

## APPENDIX B: SUBMITTAL TO DEEP

In addition to any complete Bid submitted to the EDCs as part of the application Procurement Plan(s), a Bidder is required to respond to each question below and provide the necessary affidavits attached to this Appendix. Bidders must use the affidavit forms provided herein. A complete submission will include:

- I. Responses to all questions outlined in Appendix B: Submittal to DEEP in the Modified Program Requirements, attached hereto;
- II. An affidavit attesting the veracity of statements made to DEEP;
- III. An affidavit attesting to the Bidder's control of the Project Site by the Bidder;
- IV. An affidavit attesting to the Bidder's control of the Project Site by the owner of the Project Site (required only if the Bidder and the Project Site owner are not the same person or entity); and
- V. A copy of the notification email the Bidder has received from Eversource Energy (Eversource) or The United Illuminating Company (UI) (together, the electric distribution companies (EDCs) confirming that the Project Bid has been submitted successfully.

A complete response to each question in Appendix B shall include a written response. If supplemental information is required, in the form of an appendix, exhibit, table, or map, Bidders must provide it directly below the question or provide a link directly to the supplement. **Bidders must submit this information to DEEP at [DEEP.EnergyBureau@ct.gov](mailto:DEEP.EnergyBureau@ct.gov) on the Bid due date established by the EDCs in the applicable procurement, though DEEP reserves the right to seek clarifying or additional information and documents at any point in the evaluation process at its sole discretion as described in Section 3.4 of the Modified Program Requirements.**

Directions for sections B1-B10 are outlined below. Each section must be provided in its entirety with all of the supporting information requested. If any section is not applicable, this should be stated and a full explanation should be provided.

All information submitted to the Department may be subject to disclosure under the Connecticut Freedom of Information Act (FOIA). All information submitted to DEEP will be publicly posted on its Energy Filings page, unless a bidder indicates otherwise. When a Bidder submits confidential information to DEEP, the Bidder acknowledges that the FOIA governs the public's accessibility to that information. If a Bidder believes portions of information submitted in response to Appendix B are exempt from FOIA disclosure, the Bidder must submit:

One complete, redacted response to Appendix B for public posting, which must be clearly labeled PUBLIC,

AND

One complete, unredacted response to Appendix B for DEEP's internal review, which must be clearly labeled CONFIDENTIAL.

The Bidder must also specifically identify which FOIA exemption may be applicable to the specific information claimed confidential. Examples of FOIA exemptions include, but are not limited to:

Trade secrets, C.G.S. § 1-210(b)(5)(A);

Commercial and Financial information given in confidence, not required by statute, C.G.S. § 1-210(b)(5)(B);

Responses to any request for proposals or bid solicitation issued by a public agency or any record or file made by a public agency in connection with the contract award process, until such contract is executed or negotiations for the award of such contract have ended, whichever occurs earlier provided the chief executive officer of such public agency certifies that the public interest in the disclosure of such responses, record or file is outweighed by the public interest in the confidentiality of such responses, record or file, C.G.S. § 1-210(b)(24); and

Public records exempt under federal law or state statute, C.G.S. § 1-210(a).

**In addition, Bidders must submit a detailed explanation of why the relevant FOIA exemption is applicable to the specific information requested to be redacted. A unique explanation is required for each question in which a Bidder wishes to redact information; a blanket justification is prohibited. Failure to provide such explanation will lead to a disqualification of the project for failure to comply with Appendix B.** The Department will not redact proposals submitted on behalf of Bidders. Only legitimate non-public proprietary or sensitive information may be considered confidential. Bidders may not submit a response to Appendix B that is entirely redacted. If the redaction is challenged in any forum, it is the responsibility of the Bidder to defend the confidentiality of the information.

## DEFINITIONS

**“Brownfield”** means the same as in Conn. Gen. Stat. § 32-760: “any abandoned or underutilized site where redevelopment, reuse or expansion has not occurred due to the presence or potential presence of pollution in the buildings, soil or groundwater that requires investigation or remediation before or in conjunction with the restoration, redevelopment, reuse and expansion of the property.” DEEP maintains a *non-exhaustive* list of brownfields that meet this definition, which is available at:

[https://portal.ct.gov/-/media/DEEP/site\\_clean\\_up/brownfields/ConnecticutBrownfieldsInventoryxlsx.xlsx](https://portal.ct.gov/-/media/DEEP/site_clean_up/brownfields/ConnecticutBrownfieldsInventoryxlsx.xlsx).

**“Core Forest”** means unfragmented forested land of at least two hundred and fifty (250) acres that is three hundred (300) feet or greater from the boundary between forested land and non-forested land.

**“Environmental justice community”** means “(A) a United States census block group, as determined in accordance with the most recent United States census, for which thirty per cent or more of the population consists of low income persons who are not institutionalized and have an income below two hundred per cent of the federal poverty level” or (B) A distressed municipality, as defined in Section 32-9p.

**“Generation Footprint”** means the land area occupied by the generation unit(s). For solar projects the “Generation Footprint” shall mean the land area occupied by the solar panels and the associated inter-row spacing.

**“Landfill”** means any property that is listed on the Closed Landfills list, available at: [https://portal.ct.gov/-/media/DEEP/site\\_clean\\_up/brownfields/closedlandfillsmappdf.pdf](https://portal.ct.gov/-/media/DEEP/site_clean_up/brownfields/closedlandfillsmappdf.pdf), though this list is not intended to be exhaustive or an acknowledgement of ideal properties for renewable energy development.

**“Project Site”** means the Generation Footprint and any other acreage where activity and discharges occur that are associated with construction of the generation unit(s) and any associated structures, including, but not limited to, perimeter fencing, or where preparation for construction, including, but not limited to, clearing, grubbing, pile driving, soil disturbance, soil compaction by construction equipment, staging and stockpiling, cleaning and washout, grading, excavation, and dewatering occurs.

## **B1. PROJECT OVERVIEW**

**B1.1.** Provide an overview of the proposed project, including but not limited to:

- i. Resource type
- ii. Project size in kW (AC)
- iii. Project location (municipality)
- iv. Estimated average annual output
- v. Bid price/kWh
- vi. Identify whether the proposed project is located in an Environmental Justice Community as defined above and in Section 22a-20a of the General Statutes.

**B1.2.** Identify whether the proposal is claiming a qualitative preference, and if so, which qualitative preference. If claiming a qualitative preference, provide documentation and evidence supporting your claim for the qualitative preference. As described in more detail in DEEP’s Year 3 Recommendations, solar photovoltaic projects are the only Class I resource eligible for the landfill/brownfield and solar carport/canopy bid preferences for Year 3.<sup>1</sup>

**B1.3.** Pursuant to Section 3.4 of the Modified Program Requirements: “Should either EDC not meet their MW cap from the EDC list of eligible and qualified projects, the EDC shall provide assistance to DEEP to identify the DEEP-disqualified projects most likely to gain approval through DEEP’s stormwater permitting process and to be deployed.” Pursuant to the process approved through PURA’s response to Motion No. 5 in Docket No. 21-08-04, identify whether the Project Site violates the slope rules outlined in Section 4.5

---

<sup>1</sup> In short, solar photovoltaic resources have a uniquely large land use footprint compared to other Class I renewables and can create environmental challenges during siting that may be reduced or eliminated through siting on previously disturbed sites like brownfields or landfills.

of the Modified Program Requirements and, if so, complete the Self-Certification Form, Attachment 4, for the Bid to be considered should the EDC not meet their MW cap.

## **B2. FINANCIAL EXPERIENCE**

**B2.1.** Provide all estimated costs for developing and operating the project for the duration of the program, including the following:

- i. Estimated equipment, labor, and other installation costs
- ii. Estimated land and/or Project Site development costs. If the Project Site is located on a brownfield, landfill, or the Generation Footprint is on a carport/ parking lot canopy, provide an estimated premium paid, broken out from the estimated standard development costs, for purchasing and/or developing on the landfill, brownfield, carport or parking lot canopy, including but not limited to compliance costs.
- iii. Estimated interconnection costs
- iv. Estimated financing costs
- v. Estimated permitting costs
- vi. Estimated operations and maintenance costs for the duration of the commercial operation of the facility
- vii. Other estimated expenses associated with development and operation of the project not otherwise reflected above, including an explanation of such other costs.

**B2.2.** Describe the role and the amount of the Federal Production Tax Credit or Investment Tax Credit (or other incentives) on the financing of the project.

**B2.3.** Bidders must disclose any pending (currently or in the past three years) or threatened litigation or disputes related to projects developed, owned or managed by Bidder or any of its affiliates in the United States, or related to any energy product sale agreement.

**B2.4.** Has Bidder, or any affiliate of Bidder, in the last five (5) years: (a) consented to the appointment of, or was taken in possession by, a receiver, trustee, custodian or liquidator of a substantial part of its assets, (b) filed a bankruptcy petition in any bankruptcy court proceeding, (c) answered, consented or sought relief under any bankruptcy or similar law or failed to obtain a dismissal of an involuntary petition, (d) admitted in writing of its inability to pay its debts when due, (e) made a general assignment for the benefit of creditors, (f) was the subject of an involuntary proceeding seeking to adjudicate that Party bankrupt or insolvent, (g) sought reorganization, arrangement, adjustment, or composition of it or its debt under any law relating to bankruptcy, insolvency or reorganization or relief of debtors?

**B2.5.** Describe any litigation, disputes, claims or complaints involving the Bidder or an affiliate of Bidder, against DEEP or the state.

**B2.6.** Describe any litigation, disputes, claims or complaints, or events of default or other failure to satisfy contract obligations, or failure to deliver products, involving Bidder or an affiliate of Bidder, and relating to the purchase or sale of energy, capacity or renewable energy certificates or products.

**B2.7.** Confirm that Bidder, and the directors, employees and agents of Bidder and any affiliate of Bidder are not currently under investigation by any governmental agency and have not in the last four years been convicted or found liable for any act prohibited by State or Federal law in any jurisdiction involving conspiracy, collusion or other impropriety with respect to bidding on any contract, or have been the subject of any debarment action (detail any exceptions).

### **B3. PROJECT MANAGEMENT EXPERIENCE**

**B3.1.** The Eligible Bidder and each of the project participants (including, when applicable, partners, EPC contractor and proposed contractors) must demonstrate that they have a sufficient amount of relevant experience and expertise, as applicable, to successfully develop, finance, construct, own, operate and maintain generating or transmission facilities (as applicable). Provide statements regarding other projects of similar type, size, and technology, and any evidence that the project participants have worked jointly on other projects. Development, financing and construction experience can be established by demonstrating that key member(s) of the Bidder's development team have undertaken project management responsibilities, including:

- i. Successful development and construction of a similar type of project; or
- ii. Successful development and construction of one or more projects of similar size or complexity or requiring similar skill sets.

**B3.2.** Provide a listing of projects the project sponsor has successfully developed or that are currently under construction. Provide the following information as part of the response:

- i. Name of the project
- ii. Location of the project
- iii. Project type, size and technology
- iv. Commercial operation date
- v. Estimated and actual capacity factor of the project for the past three years
- vi. Availability factor of the project for the past three years

### **B4. ENERGY RESOURCE PLAN**

Bidder is required to provide an energy resource or fuel supply plan for its proposed project, including supporting documentation. The fuel supply/energy resource profile information should be consistent with the type of technology/resource option proposed and the term proposed. The information requested is organized according to the type of project or energy resource. Bidders should respond only to relevant questions.

**B4.1. Solar**

- i. Provide an assessment of the available solar incidence or resource. Describe any trends in generation capability over time (i.e., annual decline rate of expected output).
- ii. Describe the methodology used to generate the projected generation and describe the in-house or consulting expertise used to arrive at the generation estimates.

**B4.2. Hydropower**

- i. Describe the project characteristics in terms of water flow (on a monthly basis) and head, and state the assumptions regarding seasonal variations, and a conversion of such flow into megawatts and megawatt-hours.
- ii. Provide monthly flow duration curves based upon daily stream flow records.
- iii. Identify if the project is run-of-river or has storage capability.
- iv. Describe the technology used to generate electricity.
- v. Specify how the energy qualifies as a Class I renewable energy source defined in Section 16-1 of the General Statutes. If the project already has Class I certification, provide or reference the documentation providing such qualification. If the project does not have Class I certification, describe the actions proposed to be taken by the Bidder to acquire a Class I qualification.

**B4.3. Fuel Cell**

- i. Describe how the natural gas for the Fuel Cell will be procured and whether its energy will be delivered on a firm or non-firm basis for the term of the agreement.
- ii. Provide supporting data that illustrates the expected generation from the fuel cell over the term of the contract considering the need for restacking.

**B5. OPERATION AND MAINTENANCE**

**B5.1.** Provide an O&M plan for the project that demonstrates the long term operational viability of the proposed project. The plan should include a discussion of the staffing levels proposed for the project, the expected role of the project sponsor or outside contractor, scheduling of major maintenance activity, including but not limited to partial and complete planned outage requirements, and the plan for testing equipment.

**B5.2.** Specify all the expected operating constraints and operational restrictions for the project (e.g., limits on the number of hours a unit may be operated per year or unit of time, storage capacity, maximum length of time for storage).

**B5.3.** Describe the status of the project sponsor in securing any O&M agreements or contracts. Include a discussion of the sponsor's plan for securing a medium-term or long-term O&M contract, including the expected provider of O&M services.

**B5.4.** Provide examples of the Bidder's experience with O&M services for other similar projects.

## **B6. PROJECT SITE**

**B6.1.** Provide a site plan that includes the following information: scale, north arrow, parcel (s), Generation Footprint, labeled roads, wetlands and watercourses on the Project Site, total acreage of parcel(s), total acreage of Generation Footprint, total acreage of Project Site, location of all equipment, structures, and facilities on the Project Site, and anticipated interconnection point. Include an overall location map of the Project Site outlined on a USGS Topographic map. Describe the Project Site's location and, if applicable, insert a map or link to where the map is located.

**B6.2.** Complete the attached affidavit(s), Attachment 1 and Attachment 2 (as applicable), demonstrating the requisite proof of site control.

**B6.3.** Provide evidence that the Shared Clean Energy Facility Project Site and interconnection route is properly zoned or permitted. If the Shared Clean Energy Facility Project Site is not currently zoned or permitted properly, identify present and required zoning and/or land use designations and permits and provide a permitting plan and timeline to secure the necessary approvals.

**B6.4.** For a Shared Clean Energy Facility, describe and provide a map of the proposed interconnection that includes the path from the Generation Footprint to the ISO-New England pricing node.

**B6.5.** Please describe the status of any planned interconnection to the grid. Has the Bidder made a valid interconnection request to the EDC and/or ISO-NE? Describe the type of interconnection service requested (i.e., Capacity Network Resource Interconnection Service, or Network Resource Interconnection Service).

**B6.6.** Describe the Proposal's electrical system performance and the impact on the reliability of the EDC's Distribution system. Provide a copy of any studies completed to date. Provide a copy of an interconnection agreement, if any, executed by the Bidder with respect to the proposed project. If an interconnection agreement has not been executed, please provide the steps that need to be completed before an interconnection agreement can be executed and the associated timeline.

**B6.7.** Provide a copy of an electrical one-line diagram showing the interconnection facilities and the relevant facilities of the distribution and/or transmission providers.

**B6.8.** Attest that the Project Site of the Shared Clean Energy Facility does not impact, in whole or in part, any Core Forest. Core Forest means unfragmented forested land of at least two hundred and fifty (250) acres that is three hundred (300) feet or greater from the boundary between forested land and non-forested land.

**B6.9.** Provide a detailed explanation of all environmental impacts known or anticipated for the Shared Clean Energy Facility, including but not limited to the impact on any endangered, threatened and special concern species and significant natural communities based on the Natural Diversity Data Base. Describe the extent of any forest or other vegetative clearing required to construct the facility. If wetlands are located on the Project Site or within up to one hundred (100) feet of the Project Site, describe the proposed width of undisturbed buffer between the Bidder's facility and the wetlands.

## **B7. PROJECT SITE - PROJECT-SPECIFIC REQUIREMENTS**

The information requested is organized according to the classification of the Project Site or resource type. Bidders should only respond to relevant questions and indicate if a question is not applicable.

**B7.1.** For solar photovoltaic projects not located on a landfill or sand and gravel pit, attest that no portion of the Project Site is on slopes greater than 15% and that there will be no grading before, during, or after construction to achieve this slope requirement. Provide a map that shows the slope percentage(s) on the Project Site.

### **B7.2. Brownfield Development**

- i. Attest that the Project Site meets the definition of a Brownfield.
- ii. Provide evidence that the Project Site is considered a Brownfield by including at least one of the following:
  - i. The site of the Generation Footprint is listed in the State DEEP list for Brownfields located on [DEEP website](#);
  - ii. The site of the Generation Footprint is considered a Brownfield as shown by Zoning or Land Records; or
  - iii. Other documentation demonstrating the Project Site meets the definition of a Brownfield, including but not limited to a letter from the Chief Elected Official attesting to the difficulty in developing this site because it meets the definition of a Brownfield.
- iii. Indicate how much of the Generation Footprint is located on a Brownfield. For projects built on a Brownfield to qualify for the bid preference, the Generation Footprint must be wholly located on the Brownfield. However, if the size of the Brownfield cannot accommodate the entire Generation Footprint, then the project can still be eligible to receive the qualitative preference, provided at least 75% of the total Generation Footprint is within the Brownfield and the Brownfield land that is legally and technically available for development is utilized.

### **B7.3. Landfill Development**

- i. Indicate how much of the Generation Footprint is located on a Landfill. For projects built on a Landfill to qualify for the bid preference, the Generation Footprint must be wholly located on the Landfill. However, if the size of the Landfill cannot accommodate the entire Generation Footprint, then the project can still be eligible to receive the qualitative preference, provided

at least 75% of the total Generation Footprint is within the Landfill and the Landfill land that is legally and technically available for development is utilized.

- ii. For solar photovoltaic projects on a landfill, attest that no more than 10% of the Project Site is on slopes greater than 15% and that there will be no grading before, during, or after construction to achieve this slope requirement. Provide a map that shows the slope percentage(s) on the Project Site.

**B7.4. Sand and Gravel Pits Development**

- i. Indicate the percentage of the total Project Site that is on the sand and gravel pit.
- ii. For solar photovoltaic projects, attest that no portion of the Project Site is on slopes greater than 15%. Indicate whether there will be any grading on previously disturbed or excavated land to achieve this slope requirement. Provide a map that shows the slope percentage(s) on the Project Site and the portion of the Project Site that will be graded, as applicable.

**B8. PERMIT ACQUISITION PLAN AND ENVIRONMENTAL VIABILITY**

**B8.1.**

- i. Provide a viable plan to acquire all permits. Provide a list of all the permits, licenses, and environmental assessments required. If a Bidder has secured any permit or has applied for a permit, please identify in the response.
- ii. Provide a list of all federal, state, and local permits, licenses, and environmental assessments required to construct and operate the project, including the issuing agency.

**B8.2.** Provide the anticipated timeline for seeking and receiving the required permits, licenses, and environmental assessments and/or environmental impact statements and any documentation supporting such anticipated timeline. Include a project approval assessment that describes, in narrative form, each segment of the process, the required permit or approval, the status of the request or application and the basis for projection of success by the milestone date. All requirements should be included on the project schedule.

**B8.3.** Provide a preliminary environmental assessment of the Project Site and project, including both construction and operation, as applicable. In addition, identify environmental impacts associated with the proposed project, any potential impediments to development, and the Bidder's plan to mitigate such impacts or impediments. For projects located within Connecticut, each Bidder should reference DEEP's Forestland Habitat Impact Map in its environmental assessment and submit a copy of the Forestland Habitat Impact Map with the Project Site superimposed on it. Include a link to the map within the response to Appendix B. This [Forestland Habitat Impact Map](#) is a useful screening tool for siting purposes but is not intended to show locations of core forest. The analysis should address each of the major environmental areas presented below, as applicable to the proposed project:

- i. Impacts to water resources – These resources include but are not limited to wetlands and wetland soils, waterbodies, watercourses, groundwater, drinking water and public water supplies, and how those impacts will be avoided, reduced, and mitigated if necessary, consistent with federal policy on no net loss of wetlands. If an impact is likely to occur, plans to reduce and mitigate must be clearly documented. The assessment for wetlands should include proposed setbacks from wetlands and vernal pools, and avoidance or mitigation measures taken to reduce wetland impacts.
- ii. Land use impacts – Describe how the project conforms to applicable state plans directing conservation and development and other natural resource plans. Describe any impacts to prime farmland and agricultural soils, and the plan to mitigate such impacts or impediments. To the extent not already described in the habitat discussion in Section B6.9 above, describe any impacts to forest resources, including acreage and type of forest impacted, and measures taken to avoid or lessen forest resource impacts. Describe any potential detrimental impacts due to reuse of contaminated land.
- iii. Impacts during Project Site development
- iv. Transportation infrastructure impacts
- v. Air quality impacts
- vi. Impacts to cultural resources
- vii. Impacts on noise levels
- viii. Aesthetic/visual impacts
- ix. Transmission and distribution infrastructure impacts
- x. Fuel supply access, where applicable.

**B8.4.** Identify any existing, preliminary or pending claims or litigation, or matters before any federal agency or any state legislature or regulatory agency that might affect the feasibility of the project or the ability to obtain or retain the required permits for the project.

**B8.5.** Indicate the proximity of the Project Site and interconnection route to ridgelines and ridgeline setback areas as defined in Section 8-1aa of the General Statutes.

**B8.6.** Indicate how the Bidder intends to satisfy the Connecticut Siting Council requirements. Indicate whether the Bidder intends to go through the certificate process or declaratory ruling process and how the Bidder intends to get representation in writing from the Department of Agriculture and the Department of Energy and Environmental Protection, as applicable.

**B8.7.** Include a summary of environmental compliance history for the Bidder, including any general and limited partners, officers, directors, managers, members, shareholders, and subsidiaries, using the “Applicant Compliance Form” available at: <https://portal.ct.gov/DEEP/Permits-and-Licenses/Common-Forms>.

**B8.8.** Include a summary of any disputes relating to the environmental compliance of the Bidder (including any general and limited partners, officers, directors, managers, members, shareholders,

and subsidiaries), including the environmental compliance of projects owned or managed by Bidder or any of its affiliates in the United States or related to any energy product sale agreement.

## **B9. PROJECT VIABILITY**

**B9.1.** Provide a reasonably detailed but preliminary engineering plan that identifies the type of generation technology, if applicable, and the major generation equipment to be used for each identified item of major generation equipment. This preliminary engineering plan should include the following information:

- i. Manufacturer of the equipment; if the equipment manufacturer has not yet been selected, identify the equipment procurement strategy and the factors under consideration for selecting the preferred equipment;
- ii. Equipment vendor(s) or supplier(s) selected; if the equipment vendor(s) or supplier(s) has not yet been selected, provide a list of the key equipment vendors or suppliers under consideration;
- iii. Status of acquisition of the equipment; indicate if the Bidder has secured the equipment for the project and whether the Bidder has a contract for the equipment; if not, identify the long-lead equipment options, describe the timing for securing the equipment, and provide the status of any pertinent commercial arrangements; and
- iv. History of equipment operations.

**B9.2.** Provide the following:

- i. Documentation of outreach conducted to-date or plans for outreach going forward if a contract is awarded to educate potential host communities on the proposed project. A passing response must include at least two (2) of the following:
  - a. Copies of any agreements with communities and other constituencies that may be impacted by the proposed project;
  - b. Emails, letters, and/or other communications with or directed to local municipal officials;
  - c. Emails, letters, and/or other communications with or directed to municipality residents and/or community organizations (including but not limited to environmental non-profits, social services non-profits, or other organizations that serve the local community);
  - d. Time, date, and materials from any in -person or virtual meeting held with local officials, property owners, abutters, community organizations, and/or other town residents to educate them about the proposed project;
  - e. Other documentation that substantiates outreach efforts to-date with the host community; and/or
  - f. A community outreach plan that the bidder will complete if awarded a contract. A sufficient community outreach plan would include: plans for outreach events and activities such as local events to exhibit at or groups that the developer will present to.

**B9.3.** If the project is greater than or equal to two (2) MW, the bidder must provide a plan for compliance with Public Act 21-43, including but not limited to:

- a. A plan to take appropriate actions to ensure a workforce development plan is established;
- b. A plan to ensure each contractor and subcontractor involved in the construction of the project completes a sworn certification consistent with the requirements of subsection (c) of Public Act 21-43, including but not limited to a draft certification for such contractors and subcontractors;
- c. A plan to comply with the remaining applicable sections of Public Act 21-43.

**B10. COMMUNITY IMPACTS**

- i. Provide an analysis of any potential impacts, both positive and negative, to the host community. Such impacts may include but not be limited to: siting impacts, quantifiable increases or decreases in air pollution, job creation, community ownership options such as equity options in a special purpose entity that owns the SCEF so members of host communities can earn dividends on project development, or other economic development investments.
- ii. Provide a detailed description of plans or investments the bidder will take to alleviate environmental burdens or other negative impacts from the project on affected groups, especially environmental justice communities. Such steps may include the details of a community benefits package.

## Attachment 1

### **Affidavit #1: Bidder's Affidavit of Site Control under the Modified Program Requirements of the Shared Clean Energy Facility Program**

**NOTE: Affidavit #1 must be completed and submitted by all Bidders. If the Bidder and Owner of the Project Site are the same individual or entity, only Affidavit #1 is required. If the Bidder and the Owner of the Project Site are not the same individual or entity, the Bidder must also submit Affidavit #2, as completed by the Owner of the Project Site.**

For the purposes of this affidavit, "Bidder" is defined as the individual or business submitting a proposal ("Bid") to be considered for selection in the annual Shared Clean Energy Facilities ("SCEF") program solicitation and "Owner of the Project Site" is defined as the legal owner of the SCEF Project Site.

As a duly authorized representative of the Bidder of the SCEF project, I hereby attest that the Bidder has control of the Project Site, or an unconditional right, granted by the Owner of the Project Site, to acquire such control to use the site for the SCEF in the SCEF Bid, and any rights-of-way needed for interconnection, and is authorized to submit the Bid to locate the SCEF on the Owner of the Project Site's property. Site control and property rights include all leases, easements, or development rights necessary to develop and/or operate the SCEF project, including any necessary leases from an applicable government authority.

The Bidder understands that if it is later determined that the Bidder does not have control of the Project Site, or an unconditional right, granted by the Owner of the Project Site, to acquire such control prior to the bid deadline set forth by the relevant Request for Proposal, the Bidder, and the SCEF project, may be removed from the SCEF Program and forfeit eligibility for future participation pursuant to Section 10 of the Modified Program Requirements.

The Bidder represents that it understands the requirements for site control as outlined in the Modified Program Requirements.

As a duly authorized representative of the Bidder, I have reviewed the statements and certifications provided above and certify that such statements and certifications as applicable to the SCEF Bid are true and accurate to the best of my knowledge.

The Bidder, or its representative, shall fill out and sign the following:

**NOTE: Electronic signatures are not acceptable. The Bidder's signature, or that of its representative, is required to be witnessed by a Notary Public and documented as such.**<sup>2</sup>

**Please indicate the appropriate site control agreement selection:**

<input type="checkbox"/>	<b>Signed option agreement to lease or purchase the Property.</b>
<input type="checkbox"/>	<b>Executed lease agreement for the Property.</b>
<input type="checkbox"/>	<b>Executed agreement to purchase the Property.</b>
<input type="checkbox"/>	<b>License or other agreement granting exclusive right to use the Property for purposes of constructing and operating the distributed generation facility.</b>
<input type="checkbox"/>	<b>N/A - Property Owner will own and operate the distributed generation facility</b>

Bidder: \_\_\_\_\_

(Exact legal name of the Bidder, as defined above)

Signature of the Bidder

(or its Representative): \_\_\_\_\_

Print or Type Name of Bidder

(or its Representative): \_\_\_\_\_ (duly authorized)

Title: \_\_\_\_\_

Date Signed: \_\_\_\_\_

**The Notary Public shall fill out and sign the following:**

Subscribed and sworn before me, this \_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Notary Public: \_\_\_\_\_

Commission expires: \_\_\_\_\_

<sup>2</sup> Please see Section 3 of the March 30, 2020 CT Executive Order 7Q regarding Remote Notarizations here:

<https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7Q.pdf>.

## Attachment 2

### **Affidavit #2: Owner of the Project Site's Affidavit of Site Control under the Modified Program Requirements of the Shared Clean Energy Facility Program**

**NOTE: The completion and submission of Affidavit #2 is only required if the Bidder and Owner of the Project Site are not the same individual or entity.**

For the purposes of this affidavit, "Bidder" is defined as the individual or business submitting a proposal ("Bid") to be considered for selection in the annual Shared Clean Energy Facilities ("SCEF") program solicitation and "Owner of the Project Site" is defined as the legal owner of the SCEF Project Site.

As a duly authorized representative of the Owner of the Project Site, I hereby attest that the Bidder has control of the Project Site, and any rights-of-way needed for interconnection, or an unconditional right, granted by the Owner of the Project Site, to acquire such control. Site control and property rights include all leases, easements, or development rights necessary to develop and/or operate the SCEF project, including any necessary leases from an applicable government authority.

The Owner of the Project Site understands that if it is later determined that the Bidder does not have control of the Project Site, or an unconditional right, granted by the Owner of the Project Site, to acquire such control prior to the bid deadline set forth by the relevant Request for Proposal, the Bidder, and the SCEF project, may be removed from the SCEF Program and forfeit eligibility for future participation pursuant to Section 10 of the Modified Program Requirements.

The Owner of the Project Site represents that it understands the requirements for site control as outlined in the Modified Program Requirements.

The Owner of the Project Site further attests that the Bidder is authorized by the Owner of the Project Site to submit the Bid to locate a SCEF project on the Owner of the Project Site's property.

As a duly authorized representative of the Owner of the Project Site, I have reviewed the statements and certifications provided above and certify that such statements and certifications as applicable to the Bid are true and accurate to the best of my knowledge.

The Owner of the Project Site, or its representative, shall fill out and sign the following:

**NOTE: Electronic signatures are not acceptable. The Owner of the Project Site's signature, or that of its representative, is required to be witnessed by a Notary Public and documented as such.**<sup>3</sup>

**Please indicate the appropriate site control agreement selection:**

<input type="checkbox"/>	<b>Signed option agreement to lease or purchase the Property.</b>
<input type="checkbox"/>	<b>Executed lease agreement for the Property.</b>
<input type="checkbox"/>	<b>Executed agreement to purchase the Property.</b>
<input type="checkbox"/>	<b>License or other agreement granting exclusive right to use the Property for purposes of constructing and operating the distributed generation facility.</b>
<input type="checkbox"/>	<b>N/A - Property Owner will own and operate the distributed generation facility</b>

Owner of the Project Site: \_\_\_\_\_

(Exact legal name of Owner of the Project Site, as defined above)

Signature of Owner of Project Site

(or its Representative): \_\_\_\_\_

Print or Type Name of Owner of Project Site

(or its Representative): \_\_\_\_\_ (duly authorized)

Title: \_\_\_\_\_

Date Signed: \_\_\_\_\_

**The Notary Public shall fill out and sign the following:**

Subscribed and sworn before me, this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

Notary Public: \_\_\_\_\_

Commission expires: \_\_\_\_\_

<sup>3</sup> Please see Section 3 of the March 30, 2020 CT Executive Order 7Q regarding Remote Notarizations here:

<https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7Q.pdf>.

Attachment 3

**AFFIDAVIT: "VERACITY OF STATEMENTS"**

That \_\_\_\_\_, Affiant, being duly sworn/affirmed according to law, deposes and says that:

He/she is the \_\_\_\_\_ (Office of Affiant) of \_\_\_\_\_ (Name of Applicant);

That he/she is authorized to and does make this affidavit for said Applicant;

**That \_\_\_\_\_, the Applicant herein, certifies under penalty of false statement that all statements submitted in its response to Appendix B of the SCEF Modified Program Requirements, as filed concurrently with a project bid filing in response to a Request for Proposals issued by Eversource or United Illuminating, whichever is applicable, are true and complete and that it will also amend said submission while the project bid filing is pending if any substantial changes occur regarding the information provided in the submission within ten days of any such change.**

That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief and that he/she expects said Applicant to be able to prove the same at any hearing hereof.

\_\_\_\_\_  
Signature of Affiant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name of Affiant

\_\_\_\_\_  
Title (relationship to Applicant)

STATE OF \_\_\_\_\_ }

COUNTY OF \_\_\_\_\_ } ss. \_\_\_\_\_

\_\_\_\_\_  
(Town)

The foregoing was subscribed to and sworn to before me this

\_\_\_\_\_  
day of

\_\_\_\_\_  
(day)

\_\_\_\_\_  
(month)

\_\_\_\_\_  
(year)

by \_\_\_\_\_

\_\_\_\_\_  
(Signature of Notary Public or other official)

\_\_\_\_\_  
(Printed Name of Notary Public or other official)

My commission expires \_\_\_\_\_

## **Attachment 4** **Self-Certification Form**

Should either Electric Distribution Company (EDC) not meet their cap from the EDC list of eligible and qualified projects, the EDC shall provide assistance to DEEP to identify the DEEP-disqualified projects most likely to gain approval through DEEP's stormwater permitting process and to be deployed. This form is only applicable to Bids with Project Sites that violate the slope requirements in Section 4.5 of the Modified Program Requirements and that wish to be considered in the event the EDC does not meet their megawatt cap and there are no eligible bids remaining in the queue.

The undersigned hereby acknowledges that:

1. All or a portion of the solar array proposed is to be located on a post-construction slope greater than 15%, and for projects sited on landfills, more than 10 percent of the proposed solar array is on a post-construction slope of greater than 15 percent.<sup>4</sup>
2. The General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities issued by the Department of Energy and Environmental Protection ("Department"), effective December 31, 2020 ("General Permit"), in Appendix I entitled "Stormwater Management at Solar Array Construction Projects" ("Appendix I"), specifies that "all solar panels in the array shall also be considered effective impervious cover for the purposes of calculating Water Quality Volume if the proposed post-construction slopes at the site are equal to or greater than 15% . . ." and, as such, requires the retention/detention of a significantly higher volume of stormwater than is required to be retained/detained when a solar array is proposed to be located on post-construction slopes of less than 15%.
3. Additional stormwater infrastructure, including but not limited to an engineered stormwater management system, will likely be necessary to retain the required Water Quality Volume for a solar array located on a post-construction slope equal to or greater than 15% consistent with the General Permit. Certain engineered structures for the detention/retention of water could require a permit for the construction of a dam under section 22a-402 of the Connecticut General Statutes.
4. Steep slopes may present other stormwater management challenges, and require additional stormwater measures, to ensure that post-development peak discharge corresponds with pre-development peak discharge, provide permanent stabilization and non-erosive conveyance of runoff from the site, and prevents an increase in peak flows, erosive velocities or volumes, or adverse impacts to downstream properties. To ensure the appropriate management of stormwater, the Department may require control measures or impose conditions including, but not limited to, reductions in solar array footprint, changes in solar

---

<sup>4</sup> This form is not applicable for projects sited on landfills with 10 percent or less of the Project Site on a slope of greater than 15 percent, as such projects are in compliance with the slope requirements in Section 4.5 of the Modified Program Requirements. Projects sited on landfills that have more than 10 percent of the Project Site on a slope of greater than 15 percent should complete the Self-Certification Form if they wish to be considered in the event that the megawatt cap for a given procurement is not met and no eligible bids remain in the queue.

array spacing, changes in panel row orientation, increased setbacks, and enhanced erosion and sediment control measures.

5. The proposed facility will be subject to strict construction phasing any may require establishment and consistent re-establishment of appropriate vegetative cover or other standard means of erosion and sedimentation control throughout construction of the project. A letter of credit, in an amount calculated based on the total area to be disturbed, is required.

The undersigned therefore certifies that:

1. I have reviewed the General Permit, including Appendix I.
2. A Qualified Professional Engineer as defined by the General Permit and whose name and seal appear below, has indicated that the necessary infrastructure to retain the Water Quality Volume calculated as required by Appendix I of the General Permit, and to otherwise manage stormwater in compliance with the requirements of the General Permit, including Appendix I thereto, can be constructed on the site.
3. The bid price accounts for the need to construct the required stormwater infrastructure, the required financial assurance, and any other costs associated with obtaining registration under the General Permit and any other authorizations, including but not limited to, individual permits required by the Department to construct the necessary stormwater infrastructure.
4. Any required permits from the Department, including but not limited to permits related to the management of stormwater and construction of related infrastructure, will be obtained and that selection of this project in this procurement shall not require the Department to approve any required permit or authorization, and nothing herein impacts the Department's right to disapprove or deny any permit application or registration, or to require control measures or impose conditions, including, but not limited to, those described above.

By: \_\_\_\_\_

Date:  
Name:  
Title:  
Company:

Information for Qualified Professional Engineer:  Name: Title: Company: Street Address: City/Town: State and Zip Code:	Affix Qualified Professional Engineer Seal:
---	---