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**Department of Public Lands and Buildings**

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**Request for Proposal - ADDENDUM No. 12**

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**DATE:** 31/03/23

**METHOD OF DELIVERY:** EMAIL

**PROJECT NAME & NO.:** Government Solar Development Project SPVPP04

**RE:** Government Solar Development Project – New Submission Deadline /Submission  
Instructions / Question & Answers Round # 5 (FINAL)

**TO:** Government Portal Team

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*The following information supplements and/or supersedes the RFP documents dated July 18<sup>th</sup> 2022*

*This RFP Addendum forms part of the contract documents and is to be read, interpreted and coordinated with all other parts. The following revisions supersede the information contained in the original documentation issued for the above named project to the extent referenced and shall become part thereof. Acknowledge receipt of this RFP Addendum by inserting its number and date on the RFP Form. Failure to do so may subject the Proponent to disqualification.*

*See full documents published to the [Related Documents Section](#) of the Procurement Website.*

**New BAFO Submission Deadline**

**Deadline for Submission of BAFO of top three (3) Proponents – ~~Wednesday April 5<sup>th</sup> 2023~~, Friday April 14<sup>th</sup> 2023  
5:00PM (AST)**

**Best and Final Offer Submission Instructions**

1. All Proponents should refer to the following Sections of the [SPVPP04 Bermuda Government Solar Development Project Amended 6](#)
  - a. PART 2 EVALUATION, NEGOTATION AND AWARD / 2.5 - Stage IV - Current Negotiations and Best and Final Offer (BAFO)
  - b. APPENDIX D RFP PARTICULARS – F. RATED CRITERIA / 2. Final Evaluation Criteria
2. All Proponents need to submit the following documents -
  - a. A draft lease agreement/form of contract for review. The draft lease agreement must include the unamended-required terms and conditions included in the Form of Agreement.
  - b. A new pricing schedule
  - c. Updated design documents
3. If any previously submitted documents have been amended as part of this BAFO submission, Proponents must resubmit these documents and identify the net-new information in these documents by highlighting this information.

## **Round #5 Questions and Answers (FINAL)**

### **Outstanding Q&As from Round #4**

**Q108. After completion of lease term what happens in the event that the Government of Bermuda (the “Lessee”) does not elect to purchase the system? Is the Tenderer (the “Lessor”) responsible for the decommissioning of the system and any necessary roof repairs? Should these costs be included in the Contract Price (or would this handled as a change order)?**

A108. Proponents should provide their most competitive lease proposal. The Lessor should anticipate a full buyout or lease renewal of the equipment at the end of the Term as reflected in the RFP documents..

**Q110. Will we have opportunities to submit new questions as information becomes available, outside of March 10<sup>th</sup>?**

A110. No, this round will be the final round of Q&As for the BAFO phase of this Procurement.

**Q111. We are accumulating a number of questions pertaining to the “Form of Agreement” in preparation of a draft equipment lease agreement, will there be an opportunity to get those clarified. Example of questions below:**

- a. **In the language provided within the Form of Agreement there are a number of defined (capitalized) terms but no definitions, will the Government be sharing their specific definitions for these terms?**
- b. **The Governing Law clause states that disputes in relation to the Agreement are to be handled by the court. Yet there is a dispute mechanism for arbitration. These two clauses conflict with each other. Can you please advise which clause is to apply?**

A111. a. Many of the Capitalized terms have standard industry definitions as they relate to sustainability practices and conserving natural resources. The Government will use the industry definitions as found in the **GSDP Definitions** document published to the Procurement website, for these purposes.

A111 b. The Governing law clause states that the Agreement will be governed by Bermuda Law and that the parties submit to the Bermuda courts which would handle the disputes in accordance with the governing law. The Arbitration Clause deals with any disputes that may arise under Bermuda Law and any court proceedings begun under the governing law provision will be stayed until the arbitration process has been completed. The Arbitrator’s award is usually enforced by the courts. These two clauses usually co-exist in contracts and do not conflict.

**Q118. C202: Quarry Depot, Ministry of Public Works - what is the best location for BELCO interconnection for such a large facility? The transfer switch is usually the interconnection points, but this might be difficult at this facility.**

A118. See image below.

A – Refers to Artemis Building A drawing E1 - Site services distribution layout; and E2 - Single line diagram. This switch feeds the Upper Quarry i.e. Workshops, Offices, Artemis Building A.

B – This is the MV switch room which feeds the Lower Quarry i.e. both the Recycling Plant and the Asphalt Plant. Refer to Artemis Building B drawing E2 - Single line diagram.



**Q119. C206: Westgate Correctional Facility - Where are the transfer switches located on site?**

A119. They are located in the building circled in red in the image below which Proponents visited on February 14<sup>th</sup> 2023.



**Q121. 216: Fort Prospect Water Catchment - What is beneath the concrete on site? Does water exist beneath the concrete? (See A1 – A6 for C216 in Annex B)**

A121. The sloped area of the old catchment is solid rock, which has been cemented and painted. At the bottom of the catchment there is a water tank with a reinforced concrete top.

## New Q&As Round # 5

**Q122. Will the equipment lease be denominated in Bermuda or US dollars?**

A122. The equipment lease will be in Bermuda dollars.

**Q123. Please confirm we are allowed to use additional roofs that were not originally identified in the documentation provided for the first submission.**

A123. Yes, where they exist, additional roofs on the same premises can be used for the purposes of this submission.

**Q124. Please confirm if we are to incorporate roof water catchments (gutters) into our designs for the BAFO? If so, will drawings be provided?**

A124. For the purposes of your BAFO submission all proponents should allow for a one (1) meter gap from the roof edge free of any solar panels.

**Q125. Please confirm Rapid Shutdown is a technical requirement for all the sites?**

A125. Rapid Shutdown of PV systems is a technical requirement for all facilities, compliant with Section 690.12 of the 2017 National Electrical Code (NEC 2017).

**Q126. Please confirm the location of the proposed warehouse for storage of the equipment as we will need to price transportation to/from the storage facility in the BAFO.**

A126. Two locations will be offered, one in St. George's Parish and the other in Smith's Parish (see areas marked in red in photo below). The Proponent will be responsible for confirming for themselves the suitability of the locations for the storage of their containers as well as the logistics of shipping, receiving and security of those containers.



St. George's Location



Smith's Location

**Q127. Is the wind load requirement of 180 mph for sustained winds or 3 sec. wind gusts? Based on the visits and the Planning Department Building Code standard of 150 mph wind loads, we don't believe all the sites have been built to withstand 180 sustained winds. This request makes the racking more expensive, and we consider that a 150 mph sustained winds standard would reduce the system cost.**

A127. The system should be designed to withstand 180 mph sustained winds which is now the default best practice for the Caribbean Region.

**Q128. For school installations, should we account for afterhours work? Should the successful proponent be prepared to commence roof penetrations and solar mounting installations on the schools in June 2024 to early September 2024 to align with school closures for the summer?**

A128. After-hours work should be considered for locations where mechanical or electrical disruptions could pose an issue for the facility during its hours of operation. The successful proponent should be prepared to conduct solar installations at the earliest possible date for each facility, at a convenient time of day for the facility.

**Q129. Can the same block and parcel with multiple BELCO meters, have independent PV systems? (E.g. one PV system per meter – we saw multiple BELCO meters during the site visits).**

A129. Yes, you may design separate systems for separate meters on the same premise, however you may not exceed 500kWac in aggregate for any of the Govt sites.

**Q130. For the government quarry site, please identify which roof areas are available for each meter, including the trenching lengths to each meter.**

A130. Proponents should refer to the roof plans provided in the document **Annex B Site Locations**. For trenching lengths please refer to the document **Government of Bermuda Quarry.dwg** emailed to proponents directly. A single line diagram can be found here [Annex O One Line Electrical Drawing](#)

**Q131. Are detailed roof plans available for the three additional sites – C236, C237, and C238 such as the RMI drawings provided for the other locations during the initial RFP?**

A131. No

**Q132. Please provide direction on data communication provisions for inverter communication/monitoring. Shall we include a new data communication line to each new inverter and presume each building has necessary connection point(s) available?**

A132. Yes

**Q133. During our site tours it was observed that some rooftops had roof anchors and or tie off points existing. Site plans provided indicated these same areas were available for PV installations. Our concern would be that once PV installed some/all roof anchor/tie off points could become inaccessible. Please confirm if installing PV in and around existing roof anchors/tie off points rendering them inaccessible is acceptable?**

A133. Yes. Please submit your BAFO based on the original site plans provided.

**Q134. We did notice that some aerial/drone photos were added in Addendum 10. Please confirm if any additional aerial or drone photos are available and if so kindly share.**

A134. No additional aerial/drone photos will be made available for this final BAFO Round of the RFP.

**Q135. Please confirm if any Single Line Diagrams are available for any of the site? If any are available kindly share.**

A135. No

**Q136. Please reconfirm/verify maximum PV system connection size per site. There were some side discussions during the tour about this topic and that perhaps depending on number of services per site this may or may not impact the total allowable connectable PV.**

A136. The maximum PV size per site is 500 kW AC

**Q137. In regards to the BAFO submission**

- a. **Kindly confirm the submission requirements associated with the “Current Negotiations and BAFO Process” stage**
- b. **Are we to submit an updated/revised full and complete proposal similar to what was submitted back in October 2022?**
- c. **Are we required to submit a tentative lease agreement/form of contract for review at this stage?**

A137. a/b. Proponents must resubmit any previously submitted document that has been amended as part of this Best and Final Offer process. Any net-new information in Proponents BAFO proposals must be identified by highlighting this information in the relevant document. Please refer to the BAFO Submission Instructions document provided as part of this Addendum.

A137 c. Please provide a draft lease agreement/form of contract.

**Q138. Construction schedule**

- a. **There were discussions during the tours that construction at the school buildings would be preferred during summer school break when no students are attending**
- b. **Please confirm if this is a preference.**

A138. See A128

**Q139. Planning & Building Application Process - It's been observed that a typical Commercial Planning application takes around 12 weeks and the subsequent Building Permit another 4-8 weeks. We're concerned that the submission of 30+ applications could impair this timeline. Has the Government a plan to assist with this volume in efforts to ensure the successful contractor is not impaired by others to meet their contractual deadlines?**

A139. The Government Project Team has consulted with the Department of Planning, and we will continue to work closely with both the Department and the selected Proponent to help mitigate any delays to the planning and building permit approval process.

**End of RFP ADDENDUM No. 12**

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