Recommendations Regarding the RFP for a Technical Feasibility Study for East Bay Community Energy



This memo from the East Bay Clean Power Alliance* is to provide feedback on the Draft RFP prepared by Alameda County Staff and to make recommendations for aligning the scope of the RFP with East Bay Community Power's program goals.

Draft RFP and Program Goals

The main deliverable set forth in the Draft RFP appears to be an assessment of "the overall cost-benefit potential to support a threshold decision to move forward with CCA. Costs shall include upfront Program development and implementation costs as well as net ratepayer costs over the forecast period. Quantifiable impacts shall include potential for: 1) annual and net savings over PG&E; 2) net GHG reductions; 3) expanded use of renewable energy resources and local economic development (job-years created and indirect economic impacts)."

The Draft RFP enumerates eight EBCE program goals, but notes that these goals are for reference and "not a statement of specific tasks or study scope." Nevertheless, three of the goals (competitive rates, lower GHG intensity, and renewable energy options) are prominently addressed in the RFP, while goals addressing other key community benefits (prioritizing development of local renewable resources and achieving demonstrated economic benefits) are largely ignored.

The Draft RFP does state that "local economic development (job-years created and indirect economic impacts)" is one of the three main impacts for assessing "the overall cost-benefit potential to support a threshold decision to move forward with CCA," and that the technical feasibility study should examine "direct and indirect employment creation." However, the Draft RFP does not specify (or otherwise make clear) that development of local renewable resources be factored into the three supply scenarios (33%, 50%, and 100% renewable) requested by the RFP nor that additional scenarios representing different ten-year development models be considered.

We are concerned that the impacts of annual savings, GHG reductions, and local economic development cannot be assessed without reference to the development of local renewable resources. Where, for example, would local job creation come from in the absence of such development over the Draft RFP's ten-year forecast period?

Ten-Year Forecasting Methodology

Because the Draft RFP does not address the development of local renewable resources, its call for a ten-year forecast is apparently based simply on (high, medium, and low) extrapolations of current market conditions. The energy market is very volatile and is likely to be increasingly so due to the impact on hydroelectric energy of California drought conditions, the shuttering of nuclear power plants, and public opposition to cheap fracked natural gas.

Financial projections of the program's performance for the initial two or three years when electricity is being purchased on the market can be made using forward market prices for power from existing generation facilities. This type of short-term procurement forecasting can be done with a minimum of effort using published market prices for these categories of renewable

energy, representative of the costs the program would incur in its first couple years of operations. This short-term projection is helpful in securing financing to purchase power for program launch.

However, any projections of this type beyond two or three years, under dynamic market and development conditions, are highly speculative and unreliable.

By contrast the CPUC, the investor-owned utilities, and municipal utilities use sophisticated power planning tools for long-term projections. These tools would be overkill for a technical feasibility study, but are needed after program launch to analyze available and proposed power generating sources, their integration on the grid, and how the development of local resources can be integrated into the power mix.

Greenhouse Gas Reductions

Because it emphasizes GHG reductions as a major concern, the RFP should be more specific about what constitutes legitimate estimates of GHG reductions. In particular, it makes reference to "California Qualified Renewable" portfolios and content without addressing the issues concerning unbundled renewable energy certificates (RECs).¹

California regulations do not address the use of unbundled RECs by Community Choice programs to claim GHG reductions beyond those called for through the Renewable Portfolio Standard (RPS) targets (33% renewables by 2020). Hence a Community Choice program is free to claim, as does Marin Clean Energy, that its purchase of unbundled RECs offsets its fossil-fuel portfolio, resulting in lower GHG emissions (less carbon intensive energy) than PG&E. This has become a major focus of attacks on Community Choice programs.²

We feel the RFP should make clear that unbundled RECs cannot legitimately be used in estimating GHG reductions beyond the RPS under the RFP. It should require that all scenarios that exceed the RPS requirements be based on real renewable energy procurement (bundled RECs), and not on purchase of unbundled RECs.

Multiple Scopes of Work

It appears to us that the Draft RFP would be strengthened by calling for three different levels of study to establish a Community Choice program that could achieve the program goals cited in the Draft RFP:

- 1. **Short-term** (2-3 year) procurement forecasts and cost of service modeling: This provides a simple forecast using market price indices for power from existing power plants. This short-term forecasting is what is required by a bank to arrange financing for the program to launch. The analysis can be conducted rapidly, relatively cheaply, and allows the Community Choice formation activities to proceed quickly.
- 2. **Program design for development of local renewable energy resources:** This provides development scenarios for how the Community Choice program could facilitate the build-out of local assets to achieve key program goals such as annual savings, GHG reductions, and

¹ For the issues surrounding unbundled RECs and their relevance to Community Choice energy programs, see the short pamphlet, *What the Heck is a REC?*

² Note, for example, the <u>June 1, 2015 announcement by IBEW 1245</u> that it is filing a ballot initiative in San Francisco to require that any power labeled as clean or green by Clean Power SF (but not PG&E) "come from Category 1 renewable energy generated from solar, wind and other eligible renewable energy resources…"

- local economic benefits (job-years created and indirect economic impacts) over the course of about ten years.
- 3. **Power planning methodology and tools:** This provides recommendations for industry-accepted quantitative tools/software and 'road map' of regulatory and business processes required to make long-term power planning and integration of local resources a core part of the program's operational activities. It includes risk-management policies similar to those used by municipal and investor-owned utilities.

Recommendations

Based on our analysis of the Draft RFP and the comments we have provided above, the East Bay Clean Power Alliance proposes that the current Draft RFP, which implicitly calls for multiple scopes of work requiring different types of expertise, be separated out into three separate RFPs, which together would provide a stronger and more informed basis for moving forward with the EBCE program:

- A short-term technical feasibility study and pro-forma analysis for establishing EBCE based on a two to three year forecasting of the type described in the current Draft RFP. This study would inform a threshold decision to move forward with the formation of a JPA and Community Choice agency.
- A long-term (ten-year) technical analysis to address the program design needed to implement the build-out of local renewable energy resources. This RFP should cover how to achieve the benefits of lowering rates, reducing greenhouse gas emissions, achieving job creation, and other economic benefits of such local development. It should describe how local development could be phased in, how it could be financed, what contracting strategies could be used, what tradeoffs might be in play, what ownership models could be pursued, what mechanisms could be used to promote such development, and how local assets would be integrated into the program's power mix. In other words, this RFP would call for the development of a local build-out plan which stops short of designing specific projects (would not trigger CEQA), but which addresses the issues mentioned above and how to meet the stated program goals—perhaps comparing different development scenarios. This study would inform a threshold decision to launch the EBCE program, that is, enrolling customers and delivering power, and could, if necessary, be concluded after JPA formation but before program launch.
- A study to recommend how to estimate the economic impacts of building new local resources beyond a short-term timeframe, and how to perform long-term power planning exercises. It would recommend tools, methodologies, and procedures to be used operationally by the program to procure power and build specific projects after launch. This type of long-term power planning would incorporate both the volatility of the energy market and the integration of local generating sources over the program's lifetime. This study, like the local build-out study, does not necessarily have to be completed prior to JPA formation, but would inform a threshold decision to launch EBCE.

³ This study could be along the lines of the EnerNex study commissioned by San Francisco's LAFCo: <u>Local Buildout of Energy Resources of the Community Choice Aggregation Program</u>, January 2015, or of the earlier Local Power, Inc. study commissioned by San Francisco's PUC: <u>Proposed CleanPowerSF Business Plan</u>, March 2013.

Conclusion

The East Bay Clean Power Alliance supports the Draft RFP's intent to assess the impact of annual savings, GHG reductions, and local economic development in studying the technical feasibility of meeting the goals of a Community Choice program. However, we feel that this assessment should be performed not solely on the basis of market projections, but by conducting a separate resource development planning study specified in a separate RFP. Meanwhile a two-to-three-year market projection of the type called for in the present RFP can be used to support a decision to move forward in establishing an EBCE program agency.

* The East Bay Clean Power Alliance advocates for Community Choice energy programs in the East Bay that serve to spur equitable economic development and family-sustaining clean energy jobs, reduce greenhouse gas emissions, stabilize or lower the cost of electricity, improve community health and social equity, and provide other community benefits. We see the development of local renewable energy resources (including reduced consumption) as key to securing these benefits.

We also see engagement of the East Bay community, broadly and equitably, as central to achieving such goals, both in establishing the Community Choice program and in the governance structure of the program once it is set up.

Local Clean Energy Alliance
Sierra Club SF Bay Chapter
Tri-Valley Progressives
Clean Energy & Jobs Oakland Campaign of the Oakland Climate Action Coalition
Community Choice Working Group of the Berkeley Climate Action Coalition
Wellstone Democratic Renewal Club
Hayward Demos Democratic Club
Berkeley Climate Action Coalition

COUNTY OF ALAMEDA

REQUEST FOR PROPOSAL No. 90XXXX

for

Technical Study for Community Choice Aggregation Program in Alameda County

For complete information regarding this project, see RFP posted at http://www.acgov.org/gsa app/gsa/purchasing/bid content/contractopportunities.jsp or contact the County representative listed below. Thank you for your interest!

Contact Person: Bruce Jensen

Phone Number: (510) 670-6527

E-mail Address: bruce.jensen@acgov.org

RESPONSE DUE

by

2:00 p.m.

on

Response Date

at

Alameda County Community Development Agency
Planning Department
224 W. Winton Avenue, Room 111
Hayward, CA 94544

COUNTY OF ALAMEDA

REQUEST FOR PROPOSAL No. 90XXXX SPECIFICATIONS, TERMS AND CONDITIONS for

COMMUNITY CHOICE AGGREGATION (CCA) TECHNICAL STUDY

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I. STATEMENT OF WORK

A. INTENT

It is the intent of these specifications, terms and conditions to describe the development of a countywide technical study to assess the feasibility, size and general characteristics of a potential Community Choice Aggregation (CCA) Program in Alameda County. This study will incorporate load data from PG&E and other sources as appropriate to assess the overall electricity and capacity requirements to serve residential, municipal and commercial electricity customers in the County (with the exception of the City of Alameda which is served by a municipal utility), as well as examine other CCA Program features as outlined in Sections B and C below.

The County intends to award a one-year contract (with option to renew) to the bidder(s) selected as the most responsible bidder(s) whose response conforms to the RFP and meets the County's requirements.

B. SCOPE AND BACKGROUND

The Alameda County Board of Supervisors voted unanimously in June, 2014 to allocate \$1.325 million to explore the creation of a Community Choice Aggregation (CCA) Program and directed County staff to undertake the steps necessary to evaluate the feasibility of a CCA. A CCA Program enables local jurisdictions to procure electricity services – including cleaner and more renewable sources of power – on behalf of customers within their borders. Established by AB117 in 2002, California currently has two active CCA Programs in Marin and Sonoma Counties, one about to launch in the City of Lancaster, and dozens of other local governments are exploring CCA across the State.

Critical to assessing whether a CCA Program will make economic sense and meet local environmental objectives is a technical study that identifies pertinent specifications and requirements associated with the prospective CCA Program (i.e., determination of how many customer accounts are likely to be served by the Program and identification of related tariff designations/options under which such customers will take electric service; quantification of expected electric energy requirements for customers participating in the prospective CCA Program; and determination of periodic peak demands associated with such customers as well as various other parameters), including the projected impacts of various clean energy and GHG reduction scenarios. The technical study is also helpful in determining whether or not the CCA can provide electricity rates that are generally competitive with those offered by the incumbent utility.

This study will be completed for the Community Development Agency (CDA) as the designated Agency tasked with investigating CCA on behalf of the County. The study will also be reviewed by the Alameda County Board of Supervisors and committees established for the purpose of providing insight and feedback on the CCA opportunity and process.

The following is a delineation of the services contemplated in this RFP.

- **CCA Technical Study:** The technical study will identify pertinent technical 1. parameters of the CCA Program, including the number of prospective customers, the tariff designations under which such customers will take electric service, anticipated customer energy requirements (hourly) throughout the CCA's defined implementation period, expected peak demands (for purposes of quantifying the CCA's anticipated resource adequacy requirements across each applicable capacity designation: system, local and flexible) and renewable energy requirements (to achieve compliance with California's Renewables Portfolio Standard Program) as well as other pertinent information that may be required to develop supplier bid specifications and promote successful CCA implementation. The technical study will also examine the potential for GHG reductions (through the use of varying levels of renewable/clean energy), the projected financial impacts of varying levels of renewable energy integration, and the CCA's ability to achieve rate competitiveness with the incumbent utility in consideration of then-current market prices. The CCA study should examine the ability of the CCA to meet all applicable state regulations, such as the renewable portfolio standard (RPS), within the framework of the following DRAFT CCA Program Goals set out by the County. Please note that these draft goals are offered here for reference and are not a statement of specific tasks or study scope. Further, these goals may be modified as the initiative progresses.
 - a. Overall rates that are lower or competitive with those offered by PG&E for similar products.
 - b. Differentiated energy options (e.g. 33% or 50% qualified renewable) for default service, and a 100% renewable content option in which customers may "opt-up" and voluntarily participate.
 - c. An electric supply portfolio with a lower greenhouse gas (GHG) intensity than PG&E, and one that supports the achievement of Alameda County's Climate Action Plan greenhouse gas reduction goals and comparable goals of all participating jurisdictions.
 - d. An energy portfolio that prioritizes the use and development of local renewable resources and minimizes the use of unbundled renewable energy credits.
 - e. An energy portfolio that incorporates energy efficiency and demand response programs and has aggressive reduced consumption goals.
 - f. A program that demonstrates quantifiable economic benefits to the region (e.g. union and prevailing wage jobs, local workforce development, new energy programs, and increased local energy investments).

- g. A program that promotes personal and community ownership of renewable resources, spurring equitable economic development and increased resilience, especially in low income communities and communities of color, which are most impacted by climate change.
- h. An administering Agency that is financially sustainable, responsive to County and regional priorities, and well managed.

C. BIDDER QUALIFICATIONS

- 1. Bidder shall demonstrate direct experience within and understand the California energy and electrical markets, including relevant legislation and regulations applicable to CCA and its major participants –investor owned utilities, CA Independent System Operator, energy service providers and independent power producers, California Public Utilities Commission, and other **key** market players.
- 2. Bidder shall demonstrate an understanding of the CCA formation process in California including statutory and regulatory requirements, and best practices. Bidder shall have experience in customer data requests and analysis.
- Bidder shall demonstrate experience in resource planning and energy procurement
- 4. Bidder shall demonstrate experience in rate setting /design and sensitivity analysis, including anticipated rate impacts related to varying levels of renewable energy procurement and local renewable project/Program development as well as energy efficiency and demand reduction Program implementation.
- 5. Bidder shall demonstrate experience in California energy compliance reporting as it relates to CCA.
- 6. Bidder shall possess all licenses and professional credentials relevant to performing services as specified under this RFP.

D. <u>STUDY SCOPE AND REQUIREMENTS</u>

In preparation for the Study, an initial step will be to receive and review Alameda County's electrical load data provided by PG&E as outlined in item #16 of PG&E's CCA Info Tariff¹ The technical consultant will review, format, and import data into an analytical framework and prepare summary level data for residential, commercial, industrial and municipal accounts. The selected consultant will also prepare a 10-year load forecast in consideration of this data, using applicable load profiles made available by the incumbent utility. Specific tasks will include:

1. **Load study and forecast:** prepare utility load forecast that reviews historical and projects future electric energy requirements and peak demand across all

¹ The County has obtained load data authorization from all 13 County cities (other than the City of Alameda which has a municipal utility).

customer classes, taking into account growth in renewables (e.g.: rooftop solar) and other appropriate factors, such as compensation for line losses. This task would also entail the development of class-specific forecasts which could be aggregated to comprise a composite of expected electrical energy requirements (and hourly shape) for all of Alameda County (excluding the City of Alameda). This forecast should be developed in a manner that will allow for the inclusion or exclusion of current direct access electrical accounts, as identified in customer data provided by the utility, in the event that such accounts should elect to become CCA customers (Port of Oakland, Oakland Airport, UC Campuses, National Labs, BART, etc.). As previously noted, the load study will estimate the number of megawatts per hour that will be required to serve the electric energy requirements of the CCA during the first ten years of operations including applicable peak demand for purposes of quantifying pertinent resource adequacy requirements (RAR).

- 2. **Rate Analysis:** Prepare both CCA and incumbent/PG&E rate analysis with reasonable estimates of future PG&E rate increases/fluctuations based on historical prices and factors that may affect the rate of increase into the future (e.g. local generation construction, spot market pricing, renewable energy mandates and declining cost of renewables, etc.). Other factors may also include ancillary services, transmission congestion impacts, transmission scheduling coordination costs and other factors. This analysis should be presented in a scenario analysis, with high, medium and low estimates of future PG&E pricing for all rate classes. Other considerations to be included in this section are:
 - a. Identification of other factors that may affect rate comparison (examples include combinations of the following: high gas, low gas, high hydro, low hydro, etc., and rate restructuring)
 - b. Investor Owned Utility (IOU) costs and surcharges embedded in rate forecast for direct comparison to CCA costs
 - c. Utility rate forecast under continued IOU service scenario
 - d. Based on IOU rate forecasts and other independent rate forecasts, compile electric generation service cost/ payment estimates for prospective CCA customers in consideration of applicable IOU rate schedules
- 3. **Supply Scenarios for Alameda County CCA:** The technical consultant will develop three scenarios for the energy procurement requirements of the CCA. Each scenario will examine the likely rates and competitiveness with PG&E, given current market conditions. Each scenario will also estimate greenhouse gas (GHG) impacts compared to PG&E. The consultant should consider variations in how both the renewable and non-renewable portions of the power mix can be

obtained (e.g., in-state, in-county, out-of-state, unbundled vs. bundled renewable energy credits, technology preferences), and non-renewable portfolio attributes (e.g., system purchases, natural gas, hydro-electric). The precise scenarios will be determined in consultation with County staff but could include the following:

- a. Option 1: Baseline, minimum 33% RPS compliance. The goal of the CCA will be to meet or exceed the State Renewable Portfolio Standard (RPS) during the CCA's the first year of operation, so the first scenario should examine a supply scenario that meets the 2020 RPS minimum of 33% at the time of service commencement. This 33% level can be assumed to be flat during the course of the CCA Program or at least be equal to PG&E (if the RPS increases after 2020).
- b. Option 2: Mid-line, minimum 50% California Qualified Renewable Portfolio with less GHG intensity than PG&E.
- c. Option 3: Similar to options 1 and 2 but with an increase to 100% CA qualified renewable content that would be offered on a premium, voluntary basis, with a substantial portion of that coming from in- State and local renewable resources in the County and general region.
 - (1) The 100% option should also provide a comparative analysis of PG&E's new 100% renewable option particularly as it relates to rates, source and location of renewable content, REC content, GHG impacts and any other relevant metric.
- 4. **Economic Impacts:** For these scenarios, the consultant should examine not just costs and GHG impacts but also direct and indirect employment creation through existing economic development models such as JEDI or other industry- standard models to quantify potential economic impacts of various supply scenarios.
- 5. **Sensitivity Analysis:** The consultant's model should be able to accommodate sensitivity analyses reflecting changes in the following variables:
 - a. Market prices for conventional (non-renewable) energy
 - b. Market prices for renewable energy based on preferred technologies.
 - c. Changes in PG&E generation rates, exit fees and customer surcharges
 - d. Changes in policies affecting local renewables development, including the possible reduction or elimination of the federal solar tax credit and production tax credit for wind power.
 - e. Rate sensitivity to higher renewable energy portfolio targets that exceed state RPS
 - f. Rate sensitivity to local renewable generation, energy efficiency and demand reduction Programs

- g. Customer opt-out rates
- 6. **Pro-Forma Analysis:** The consultant should assess the overall cost-benefit potential to support a threshold decision to move forward with CCA. Costs shall include upfront Program development and implementation costs as well as net ratepayer costs over the forecast period. Quantifiable impacts shall include potential for: 1) annual and net savings over PG&E; 2) net GHG reductions; 3) expanded use of renewable energy resources and local economic development (job-years created and indirect economic impacts).
 - a. Pro forma report, including cash flow analysis, detailing costs and projected benefits under four electric supply scenario assumptions.
 - b. Pro forma reports detailing costs and projected benefits under sensitivity case assumptions.
 - c. Pro forma reports detailing costs and projected benefits of phasing in customer load over time
 - d. Consultant should assemble known and predictable cost-of-service variables and incorporate these into base-case analyses. Predictable cost-of-service variables include:
 - (1) Energy Costs- Variable inputs for resource portfolio mixes to include:
 - (a) Forecast spot market prices
 - (b) Long-term and short-term power contracts (for wholesale products such as 6X16, 7X24 power products)
 - (c) Renewable Energy minimums as required under SBXI-2, or in excess of this minimum per electric supply scenarios
 - (2) Start-up costs
 - (3) Cost of Capital
 - (4) Operating and Maintenance Costs
 - (a) Administrative and general expenses
 - (b) Staffing
 - (c) External technical/legal/marketing/PR support
 - (d) Billing, metering, and collections
 - (e) Customer service (call center) and data management
 - (f) Scheduling and coordination
 - (5) Uncollected accounts

- (6) Program reserves
- (7) CCA Bonding for Reentry Fees
- (8) PG&E surcharges, Cost-Recovery Mechanism [exit fees]
- (9) Characterize and evaluate feed in tariff and net energy metering Programs that would encourage development of renewable energy generation projects in the region by offering customers a sustained reliable payback on their investment in renewable energy and sustainable local generation system.
- 7. **Risk Analysis:** The consultant should also analyze the potential risks to the Program, and outline risk-mitigation measures. Such risks could include but not be limited to:
 - a. Financial risk to the JPA member cities in the event the CCA fails
 - b. Financial risk of a CCA that procures too much or too little power and what the reasons might be for missing demand forecasts (e.g. higher than expected opt outs)
 - c. Regulatory and legislative risk, due to rules changes at the CPUC or changes in state law that affect the ability of CCAs to be competitive
 - d. Ability to procure the necessary amounts of renewable supply to meet and exceed RPS standards, particularly if the RPS rises to 50% by 2030 and the demand for renewable energy spikes. The consultant should examine concerns expressed that there may not be enough renewable supply to serve and expanding CCA market.
- 8. **Peer Review Study:** If it is determined to be necessary, the County CDA will select a second firm to conduct a 'validation study,' of the CCA Technical study, which will provide feedback and possible recommendations for integration into the CCA Technical Study before finalizing.

E. DELIVERABLES / REPORTS

- 1. Bi-weekly updates with CDA, either written or verbal, on the status of the project
- 2. Verification/finalization of load data request to PG&E
- Verification/finalization of study scope and three power supply scenarios to be considered
- 4. Draft technical study (timeline to be discussed) in Microsoft Word
- 5. One round of revisions prior to peer review analysis and integration of necessary revisions after peer review. Final version of study will be submitted after review by CDA staff in Microsoft Word. Final draft should include all annexes, pro-forma

- analyses, Excel spreadsheets and additional documentation that were utilized in the development of the study.
- 6. Presentation of study findings and results before relevant CCA steering committee(s) and the Alameda County Board of Supervisors.

II. CALENDAR OF EVENTS

Develop CALENDAR OF EVENTS for clients review and include in 1st RFP draft. Upon release of bid and confirmation of CALENDAR OF EVENTS immediately reserve conference rooms, etc. and update your personal Outlook Calendar per the scheduled CALENDAR OF EVENTS. Add/delete/modify EVENTS as required. Insert Date/Time/Location of required EVENTS. When a project requires multiple Networking/Bidders Conferences they must be scheduled for different days in different locations.

EVENT	DATE/LOCATION		
Request Issued	RequestDate		
Written Questions Due	by 5:00 p.m. on Conference Date		
Networking/Bidders	Conference1Date @ Time1 no	at: Alameda County	
Conference #1	less than 10 business days after	Community Development	
	RFP issue date	Agency	
		224 W. Winton Avenue, Room	
		160 (Public Hearing Room)	
		Hayward, CA 94544	
Addendum Issued	Addendum Issue Date		
Response Due	ResponseDate by 2:00 p.m. no less than 5 business days after last		
	Addendum issued		
Evaluation Period	July 6 – 12, 2012		
Vendor Interviews	July 12, 2012		
Board Letter	BLDate		
Recommending Award			
Issued			
Board Consideration	AwardDate		
Award Date			
Contract Start Date	StartDate		

Note: Award and start dates are approximate.

F. BIDDERS CONFERENCE

1. Bidders conference will be held to: