal.

- 3.22 Proponents should note that under the Act, failure to meet a condition of entitlement may result in a FiT Entitlement being withdrawn. Proponents carry all risks for ensuring claims made in relation to their Proposals can be, and are, adhered to.
- 3.23 In the event that, in accordance with the Act and the terms of the Deed of Entitlement, the Minister cancels a Grant of Entitlement, the Minister may reallocate capacity associated with that Grant to another Proposal submitted in the Next Generation Renewables Auction or through another competitive process determined by the Minister.

Selected Proponents to be given opportunity to review Instrument and Deed

- 3.24 After completion of the evaluation process, selected Proponent(s) will be notified by the Territory that the Minister intends to grant the Proponent a FiT Entitlement, subject to execution by the Proponent of a Deed of Entitlement on terms satisfactory to the Minister, and on the other conditions set out in a Grant of FiT Entitlement. At that stage, successful Proponents will be provided with the following:
- a) a draft of the Grant of FiT Entitlement, this being the Notifiable Instrument that the Minister proposes to make in relation to the Proponent's Proposal under Section 11 of the Act. The purpose of providing the Proponent with an opportunity to review a draft of the proposed Grant of FiT Entitlement will be to give the Proponent an opportunity to comment on whether the Proponent considers that there are any inconsistencies between the draft Grant (and the conditions of the Grant) and the Proponent's Proposal.
 - b) a draft of the Proponent's Deed of Entitlement, using the terms and conditions of the version attached to this RFP, or as subsequently amended prior to the closing time for the auction, but with all schedules completed by the Territory to reflect the relevant details of the Proponent's specific Proposal including relevant timelines and milestones. The Proponent will, in accordance with this RFP, be given an opportunity to review the schedules of the draft Deed of Entitlement, as prepared by the Territory, and to provide comment on whether the Proponent considers that the draft schedules are consistent with all relevant aspects of the Proponent's Proposal.
- 3.25 Clauses of the attached version of the Deed of Entitlement are mandatory provisions and the Territory will not accept any amendments that are sought to be made by a Proponent to those clauses.
- 3.26 The Territory will not accept any amendments sought to be made by a Proponent to the schedules of the draft Deed (as prepared by the Territory) that are inconsistent with a Proponent's Proposal or which may, in the Territory's opinion, fail to sufficiently guard against risks to the Territory, including any risks that a Proposal will not be successfully implemented.

Timelines for selected Proponents

- 3.27 The following sets out the timeframes and processes for the execution of a Deed of Entitlement by a Proponent recommended for a grant of Entitlement and the Territory.
- a) A Proponent will be given 5 business days in which to provide its written comments, if any, on the schedules completed by the Territory on the draft Deed of Entitlement (**draft copy**) provided to the Successful Proponent by the Territory.
 - b) Following receipt of a Proponent's comments on the draft copy, if any, the Territory may, at its absolute discretion, and with the Minister's approval, given at the Minister's absolute discretion, make such changes to the draft Deed of Entitlement having regard to the Proponent's comments that, in the Territory's (and the Minister's) opinion, are not inconsistent with the Proponent's Proposal and that are not inconsistent with the Territory's requirement to minimise risk to the Territory. The Territory will provide a further copy of the completed draft Deed of Entitlement incorporating such amendments, if any, as soon as reasonably practicable after receipt of the Proponent's comments on the draft copy (**execution copy**).
 - c) The Proponent must execute the execution copy of the Deed of Entitlement provided to the Proponent by the Territory, and return the executed Deed of Entitlement to the Territory, no later than 5 business days following receipt of an execution copy from the Territory.
 - d) If a Proponent fails to provide comments on a draft Deed of Entitlement sent to it by the Territory within 5 business days, the Proponent will be deemed to have accepted the draft Deed of Entitlement provided by the Territory. In this event, the draft Deed of Entitlement sent to the Proponent will be deemed an execution copy upon the expiration of 5 business days from the date of its receipt by the Proponent, and the Proponent will have a further 5 business days to execute the draft Deed (now execution copy) and provide it to the Territory.
 - e) If a Proponent fails to execute and provide to the Territory an execution copy of a draft Deed of Entitlement sent to it, within the relevant 5 business days or within such further time agreed to by the Territory, the Territory and the Minister may cease further correspondence with the selected Proponent and the Proponent's Proposal may be deemed by the Minister to have been unsuccessful.

Revisions to the Deed of Entitlement

- 3.28 The Territory may for any reason, amend and re-issue a draft Deed of Entitlement or an execution copy of a draft Deed of Entitlement, at any stage prior to its execution by the Territory. The Territory may do this by re-issuing to the Proponent the amended version of the draft copy (or execution copy as the case may be) in which case the Proponent will:
- a) in the case of a draft copy being re-issued, have a further 5 business days from the date of its receipt to provide its written comments to the Territory; or

- b) in the case that an execution copy is re-issued, have a further 5 business days to execute and deliver the execution copy to the Territory.

Interconnected National Electricity System connection

- 3.29 Proponents are required to arrange their own network connections through the relevant Network Service Provider and to take account of the potential associated costs in the value of the FiT being sought.
- 3.30 The Territory does not have access to, and is unable to provide information regarding, the available capacity of the networks within NSW, the ACT or other participating jurisdictions.
- 3.31 The Territory accepts no responsibility for the correctness or completeness, or for any delay in the provision, of information by a distribution or transmission network service provider or any other network service provider.
- 3.32 As with all other costs relating to a Proposal, a Successful Proponent will bear all connection costs.

Access to and use of land in the ACT or other Participating Jurisdiction

- 3.33 Proponents are required to arrange their own acquisition and/or access to land in accordance with applicable leasing, planning and development laws and policies required for the site of their generating system and associated plant and equipment, including any assets required to facilitate connection to the Interconnected National Electricity System.
- 3.34 Proponents are required to obtain any necessary authorisations or approvals required to implement the Proposal at the proposed site in accordance with all applicable laws and policies.

General

Compliance with laws & codes

- 3.35 Proponents are responsible for ensuring that their Proposals, if implemented, will comply with all applicable laws, regulations and codes, including the National Electricity Law and National Electricity Rules and any instruments provided for under that Law and the Rules, and with any requirements of the Australian Energy Market Operator or the Australian Energy Regulator.

Reporting

- 3.36 The Territory requires, as a condition of granting a FiT Entitlement, that a successful Proponent provide quarterly progress reports on the construction of a Proposal and annual reports thereafter over the FiT period. The form of these reports will be set out in the Deed of Entitlement and complying with these reporting obligations will be a condition of a FiT Entitlement.

Treasury Financial guarantee

- 3.37 A Treasury Financial Guarantee (TFG) will be available to the Successful Proponent(s) limited by the Proposed (year 1) Guarantee Cap Multiplier (PGCM) set out in a Proponent's Proposal Form. The final form of the guarantee is set out in the draft Deed of Entitlement provided with this RFP. A guide to the eligibility and evaluation of proposals with respect to the TFG is outlined in paragraphs 5.57 to 5.63 of this RFP. The Next Generation Renewables Auction evaluation process is designed to provide an incentive for a Proponent to select a reduced, or zero, PCGM in their Proposal Form.

4 Evaluation processes

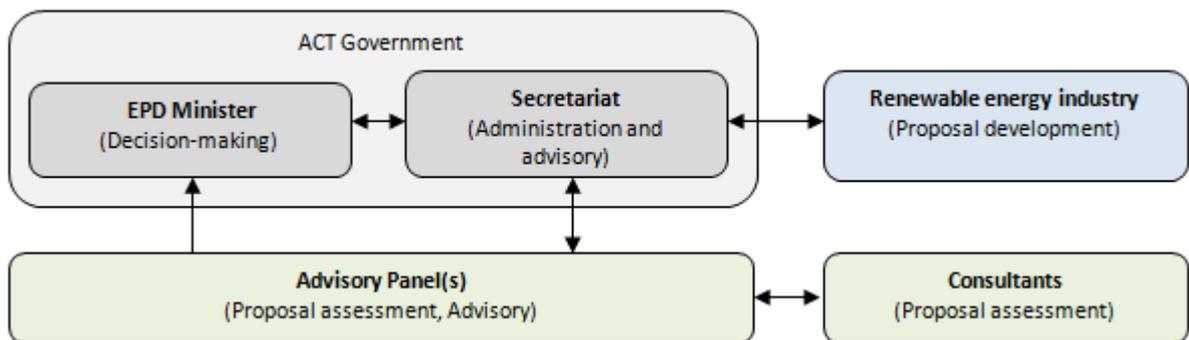
Process summary

Decision by the Minister

- 4.1 The Minister for the Environment and Climate Change will, in accordance with this RFP and having regard to the recommendations of the Panel and in accordance with the Act, make the final decision regarding the grant of FiT Entitlements.

Governance and Administration

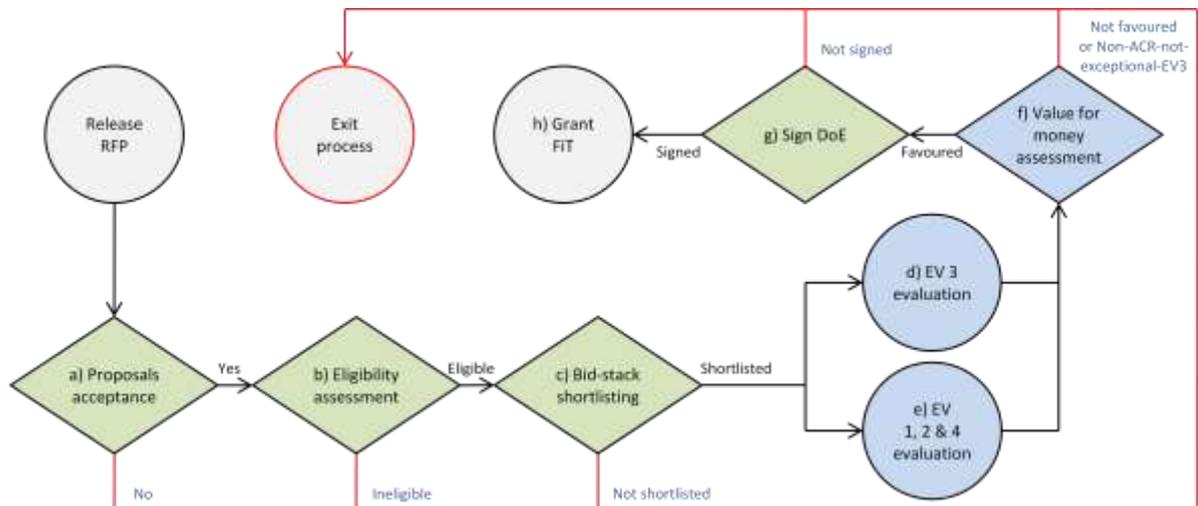
- 4.2 Figure 1 provides a summary of the key governance arrangements for the evaluation and decision-making under the Next Generation Renewables Auction.



- 4.3 The selection of Proposals for the grant of FiT Entitlements will be undertaken by the Minister for the Environment and Climate Change in accordance with the evaluation process set out in this RFP document.
- 4.4 In making his decision, the Minister will be informed by recommendations of an Advisory Panel made up of senior advisors.
- 4.5 Separate advisory sub-panels may be formed to undertake the review of Proposals against the evaluation criteria, EV 2 and EV 3 (see paragraphs 5.37 to 5.56 of this RFP). These sub-panels would provide specialist advice to the Advisory Panel to inform the Advisory Panel's recommendations to the Minister.
- 4.6 Consultants may be used, as required, to inform the decision of the Minister and assessments undertaken by the Advisory Panel(s). This may include undertaking due-diligence assessments of Proposals, analysis of financial models, and verification of claims by Proponents against Eligibility and Evaluation Criteria.
- 4.7 The auction will be supported by a Secretariat that will provide a point of contact with Proponents as well as administrative support and a range of functions related to the evaluation of Proposals. The Secretariat will also be responsible for finalising the Grants and Deeds of Entitlement with successful Proponents.

Evaluation processes

4.8 Figure 2 provides a summary of the process for evaluating Proposals submitted under the Next Generation Renewables Auction.



4.9 A stage-gate approach for evaluation will be used that will be made up by the following stages:

- a) *Proposals acceptance* – Proposals that are submitted on time and satisfy basic completeness checks (as per the Proposal Eligibility Criteria) will proceed to a full eligibility assessment. Proposals that are submitted late, or do not satisfy the completeness check, may not be considered further and will exit the auction process.
- b) *Eligibility assessment* – Proposals that are submitted on time and pass the completeness checks will be assessed against Proponent and Proposal Eligibility Criteria. Proposals that are deemed ineligible against one or more of these criteria will not be considered further and will exit the auction process.

- c) *Bid-stack shortlisting* – All Proposals that were deemed eligible through the *Eligibility assessment* stage will be ranked by FiT price from lowest price to highest and shortlisted on the basis of this ranking for further consideration. Depending on the number of Proposals received, either all Proposals in the bid stack, or only the lowest priced Proposals in the bid-stack, will be further assessed. The number of Proposals proceeding to further assessment will be at the discretion of the Advisory Panel and may be revisited at any stage of the process. The Advisory Panel may call through proposals from the bid-stack based on size in consideration of meeting the Government’s objective to allocate the full 109MW. The purpose of this stage is to mitigate the potentially excessive costs to the Territory of assessing Proposals and to avoid delays in undertaking evaluation of Proposals in the event that a large number of Proposals are received. **Where Proponents nominate Alternative Capacities and FiT prices in part F of the Proposal Form, the bid-stack shortlisting will only be based on the FiT price in the Primary Proposal, it will not be based on any of the alternative FiT prices.**
- d) *EV 3 evaluation* – All Proposals that are shortlisted will be evaluated against EV 3. This evaluation is done in parallel with *EV 1, 2 and 4 evaluation* in order to streamline the process, however, assignment of scores against EV 3 for Proposals will take place during the *Value for money assessment* stage. Shortlisted non-ACR Proposals that do not satisfy 11(1)(b)(i) of the Act – which requires that non-ACR Proposals offer exceptional economic development benefits to ACT renewable energy industries – will exit the process during the *Value for money assessment* stage based on the results of this *EV 3 evaluation*. More detail on how this part of the evaluation process will be conducted is provided under *Special conditions for projects outside of the ACR* at paragraphs 4.10 to 4.13 of this RFP.

EV 1, 2 and 4 evaluation– All Proposals that are shortlisted will be evaluated against Evaluation Criteria EV 1, 2 and 4. While, by default under the provisions above, the full evaluation of Proposals at this stage will be limited to those that were shortlisted through the bid-stack shortlisting process, should the Advisory Panel form the view that further Proposals should be shortlisted, *it may call bids through*. The flexibility to call additional bids through from the previous stage is provided to ensure that the bid-stacking process does not undermine the auction by shortlisting projects that have low FiT prices but are otherwise of low quality. Although this evaluation provides the basis, assignment of scores against EV 1,2 and 4 for Proposals will take place during the *Value for money assessment* stage.

- e) *Value for money assessment* – At this stage, scores will be assigned to Proposals by the Advisory Panel based on the results of *EV 3* and *EV 1,2 and 4 evaluations*. A *Value for money assessment* will be made by combining scores against all Evaluation Criteria and weighting them to generate an overall Proposal score which will be considered in conjunction with FiT price Proposals (see *Value for money assessment* at paragraphs 4.14 to 4.19 of this RFP). Non-ACR Proposals that do not satisfy 11(1)(b)(i) of the Act, based on the results of *EV 3 evaluation*, will exit the process during this stage. [The Advisory Panel will assess the value for money of primary proposals and Alternative Capacities at this stage, with the intention of making recommendations to the Minister on how the further 91MW of capacity could be granted.](#)
- f) *Sign Deed of Entitlement* – Favoured Proposals will be provided with a draft Deed of Entitlement (DoE) for finalisation and execution at this stage. The draft DoE may contain additional specific clauses and/or conditions to address individual Proposal deficiencies. More detail on the process and timeline and for this final stage is provided under the *Conditions of Entitlement* of this RFP.

Special conditions for projects outside of the ACR

- 4.10 Under this RFP, Proposals for generating systems that are not wholly located inside the ACR will, in accordance with the Act, only be eligible to be considered for the award of a grant of FiT Entitlement if the Minister is satisfied that the Proposal meets the following conditions (see Section 11(1)(b) of the Act):
 - a) the Proposal offers exceptional economic development benefits to ACT renewable energy industries; and
 - b) costs to electricity consumers are minimised.
- 4.11 For the purposes of this RFP, whether exceptional economic development benefits to ACT renewable energy industries are offered by a Proposal will be determined by the Minister based on the assessment of that Proposal against EV 3. Guidance on EV 3 evaluation is provided from paragraph 5.43 of this RFP.
- 4.12 For the purposes of this RFP, minimised costs to electricity consumers will be determined to have been demonstrated by a non-ACR Proposal where that Proposal is shortlisted through the bid-stack shortlisting process and on the basis of the value-for-money assessment of that proposal in accordance with this RFP.
- 4.13 Non-ACR Proposals that do not meet these conditions will not be considered further in the auction.

Value for money assessment

- 4.14 Successful Proponents will be awarded a FiT Entitlement on the basis of a value for money assessment by the Minister having regard to advice provided by the Next Generation Renewables Auction Advisory Panel.

- 4.15 Value for money will be determined through a comparison of the proposed FiT price (in dollars per MWh) and the assessed performance of the proposal against all stated Evaluation Criteria. The FiT price comparison will not take into account the renewable energy source of different Proposals. While the evaluation methodology as applied by the Next Generation Renewables Auction Advisory Panel may score or rank each Proposal, the FiT will not be part of this scoring process. Rather, the FiT for each Proposal will be compared to the score, or ranking of the Proposal, to determine best value for money.
- 4.16 The additional FiT price required at varying Energy Storage Contribution bands will also be considered in the proposals value for money assessment.
- 4.17 A formal price/performance index (score divided by price), or net pass-through costs to ACT electricity consumers, may be used to determine value for money scores and rankings or the Advisory Panel may recommend another approach to ranking Proposals in relation to value for money.
- 4.18 The value for money assessment approach means that successful Proposals may not be those with the lowest FiT price. It also means that the FiT price will be a key consideration in the evaluation process.
- 4.19 In making his assessment, the Minister may also consider the aggregate impact of Proposed year 1 Guarantee Cap Multipliers (PGCMs) and may accept, or reject, Proposals in a manner that minimises overall potential risks to the Territory Budget.

Request further information

- 4.20 The Minister or the Panel may, in accordance with this RFP, seek further information from a Proponent about a Proposal at any stage of the evaluation process.
- 4.21 The Minister may seek to negotiate with a Proponent about any aspect of a Proponent's Proposal including the capacity of its generating system.

List of Eligibility and Evaluation Criteria

- 4.22 Table 1: Summary of Proponent Eligibility Criteria. These are discussed further in *Proponent Eligibility Criteria* from paragraph 5.1 of this RFP. All Eligibility Criteria apply to all Proposals, regardless of their renewable energy source.

Proponent Eligibility Criteria	
EL 1	A Proponent must be a non-tax exempt Australian company incorporated under the <i>Corporations Act 2001</i> or a wholly or majority owned Commonwealth or Australian state or territory government body.
EL 2	Proposals will only be accepted from a single legal entity.
EL 3	A Proponent must not be insolvent, or become subject to an Insolvency Event.

EL 4	A Proponent must not have had a judicial decision relating to employee entitlements made against it (not including decisions under appeal) and not have paid the claim.
EL 5	A Proponent must not have been named as an organisation that has not complied with the <i>Workplace Gender Equality Act 2012</i> (Cth).

4.23 **Table 2:** Summary of Proposal Eligibility Criteria. These are discussed further in Proposal Eligibility Criteria (EL 6 to 11) from paragraph 5.13.

Proposal Eligibility Criteria	
EL6	A Proponent must submit a completed Proposal Form (Attachment A) and all required attachments by the specified closing date and time.
EL7	Proposals must be for a Renewable Energy Generator.
EL8	Proposals must be for the establishment of a single generating system that has no less than 9MW and no more than 109MW generating capacity as determined at its point of connection to an interconnected national electricity system. These capacity amounts also apply to Alternative Capacities nominated in part F of the Proposal Form.
EL9	Generating systems must be connected to the interconnected national electricity system (as defined in the Act).
EL10	Proposals must be for a new (yet to be constructed) generating system.
EL11	Proposals must nominate the additional FiT payment required against each prescribed Energy Storage Contribution band, and proponents must be prepared to pay <i>up to</i> \$230,000 per megawatt in the following instalments (or before): <ul style="list-style-type: none"> • 5% on signing the Deed of Entitlement; • 5% within 6 months of signing the Deed of Entitlement; • 45% on reaching Financial Close; and • 45% one year after reaching Financial Close.

4.24 **Table 3:** Proposal Evaluation Criteria and weightings. These are discussed further in Proposal Evaluation Criteria from paragraphs 5.33 to 5.63 of this RFP. All Evaluation Criteria apply to all Proposals, regardless of their renewable energy source.

Proposal Evaluation Criteria		Weighting
EV 1	Risks to timely project completion	50%
EV 2	Local community engagement	20%
EV 3	ACT economic development benefits	20%
EV 4	Reliance on Treasury Financial Guarantee	10%

Closing time and date for submission and other auction milestones

4.25 **Table 4:** Next Generation Renewables Auction milestone dates and times

Milestone within auction	Date
RFP Release Date	1 April 2016
Final date and time for Enquiries and Answers	13 May 2016
Submit Proposal Form(s) including signed declaration(s) and specified attachments (Closing Time and Date)	4pm (Canberra Time) 25 May 2016
Outcome of Proposal assessment announced (estimated)	August-September 2016

4(a) Nomination of alternative project capacities and FiT prices

- 4a.1 To facilitate the allocation of the full 109MW of generation capacity, as well as the additional 91MW of generation capacity, Proponents are invited to nominate up to six Alternative Capacities, and corresponding FiT prices (with separate Energy Storage Contributions), that relate to their proposal.
- 4a.2 Proponents wishing to nominate Alternative Capacities should do so in part F of the Proposal Form. Proponents should also outline the practical implications of scaling their proposal to the nominated Alternative Capacities in relation to the claims they made in relation to EV1. This would include, but is not limited to: legal and regulatory requirements, the implementation schedule, access to funds, technology and construction risks and development approval.
- 4a.3 All other elements of the Proposal's performance against the Auction Evaluation Criteria are to remain the same— that is the risks to timely project completion (except as outlined in part F of the form), local community engagement, economic development benefits, and Proposed Year 1 Guarantee Cap Amount must be the same. The details in the submitted Attachment B Financial model template do not need to include the Alternative Capacities and FiT prices nominated in part F of the Proposal Form.
- 4a.4 The Alternative Capacities and FiT prices nominated in part F of the Proposal Form must be firm. The ACT Government does not intend to give Proponents the opportunity to negotiate Alternative Capacities and FiT prices after submission of their Proposal.
- 4a.5 Nomination of Alternative Capacities is optional, however, Proponents should note that, if a Proponent does not nominate any Alternative Capacities and FiT prices in part F of the Proposal Form, the proposal may not be considered in relation to:
 - a) the allocation of the full 109MW as a result of the Auction, in the event that the capacity available to be granted to proposals is less than, or substantially more than, the capacity of the Primary Proposal, regardless of its ranking in the value for money assessment; or
 - b) the award of a FiT entitlement for the additional 91MW of generation capacity, where the capacity available to be granted to Proposals is less than, or substantially more than, the capacity of the Primary Proposal.

5 Guide to Eligibility and Evaluation Criteria

General

- 5.1 Proposals submitted that do not satisfy the Proposal Eligibility Criteria may be excluded from further consideration in the auction.
- 5.2 Proponents must submit comprehensive and detailed Proposals that address each of the Evaluation Criteria. Proposals will be assessed against the Evaluation Criteria. It is the responsibility of a Proponent to ensure that its Proposal adequately addresses each of the relevant Eligibility and Evaluation Criteria. All Eligibility Criteria apply to all Proposals, regardless of their renewable energy source.
- 5.3 Details of Proposals submitted may be made into conditions of a FiT Entitlement for Successful Proponents. Any commitments made by Proponents in a Proposal, including the value of the FiT sought, therefore need to be clear and unconditional. It is anticipated that the evaluation process will be concluded, and a FiT Entitlement granted, without further discussion or negotiation with Proponents. [The Alternative Capacities and FiT prices nominated in part F of the Proposal Form also need to be clear and unconditional.](#)
- 5.4 Proposals that are determined to be overly conditional or unclear in their commitments will be assessed poorly against the criteria and may be excluded from further consideration in the auction.
- 5.5 For the purposes of determining the capacity of a generating system, and for the purposes of determining Proposal eligibility, the Minister will strictly apply the method as set out in paragraph 5.21 of this RFP.

Proponent Eligibility Criteria (EL 1 to 5)

- EL 1 A Proponent must be a non-tax exempt Australian company incorporated under the Corporations Act 2001 or a wholly or majority owned Commonwealth or Australian state or territory government body.**
- 5.6 Proponents will submit a completed Proposal Form, including a signed declaration, for each Proposal as a self-assessment of compliance with this eligibility criterion. The Territory may make enquiries to confirm compliance.
- EL 2 Proposals will only be accepted from a single legal entity.**
- 5.7 The Proponent will, if successful, be the subject of the Minister's grant of a FiT Entitlement and will be the sole entity responsible for fulfilment of any conditions that apply to the entitlement. Proponents that are unincorporated joint venture or consortiums of multiple legal entities will not be accepted. No related entity of the Proponent, or other legal entity, that is not the entity named as the Proponent in response to this RFP, will be granted a FiT Entitlement.

This eligibility criteria is not intended to restrict the Proponent in terms of tax-efficient corporate structuring. If the Proponent intends to use more than one legal entity for holding assets and or contracts, the Proponent must:

- a) Structure its Proposal so that one contracted entity is legally responsible for the FIT Entitlement including the fulfilment of any conditions that applies to the entitlement.
- b) Clearly outline the proposed corporate structure in its Proposal together with the relationships between each entity.
- c) Obtain its own legal advice about the impact of the proposed structure on the rights and obligations of the Proponent and the ACT Government.
- d) Depending on the Proposal, at the request of the ACT Government, provide additional assurances to the Government and provide details on the structure, to the satisfaction of the Government, prior to any Deed of Entitlement being offered.

5.8 Proponents will submit a completed Proposal Form, including a signed declaration, for each Proposal as a self-assessment of compliance with this eligibility criterion. The Territory may make enquiries to confirm compliance.

EL 3 A Proponent must not be insolvent, or during the auction process, become subject to an Insolvency Event.

5.9 Proponents will submit a completed Proposal Form, including a signed declaration, for each Proposal as a self-assessment of compliance with this eligibility criterion. The Territory may make enquiries to confirm compliance.

EL 4 A Proponent must not have had a judicial decision relating to employee entitlements made against it (not including decisions under appeal) and not have paid the claim.

5.10 Proponents will submit a completed Proposal Form, including a signed declaration, for each Proposal as a self-assessment of compliance with this eligibility criterion. The Territory may make enquiries to confirm compliance.

EL 5 A Proponent must not have been named as an organisation that has not complied with the *Workplace Gender Equality Act 2012 (Cth)*.

5.11 Proponents will submit a completed Proposal Form (Attachment A), including a signed declaration, for each Proposal as a self-assessment of compliance with this eligibility criterion. The Territory may make enquiries to confirm compliance.

5.12 More information in relation to this requirement is available from www.wgea.gov.au.

Proposal Eligibility Criteria (EL 6 to 11)

EL6 A Proponent must submit a completed Proposal Form and all required attachments by the specified closing date and time.

- 5.13 Proponents will complete and submit a completed Proposal Form ([Attachment A](#)) including all attachments as described in the respective forms, addressing all the requirements of this RFP, for each Proposal, to demonstrate compliance with this eligibility criterion.
- 5.14 Proponents should note that a Proposal cannot have a Proposed (year 1) Guarantee Cap Multiplier (PGCM) higher than \$1,230,000 per MW AC of the Renewable Energy Generator. Proposals where the amount of the PGCM proposed does not conform within this upper limit will be deemed ineligible and excluded from further consideration. [The PGCM upper limit also applies to Alternative Capacities and FIT prices nominated in part F of the Proposal Form.](#)
- 5.15 Proponents must submit completed Proposal Forms and any other supporting documentation requested in the forms, by the specified closing time and date (see Table 4 at the end of Section 4 of this RFP). A Proposal Form that is lodged late, or in any way incomplete, including in relation to required supporting documentation, may be deemed ineligible.
- 5.16 Further details of the requirements for, and lodgement of, Proposals are provided in Section 7 of this RFP.

EL 7 Proposals must be for a Renewable Energy Generator

- 5.17 For the purposes of this RFP, a wind generating system is a system that uses turbines to convert kinetic wind energy to AC electrical power for supply to an electricity transmission or distribution network. A solar generating system is a system that converts radiant energy emitted by the sun into electricity that is ultimately delivered as AC electrical power for supply into an electricity transmission or distribution network.
- 5.18 Proponents that are considering submitting a proposal that is not a wind or solar Renewable Energy Generator may propose to the minister, through the Next Generation Renewables Secretariat (nextgen@act.gov.au), the eligibility of another renewable energy source in this auction. This must be done by 23 April 2016 and should outline the case for considering another renewable energy source.
- 5.19 Proposals may include combinations of Renewable Energy Generation, for example wind and solar, but if a proposal is to include a renewable energy source that is not currently provided for under the Act, proponents should propose the eligibility of another renewable energy source (see paragraph 5.18 above).

EL 8 Proposals must be for the establishment of a single generating system that has no less than 9MW and no more than 109MW generating capacity as determined at its point of connection to the interconnected national electricity system.

5.20 For the purposes of determining capacity of a generating system, Proponents should note the definition provided in Section 7 of the Act.

5.21 For the purpose of this RFP, the capacity of the generating system is the maximum power output, in AC, that the system could produce as measured at the metered point of connection to the interconnected national electricity system taking into account:

- a) all losses on the generator side of the metering point (e.g. inverter, wiring or other system component losses),
- b) whether an inverter or other system components reduce the output power due to its continuous rating or capability, and
- c) Renewable Energy Generator output under optimum expected conditions for the generator's location over the FiT period (20 years).

5.22 A Proponent must not make **Primary** Proposals that, in aggregate, exceed 109MW generating capacity as determined at their points of connection to the interconnected national electricity system.

EL 9 Generating systems must be connected to the interconnected national electricity system (as defined in the Act).

5.23 The interconnected national electricity system is as defined in the Act and the *National Electricity (ACT) Law*, Section 2.

EL 10 Proposals must be for a new (yet to be constructed) generating system.

5.24 This RFP seeks to stimulate investment in new Renewable Energy Generation Capacity in addition to that already under construction. For the purposes of this RFP, new renewable energy generation is defined in relation to its stage of construction. Specifically, the Proponent must not previously have commenced the installation of wind turbines or solar panels/collectors or other eligible renewable energy sources that are part of its Proposal, including excavation for the purposes of constructing turbine or panel/collector footings or rock anchor placement.

5.25 Proponents must confirm their compliance with this eligibility criterion and provide any supporting document required in the Proposal Form.

EL 11 Proposals must make an Energy Storage Contribution.

- 5.26 The Next Generation Renewables Auction is part of the ACT Government's Next Generation Renewables strategy that will stimulate the rollout of distributed energy storage in the Territory. Distributed energy storage is a rapidly evolving and transformative energy technology that the ACT intends to be a leader of. Distributed energy storage can reduce costly network capacity augmentation while addressing the critical issues of reliability, dynamic intermittency and unintended voltage fluctuation.
- 5.27 As part of the Government's Next Generation Renewables strategy, successful proponents in the Next Generation Renewables Auction will be required to make a financial contribution (an Energy Storage Contribution) of *up to* \$230,000 per MW of Renewable Energy Generation Capacity. The total Energy Storage Contribution (i.e. calculated as MW Capacity x \$230,000) is the Proponent's Aggregate Energy Storage Contribution.
- 5.28 The additional FiT required (per MWh) to meet the Energy Storage Contribution at increasing contribution bands (\$/MW) should be included in the Proponent's submitted Proposal Form at Part C3 and the financial model template submitted by a Proponent (Attachment B to this RFP).
- 5.29 The FiT impact at each contribution band will form part of the overall value for money assessment for the proposal in the context of achieving the Government's policy and program objectives.
- 5.30 A FiT Entitlement may be awarded based on a contribution of any amount up to \$230,000 per MW (prorata).
- 5.31 ESC Payments must be made to the ACT Government according to the milestones outlined in Table 5. Non-payment of the Energy Storage Contribution will constitute a breach of a proponent's Deed of FiT Entitlement.

Table 5: Energy Storage Contribution Payment Schedule

Milestone	Proportion of successful proponent's Aggregate Energy Storage Contribution payable
Signing of Deed of FiT Entitlement	5%
Within 6 months of signing the Deed	5%
Financial Close	45%
One year anniversary of Financial Close	45%

- 5.32 As part of the Next Generation Renewables Strategy, the ACT Government is also conducting a series of auctions of Territory based energy storage installation grants which Next Generation Renewables Auction proponents can make separate submissions to. More details can be found at: www.act.gov.au/nextgen .

Proposal Evaluation Criteria (EV 1 to 4)

5.33 Subject to the evaluation process set out in Figure 2 at paragraph 4.8 of this RFP, Proposals will be scored with regard to their performance against four Evaluation Criteria, (weighted as per Table 3 at paragraph 4.24 of this RFP) which will contribute to a Proposal's overall value for money assessment. All Evaluation Criteria apply to all Proposals, regardless of their renewable energy source.

EV 1 Risks to timely project completion

5.34 The Territory has a strong interest in granting entitlements only to Proposals that are at an advanced stage of preparation and have low completion risks. Projects that demonstrate that risks to project completion have been effectively mitigated, or where the Proponent has a demonstrated track record of effective risk management for projects of commensurate scope and complexity, will be considered favourably under this evaluation criterion.

5.35 The evaluation of Proposals against this criterion will include, as a minimum, an assessment against the following factors:

- a) Proponent capability and experience and understanding of the legal and regulatory environment that will impact the successful implementation of the Proposal
 - i. Proposals must demonstrate that the project team has comprehensively identified all significant development risks associated with the project and has identified effective strategies to mitigate these risks.
 - ii. Proponents must demonstrate organisational capacity to manage these risks efficiently and effectively, including through the capability of project team members and contracted organisations.
 - iii. Proponents should provide evidence of their investigations and applications, if any, for all network connection approvals, NEM registrations, Development Approvals and environmental approvals, including any environmental impact statements or other environment studies, as may be required by law. The Proponent should outline any matters that have been, or will be, the subject of further investigation or risk mitigation. Proponents will be expected to have these investigations at an advanced stage and not have any significant matters unresolved, such as issues that may impact achieving Development Approval or the commencement of construction in a timely manner.
 - iv. Proponents must demonstrate that their implementation schedule is reasonable and realistic in light of the nature, size and complexity of the Proposal. Proposals will be assessed favourably that involve timely implementation of a Proposal, provided that the timeline schedule is not considered by the Minister to be unrealistic.

- b) Project access to funds/ability to raise funds and inclusion of a detailed income, expenditure and generation forecast
- i. Proposals that have firm commitments with regard to project financing, or are able to provide other evidence of their bankability, will be favoured. Proponents are required to demonstrate that they have undertaken comprehensive financial planning with respect to a Proposal so as to limit the possibility that it will not be successfully implemented.
 - ii. An assessment will be undertaken of a Proponent's financial analysis and budget for the purpose of seeking to establish the extent to which such analysis may be inadequate and lacking detail to be credible, or manifestly flawed or unreasonable. Proposals that demonstrate that highly detailed and credible financial planning has been undertaken, that is not unreasonable in its projections and assumptions, and that takes account of all likely costs and makes contingencies for relevant risks, will be assessed favourably.
- c) Technology and construction or other risks
- i. Proponents must demonstrate that they have, or will have access to, proven Renewable Energy Generator technology that is to be used for the proposed generating system, including any necessary intellectual property rights associated with the technology.
 - ii. Proponents must be able to demonstrate that the technology they intend to use in their proposed generating system has been successfully demonstrated at a scale comparable to that proposed in a Proponent's Proposal.
 - iii. Proposals that rely only on wind turbines that have been certified under IEC 61400 (current version), or that have achieved independent certification for the site, will be considered favourably.
 - iv. Proposals that rely only on solar generators that have been certified under the following standards will be considered favourably:
 - AS/NZS 5033 Installation of PV arrays
 - AS/NZS 3000 Electrical wiring rules
 - AS/NZS 1768 Lightning protection
 - AS/NZS 1170.2 Wind loads
 - AS/NZS 1664.1 Aluminium structures
 - AS/NZS 4600 Cold-formed steel structures
 - AS/NZS 4777 Grid connections of energy systems via inverters
 - AS/NZS 2067 – Substations and High Voltage installation exceeding 1kV a.c.

- AS/NZS 62271.202 High Voltage / Low Voltage prefabricated substations
- Specific requirements of the local DNSP – Connection of embedded generation to the network

d) Development Approval

- i. Proposals must have valid Development Approval, or be at an advanced stage in Development Approval preparation, to be considered favourably. To address this criteria, Proposals will need to include evidence that the Renewable Energy Generator has valid Development Approval, or demonstrate that Development Approval investigations are at an advanced stage with no major unresolved issues that might materially affect Development Approval.
- ii. Proposals requiring minor changes to a Development Approval (e.g. wind turbine tip height variations, wind turbine location changes or changes to the number of solar panels/collectors) may be considered, but any required changes to the Development Approval should be clearly outlined in the Proposal together with a detailed plan and evidence of how and when these changes will be achieved.
- iii. The attained, or pending, Development Approval should be valid or applied for a period sufficient to construct the project and transition into operation

5.36 Proponents should address this criterion by completing the relevant section of the Proposal Form and providing the prescribed attachments as supporting evidence.

EV 2 Local community engagement

5.37 The Territory has a direct interest in promoting good community engagement processes and outcomes for projects participating in the Next Generation Renewables Auction. In addition, the Territory shares an interest in the continued development and implementation of good community engagement practices by renewable energy industries to delivering positive outcomes and community benefits.

5.38 Attachment E – Best Practice Community Engagement in Wind Development will help inform the Territory’s understanding of the range of community engagement approaches and practices that can be applied by Renewable Energy Generator developers at various stages of their Proposal. The publication outlines community engagement approaches and principles that should be applied to all renewable energy sources that are eligible to participate in the Next Generation Renewables Auction.

- 5.39 While it is not expected that Proponents will be able to demonstrate they have implemented all or most of these practices, it is expected that Successful Proponents will have complied with jurisdictional minimum consultation requirements and that local community acceptance issues have been positively managed. Proposals that are able to demonstrate industry leading community engagement practices throughout all stages of the development will be considered favourably against this criterion.
- 5.40 Proponents should address this criterion by completing the relevant section of the Proposal Form and by providing a detailed *Community Engagement Plan* as an attachment containing the following information:
- a) Goals and desired outcomes;
 - b) Public engagement approach and principles applied;
 - c) Success criteria and process evaluation;
 - d) Key stakeholders;
 - e) Project issues and risks;
 - f) Proposed engagement response (activities, timeframes, format and tools applied, target groups involved, deliverables); and
 - g) Framework for evaluation including timeframes.
- 5.41 Proposals will also be evaluated in relation to the level of community support Proponents have been able to achieve for their projects. A Proponent's *Community Engagement Plan* should also detail:
- a) Evidence of support levels in the host community;
 - b) Evidence of support from relevant local government council/s where applicable;
 - c) Evidence that the Proponent has been able to respond to community concerns; and
 - d) Where specific and current community concerns exist, the proposed plan to remedy the situation and build positive community support for their Proposal.
- 5.42 Proposals in NSW are encouraged to work with the NSW Regional Clean Energy Program (RCEP). The RCEP Regional Coordinators are links to community stakeholders and can advise on suitable community engagement strategies for specific projects. There are other equivalent renewable energy schemes in other jurisdictions that proposals in other states or territories should work with, for example Victoria's Renewable Energy Roadmap and RenewablesSA in South Australia.

EV 3 ACT economic development benefits

- 5.43 The ACT Government is strongly committed to the development of a vibrant, export orientated, ACT-based renewable energy industry to create jobs, and grow and diversify the ACT economy.
- 5.44 The ACT Government has adopted the Renewable Energy Local Investment Framework (Attachment D) that includes four priority areas for renewable energy business development and investment attraction to stimulate sustained renewable energy industry development and job creation in the Territory. Under this RFP, Proponents are required to demonstrate how their Proposals and businesses contribute to these priorities for the benefit of the ACT renewable energy industries:
- a) Delivering enduring benefits to local businesses through the inclusion of regional contractors and labour force;
 - b) Building Canberra's capacity as a national tertiary education and trades' skills hub;
 - c) Stimulating productive research partnerships that will develop the capacity and global recognition of the ACT's tertiary institutions; and
 - d) Growing the local corporate footprint of national and international businesses.
- 5.45 Proposals that demonstrate an additional, significant and enduring material commitment and contribution to the above priorities, and which generally accelerate the development of the renewable energy industry in the ACT, will be considered favourably against this criterion.
- 5.46 In support of this criterion, Proposals that provide specific commercial and project plans, with related evidence-based metrics quantifying likely direct and indirect benefits, will be favoured.
- 5.47 The above approach is intended to be non-prescriptive allowing Proponents to develop creative and cost-effective Proposals for the benefit of the ACT renewable energy industries that align with their own investment needs and the needs of the renewable energy industry.
- 5.48 Some illustrative examples of initiatives that were valued highly as part of previous auctions include:
- a) proponents establishing, or moving, their Australian or regional offices to the ACT;
 - b) commitment of long term resources (funding and human resources) for tertiary and skills development training courses, and ongoing research initiatives;
 - c) firm commitments to make use of local contractors and labour force; and
 - d) establishment and contribution to a renewable energy fund to foster and grow early stage renewable energy related businesses within the ACT.

- 5.49 In 2016 the ACT Government will be developing a renewable energy innovation precinct to provide practical accommodation support and networking opportunities to businesses establishing in the ACT. This includes support for identifying market opportunities and mentoring for early-stage businesses.
- 5.50 An assessment will be made of the extent of the contribution based on the documentation provided. The value of the ACT economic development benefits included in a Proposal will be assessed as a whole, not as a weighted sum of the above four priority areas.
- 5.51 [DELETED]
- 5.52 Undertakings made by Successful Proponents against this and other criteria will be made conditions of their Deed of Entitlement. It is therefore required that undertakings be made in relation to each Proposal. Undertakings that are conditional on the success of more than one Proposal will not be considered.
- 5.53 Undertakings made by Proponents should be specific, time-bound and verifiable.
- 5.54 While all Proposals must address EV 3, special conditions for performance exist for Proposals located outside the ACR. More detail is provided under *Special conditions for projects outside of the ACR* at paragraph 4.10 to 4.13 of this RFP.
- 5.55 When comparing and ranking Proposals in relation to this criterion, the size of the Proposal (in MW) will be considered so that the overall requirement for a Proposal to contribute to the priority areas for renewable energy industry development and investment attraction will be commensurate with its size.
- 5.56 Proponents should address this criterion by completing the relevant section of the Proposal Form and by providing a detailed *ACT Investment Plan* as an attachment. This plan should address each of the priority areas, even if no specific initiatives under that Priority area are proposed.

EV 4 Reliance on Treasury Financial Guarantee

- 5.57 A Treasury Financial Guarantee (TFG) is offered by the Territory to Successful Proponent(s), the form of which is set out in Part 16 of the draft Deed of Entitlement.
- 5.58 The objective of the Territory in making this offer is to ensure that Proponents are able to mitigate sovereign risks perceived by banks and credit providers to be associated with the legislated nature of the FiT Entitlement. However, it is the Territory's strong preference to minimise the extent to which these TFGs are relied upon by Proponents. For this reason, the evaluation of Proposals against this criterion will favour Proponents that are not reliant on a TFG or that have minimised the extent of their reliance.

- 5.59 The maximum amount of the Proposed Guarantee Cap Multiplier (PCGM) offered under this auction is capped at \$1,230,000 per MW AC of Renewable Energy Generator capacity (regardless of renewable energy source) from the Grant of Entitlement and the first year of generation. The TFG will reduce in a linear fashion to \$0 per MW in the year following the last year of the 20 year Feed-in Tariff Entitlement period. It is acknowledged that these amounts, in isolation, may be insufficient to secure all debts associated with a Proposal. These maximum cap amounts will be applicable to all Proposals regardless of their circumstances and structures.
- 5.60 Proposals must address EV 4 by proposing a year 1 Proposed Guarantee Cap Multiplier (PGCM) for the first generation year, set in relation to the form of the TFG provided under clause 16 of the draft Deed of Entitlement. A PGCM must be set as a 'dollar per MW AC' figure. For example, a Proponent with an 80MW AC Proposal may propose a PGCM of \$300,000. This would result in the 'cap amount' being set in the table under clause 16.9 in their Deed of Entitlement at \$24,000,000 in the first year. The Secretariat would calculate the remaining cells in the table to ensure that cap amounts in subsequent years decline in a linear fashion to achieve a cap amount of \$0 in the year following the last year of the 20 year Feed-in Tariff Entitlement period.
- 5.61 The PGCM will be taken into consideration by the Advisory Panel when scoring and ranking Proposals. A Proponent that proposes a PGCM of \$1,230,000 will be granted the lowest possible score against this criterion (i.e. 0/10) while a Proponent that proposes a PGCM of \$0 will be granted the highest possible score against this criterion (i.e. 10/10). Scores will be rounded to the nearest single decimal place.
- 5.62 If a PGCM is greater than \$0, Proponents must set out in the Proposal Form the reasons why they require this specific level of guarantee and what assessment has been undertaken to support their conclusions. If the PGCM is \$0, Proponents must set out why they do not require a guarantee to secure financing of their project and what assessment has been undertaken to support this conclusion.
- 5.63 Proponents should note that a PGCM cannot exceed \$1,230,000 for any proposed Renewable Energy Generator (regardless of renewable energy source) . Proposals where this limit is exceeded will be deemed ineligible and excluded from further consideration.

6 General terms and conditions for participation in the auction

- 6.1 By participating in the auction Proponents agree to the following further terms and conditions, in addition to any terms and conditions provided for elsewhere in this RFP.

Obtaining approvals

- 6.2 In order to implement Proposals, Proponents will be required to obtain approvals, licences and authorisations from a range of Commonwealth and State or Territory government agencies.
- 6.3 It is a strict condition of participation in the auction that Proponents take full responsibility for ensuring that their Proposals, including proposed timelines, take account of the potential delays that may occur in obtaining such approvals, licences and authorisations.
- 6.4 Obligations to comply with conditions of a FiT Entitlement are strict obligations. Failure to comply with a condition may result in termination of a FiT Entitlement regardless of whether such failure was caused by the Proponent or was due to the act, omission or fault of another person, including delays by such government agencies.

No warranties or representations arise from evaluation of a Proposal

- 6.5 In making a favourable assessment of a Proposal, neither the Territory nor the Minister makes any warranty or representation about the prospects of successful implementation of a Proposal.

Transfer of FiT Entitlement prior to commissioning of generating system

- 6.6 An entitlement to FiT support payments may not be transferred, assigned, or otherwise dealt with by a Successful Proponent prior to completion of the commissioning and operation of the generating system without the prior written consent of the Minister, which the Minister may, at his or her discretion, withhold.
- 6.7 Matters related to the transfer of a FiT Entitlement are addressed in the Act.

Clarifications and requests for further information

- 6.8 Despite any other requirement or condition in this RFP, a Proponent may be required to submit additional information to clarify its Proposal and enable proper consideration of the Proposal.

- 6.9 The Minister and the Advisory Panel are under no obligation to seek clarifying or other information from a Proponent. If a Proponent fails to submit information as part of its Proposal, or fails to respond to a request to provide further clarifying information within the time stipulated in a request, including this RFP, then the Minister may evaluate that Proposal in the absence of such information, taking into account the risks that arise in respect of the Proposal without having such information.

Late lodgement of Proposals

- 6.10 Proposals lodged after the relevant closing time and date will not be accepted.
- 6.11 The Minister may reject any additional information supplied in respect of a Proposal after the closing date which, in the Minister's opinion, provides more than mere clarification of the Proposal and which would give the Proponent an unfair advantage were the additional information to be admitted.

Authority to seek further information

- 6.12 By submitting a Proposal a Proponent:
- a) authorises the Territory and its authorised agents to seek further information about, and enquire into, the Proponent's (or its owners') financial position and any claims made in a Proposal regarding its, or its owners', employees' or contractors', capability and experience; and
 - b) acknowledges that the provision and receipt of information by the Territory to, or from, any other Territory, State or Commonwealth government agency for the purpose stated above is a communication in circumstances of qualified privilege and that the Proponent shall have no claim against the Territory in defamation, or otherwise, with respect to any matter arising out of the provision or receipt of such information.

Ineligible Proposals

- 6.13 A Proposal that is at variance with, or does not respond to, or does not fully comply with, any requirement of this RFP, including the Proposal Eligibility Criteria, or which is incomplete or illegible, may be deemed to be ineligible.
- 6.14 The Minister, may at the Minister's absolute discretion, in respect of a Proposal that is ineligible or which has been deemed to be ineligible:
- a) reject and not consider the Proposal further;
 - b) ignore any aspect of the Proposal that makes it ineligible and proceed to evaluate the Proposal against the further applicable criteria; or
 - c) if it is possible to correct the ineligible aspect of the Proposal without affecting the probity of the auction, permit the Proponent to do so.

Addenda

- 6.15 Addenda to the RFP or associated attachments may be issued prior to the closing date for the purposes of clarifying the meaning of documents or requirements or to notify Proponents of any amendments to the RFP or associated attachments. Addenda will be made available to registered auction participants by email sent to a Proponent's registered email address.
- 6.16 This RFP may be revised and re-issued at the Minister's discretion in which case a revised version will be made available to registered auction participants by email sent to the Proponent's registered email address.
- 6.17 Information on how to register is set out in Section 7 of this RFP.
- 6.18 Proponents are responsible for ensuring that any addenda or revisions to the RFP are taken into account in their Proposals.

Ownership of Proposal documents

- 6.19 All Proposals, including all copies submitted in accordance with the RFP and any attachments, become the property of the Territory, which may use them for assessment purposes. The Territory will not return Proposals, or the media on which they are contained (or copies), to Proponents.
- 6.20 Proposals will be kept in accordance with the *Territory Records Act 2002*.
- 6.21 Proponents will retain ownership of all intellectual property rights in their Proposals (subject to any other person's rights).
- 6.22 Proponents authorise the Territory and its agents to reproduce, use and supply the Proposals for any purpose relating to the assessment of Proposals. This includes the authority to provide copies of Proposals to third parties engaged by the Territory to provide advice and assistance in relation to the assessment of Proposals and to permit those persons to make such copies as are reasonably necessary for such purpose.
- 6.23 Proponents must ensure that they have obtained the necessary permissions to grant the above authority to the Territory, including from any persons who may have moral rights in respect of a Proposal.

Price basis, English language and metric units

- 6.24 All costs and prices stated in a Proposal must be in Australian dollars and exclude GST, where applicable. A Proponent's requested FiT must be in Australian dollars and on the basis that it will remain fixed for the 20 year FiT Entitlement term if the proponent is awarded a grant of Entitlement. The Territory will not accept Proposals that contain costs and prices that are subject to variation because of fluctuations in currency exchange rates. Proponents are required to accept the risk of fluctuations in currency exchange rates.

- 6.25 Proposals and all communications with the Territory must be in English.
- 6.26 All dimensions and units on plans and drawings and all references to measurements must be in metric units.

Confidentiality

- 6.27 All information provided in relation to a Proposal will be deemed to be confidential subject to the terms for the release of information provided for in this section.
- 6.28 Proponents should be aware that:
- a) the Territory may be required to disclose non-confidential information, either under the *Freedom of Information Act 1989*, by the Minister in the Legislative Assembly or its committees, or to the Ombudsman, or for a purpose in relation to the protection of public revenue;
 - b) information in Parts A1 and A2 of the Proposal Form may, at the Minister's discretion, be disclosed for reporting or other purposes; and
 - c) Proponents that are granted a FiT Entitlement will have Proposal information made public in accordance with Section 11(6) of the Act.
- 6.29 Proponents should also be aware that the Minister may, in accordance with the Minister's obligations under Section 22 of the Act, table in the Legislative Assembly a review of the auction process, or otherwise release material, that may include the aggregated or un-identified (by reference to Proponent) summaries of information supplied by Proponents through the auction process, including, but not limited to, the following:
- a) the number of Proposals received and the average number of Proposals per Proponent;
 - b) the distribution of total Proposal costs from lowest to highest, on a \$/MW basis;
 - c) the distribution of FiT values sought from lowest to highest, on a \$/MWh basis;
 - d) the relationship between project costs and capacity sizes. This will be presented as a linear (graphical) or numerical relationship and will not reveal individual Proposal bid costs or capacity sizes;
 - e) a breakdown of project budget summaries, as reported in Part C1 of the Proposal Form, concealing the costs of any individual Proposals; and
 - f) any other summary information whose disclosure is determined, at the Minister's discretion, to be relevant to the public interest while not disclosing the identity of the Proponent or Proposals to which the information relates.

Costs of preparing and submitting Proposals

- 6.30 The Territory will make no payment to a Proponent, or any other person, for any reason including:
- a) for any costs, losses or expenses incurred by a Proponent in preparing its Proposal or in participating in this auction; or
 - b) in respect of any discussions, negotiations, enquires or requests for details or information made by, or on behalf of, the Territory after the submission of Proposals; or
 - c) for any work undertaken by any Proponent after its Proposal is submitted including work requested by the Territory.

Conflicts of interest or collusion

- 6.31 A Proponent with a conflict of interest, or potential conflict of interest, must disclose the conflict of interest to the Territory at the time of submission of a Proposal or, if the conflict of interest or a risk of a conflict of interest arises after submission of a Proposal and prior to the completion of the auction evaluation process, immediately disclose the conflict of interest to the Territory.
- 6.32 If the Advisory Panel or the Minister, upon becoming aware of a conflict of interest, or a potential conflict of interest arising in respect of a Proposal, considers that such conflict is likely to give rise to an unfair advantage to a Proponent, or a reasonable perception of an unfair advantage, then the Advisory Panel, or the Minister, may direct a Proponent to take such action as it considers appropriate to address the conflict.
- 6.33 If, in the Minister's opinion, there is no practical means by which the conflict or perceived conflict can be adequately addressed, the Minister may exclude such a Proposal from further consideration.
- 6.34 In submitting a Proposal, a Proponent represents and warrants that:
- a) the Proponent has no knowledge of the Feed-in Tariff being proposed by any other Proponent, nor any knowledge of the costs and prices forming the basis for any other Proponent's proposed Feed-in Tariff;
 - b) except as disclosed in its Proposal, the Proposal has not been prepared with any consultation, communication, contract, arrangement or understanding with any other person intending to submit a Proposal, or with a related entity of the other person;
 - c) the Proponent has not otherwise engaged in any collusion, anti-competitive conduct or any other similar conduct in relation to the preparation of its Proposal that may potentially impact effective competition being in place between each and every Proponent in this auction; and

- d) except as disclosed in its Proposal, the Proponent is not a related entity of any other Proponent.
- 6.35 The Advisory Panel or the Minister may, if satisfied on reasonable grounds that there has been a contravention of this section by a Proponent, exclude such a Proponent's Proposal from further consideration in the auction.

Insurance

- 6.36 In addition to insurance that a Proponent may be required by law to have in effect (for example workers' compensation), a Successful Proponent will be required to take out, and maintain for the term of the FiT Entitlement, public liability insurance (and/or other insurances as may be required) in an amount satisfactory to the Minister to reflect the nature and the size of the risks applicable to a Proposal.
- 6.37 Proponents must provide the Minister with evidence of such insurance upon request by the Minister made at any time during the term of the FiT Entitlement.

7 Registering and Lodging a Proposal

Registration

- 7.1 A Proponent will be required to register to participate in the auction prior to lodging a Proposal. On registration a Proponent will be provided with this RFP and associated auction documents, including addenda. Further addenda will be issued only to registered Proponents.
- 7.2 To be registered, Proponents must send an email to nextgen@act.gov.au detailing the name of the Proponent and at least 2 persons' contact names being persons who are authorised to act on behalf of the Proponent, as well as phone, email and mailing address contact details for the Proponent and such persons.

Proposal documentation

- 7.3 Proponents are required to submit a Proposal Form for each Proposal, including the attachments specified in the forms, that address the Proposal Eligibility and Evaluation Criteria.
- 7.4 It is the responsibility of a Proponent to ensure that its Proposal addresses all of the relevant criteria, including the Eligibility and Evaluation Criteria. Proposals should not rely on links to external documents or websites.
- 7.5 Each Proposal, including attachments, must be no more than 200 pages including cover pages and all attachments. Printed Proposals must be no more than 100 printed pages (i.e. 200 pages printed double sided).
- 7.6 It is preferred that printed copies are coil or comb bound, rather than in a ring binding folder.
- 7.7 A Proponent must submit a completed hard copy Proposal Form including originals of all signed declarations included in the forms. A single read-only CD-ROM or USB with a full electronic copy of each Proposal must also be included. The completed Proposal Form and Excel financial model(s), files must be provided in Word and Excel format respectively (i.e. not converted to PDF). The hard copy and electronic copies of the Proposals must be identical.
- 7.8 Each Proposal must submit a single completed Excel financial model file as per the template provided at Attachment B. Proposals that lock cells, amend formulae within the template file, or otherwise amend the template, may be deemed ineligible. As per Part I of the Proposal Form, no paper copy of the Financial Model should be lodged.
- 7.9 A file size limit of 10MB will apply to all electronic files included in a Proposal. Proposals may be deemed ineligible if electronic files are submitted that exceed this limit.
- 7.10 In the event of any discrepancy between any copy and the original, the signed original hard copy of the Proposal will take precedence.

- 7.11 Proposals where the required declarations have not been properly made, or where the declarations have been varied in any way, will be deemed ineligible.

Lodging a Proposal

- 7.12 Proposals are to be in plain envelopes, wrapping or packaging, clearly marked on the outside with the words 'ACT Next Generation Renewables Proposal' and include the name of the Proponent, the date and time for closing of Proposals, and the name and number of the Proposal (where a Proponent is submitting more than one Proposal).
- 7.13 Proposals must be received by the **Closing Time and Date** specified in Table 4 at paragraph 4.25 of this RFP (**Closing Time and Date**).
- 7.14 **Proposals must be delivered in person (including by courier)** to the foyer of the north building of Dame Pattie Menzies House at 16 Challis St, Dickson 2602 in accordance with the following:
- Delivery must be during the hours of **9:00am to 4:00pm Canberra time; and**
 - Delivery may only occur on the day before, or the day of, the **Closing Date** specified in Table 4 at paragraph 4.25 of this RFP (Closing Time and Date).
 - Delivery must be completed (hand delivered to an authorised Territory officer) **prior to the Closing Time and Date;** and
 - **The person delivering the Proposal must call 6205 4435** from the foyer of the north building of Dame Pattie Menzies House and request the attendance of an authorised Territory officer attend the foyer to take receipt of the Proposal.
- 7.15 Confirmation of receipt of Proposals delivered by mail will be issued by email by the Next Generation Renewables Auction Secretariat within 20 working days of the Closing Time and Date for Proposals.

- 7.16 All enquiries in relation to this RFP must be directed in writing to the following email address:

nextgen@act.gov.au

Publication of Enquiries & Answers

- 7.17 Subject to paragraph 7.18, the substance of all enquiries, or comments warranting a response, made in relation to this RFP under paragraph 7.16, and the substance of answers given by the Territory in response to those enquiries or comments, will be published to all Proponents registered under paragraph 7.1 as soon as reasonably practicable.
- 7.18 The Territory will not disclose the identity of the enquirer or person making a comment in any material published under paragraph 7.17 above.
- 7.19 The final date and time for Enquiries and Answers is 4:00pm (Canberra time) on 5 May 2016. Any questions received after this time and date may not be answered by the Territory