



**Southwest Power Pool**  
**TRANSMISSION WORKING GROUP MEETING**  
**September 24, 2014**  
**Net Conference**

**• Summary of Action Items •**

1. There was no action taken during this meeting

**Southwest Power Pool**  
**TRANSMISSION WORKING GROUP MEETING**  
**September 24, 2014**  
**Net Conference**

• M I N U T E S •

**Agenda Item 1 – Administrative Items**

TWG Chair Noman Williams called the meeting to order at 9:00 a.m. The following members were in attendance (Attachment 1 – Attendance) or represented by proxy:

Mo Awad, Westar Energy, Inc.  
Scott Benson, Lincoln Electric System  
John Boshears, City Utilities of Springfield  
John Fulton, Southwestern Public Service Co.  
Joe Fultz, Grand River Dam Authority  
Dan Lenihan, Omaha Public Power District  
Randy Lindstrom, Nebraska Public Power District  
Jim McAvoy, Oklahoma Municipal Power Authority  
Matt McGee, American Electric Power  
Nathan McNeil, Midwest Energy  
Alan Myers, ITC Great Plains  
John Payne, Kansas Electric Power Cooperative, Inc.  
Tim Smith, Western Farmers Electric Cooperative  
Jason Shook, GDS Associates representing ETEC  
Noman Williams, Sunflower Electric Power Cooperative  
Harold Wyble, Kansas City Power and Light

Kirk Hall, SPP staff, confirmed that there was a quorum.

**Agenda Item 2 – Sample RFP Feedback**

Aaron Shipley and Cary Frizzell, SPP staff, presented the group with the sample Request for Proposal (RFP) documents (Attachment 2a, 2b, - RFP Response Form, Sample RFP) related to Order 1000. Aaron and Cary asked the group for feedback to provide back to the SPCTF on Order 1000 before finalization of the documents. Stakeholders requested some clarification and definition be provided around a few areas such as emergency rating, substation ownership, and breaker terminations. Staff asked for the TWG's thoughts on whether RFPs should be split up and be made partial. The majority of the TWG agreed that RFPs should not be split up; however, there were a few dissenting opinions. TWG also agreed that substation expansion should be considered non-competitive.

Noman asked that the TWG provide their comments to Kirk by Friday, September 26, 2014.

Seeing there was no further business the meeting was adjourned at 11:27 a.m.

Respectfully Submitted,

Kirk Hall  
Secretary

All sessions in Central Daylight Time (Chicago, GMT-05:00)

Session detail for 'TWG Net Conference':

Participant Name	Email	Date
2 Tony Gott (AECI)	tgott@aeci.org	9/24/2014
3 Joe Fultz	jfultz@grda.com	9/24/2014
4 Scott Benson (LES)	sbenson@les.com	9/24/2014
5 Nathan McNeil - MIDW	nmcneil@mwenergy.com	9/24/2014
6 Joe	joseph.m.richardson@xcelenergy.com	9/24/2014
7 Noman Williams	nwilliams@sunflower.net	9/24/2014
8 Harold Wyble (KCPL)	harold.wyble@kcpl.com	9/24/2014
9 Alan Myers	amyers@itcgreatplains.com	9/24/2014
10 David Spargo	dpspargo@oppd.com	9/24/2014
11 Mo Awad	mo.awad@westarenergy.com	9/24/2014
12 Michael Wegner (ITC)	mwegner@itctransco.com	9/24/2014
13 John Boshears (SPRM)	john.boshears@cityutilities.net	9/24/2014
14 Kevin Foflygen	kevin.foflygen@cityutilities.net	9/24/2014
15 Jerry Bradshaw (SPRM)	jerry.bradshaw@cityutilities.net	9/24/2014
16 John Payne (KEPCo)	jpayne@kepc.org	9/24/2014
17 Dan Lenihan	djlenihan@oppd.com	9/24/2014
18 Matt McGee	mcmcgee@aep.com	9/24/2014
19 stoltz	mstoltz@bepc.com	9/24/2014
20 Josh Verzal	jverzal@oppd.com	9/24/2014
21 Tim C. Smith (WFEC)	t_smith@wfec.com	9/24/2014
22 Jim McAvoy	jmcavoy@ompa.com	9/24/2014
23 Randy Lindstrom	rrlinds@nppd.com	9/24/2014
24 Dona Parks (GRDA)	dparks@grda.com	9/24/2014
25 Charles Hendrix	chendrix@spp.org	9/24/2014
26 Scott Williams (SPRM)	j.scott.williams@cityutilities.net	9/24/2014
27 Robert Mechler B&V	mechlerrc@bv.com	9/24/2014
28 John Fulton	john.fulton@xcelenergy.com	9/24/2014
29 Gimod Olapurayil	golapurayil@itctransco.com	9/24/2014
30 Jason Shook (GDS/ETEC)	jason.shook@gdsassociates.com	9/24/2014
31 Bob Burner	g.burner@duke-energy.com	9/24/2014
32 Eric Burkey (Ameren)	eburkey@ameren.com	9/24/2014
33 Gayle Nansel	nansel@wapa.gov	9/24/2014
34 ed pfeiffer (quanta)	epfeiffer@quanta-technology.com	9/24/2014
35 Al Tamimi	atamimi@sunflower.net	9/24/2014
36 Pat Hayes (Ameren)	phayes@ameren.com	9/24/2014
37 Trent Carlson	trent.a.carlson@jpmorgan.com	9/24/2014
38 Josie Daggett	daggett@wapa.gov	9/24/2014
39 Al Tamimi	atamimi@sunflower.net	9/24/2014



**Southwest Power Pool, Inc.**  
**TWG NET CONFERENCE**  
**September 24<sup>th</sup>, 2014**  
**Net Conference – Little Rock, Arkansas**

**• A G E N D A •**

8:30 a.m. – 11:30 p.m.

1. Sample RFP Documentation (Action Item) ..... Staff (3 hrs.)

*Relationship-Based • Member-Driven • Independence Through Diversity*  
*Evolutionary vs. Revolutionary • Reliability & Economics Inseparable*

## Finance (Financial Viability and Creditworthiness)

**\* Please complete all fields. For fields not applicable reference them in the appropriate section by document**

Provide evidence of financing and provide supporting documentation

Identify which of the following is being provided to demonstrate QRP's financial strength

Describe the material conditions of any financing and provide supporting documentation

Include financial/business plan(s) and provide supporting documentation

Describe pro forma financial statements and provide supporting documentation

Describe any expected financial leverage and provide supporting documentation

Describe any debt covenants and provide supporting documentation

Detail projected liquidity and provide supporting documentation

Describe any dividend policy and provide supporting documentation

**Detail cash flow analysis and provide supporting documentation**

**QRP or its parent, controlling shareholder, or entity providing a Guaranty pursuant to Section III.1(b)(ii)(2) of Attachment Y must provide any credit rating changes, bankruptcies, dissolutions, mergers or acquisitions within the past five (5) year period and provide supporting documentation**

**OTHER INFORMATION - please detail and provide any supporting documentation**

[Return to RFP Response Form](#)

Return to this RFP Response, please enter "N/A." If additional attachments will be included, please include the attachment name, including the section in the file name.

**DRAFT DOCUMENT - FOR REVIEW ONLY**

- Demonstration the QRP continues to satisfy the financial criteria set forth in Section III.1(b)(ii)(1) or (2) of Attachment Y and that the Competitive Upgrade does not exceed 30% of the total capitalization of the QRP or its parent Guarantor; or
- A performance bond is being provided from an insurance/surety company acceptable to SPP in an amount equal to the total cost of the Competitive Upgrade, including financing costs, and a 30% contingency; or
- A letter of credit from a financial institution is being provided which is acceptable to SPP in an amount equal to

Additional Documents Provided (Y/ N)

Pending Finance Committee review.





**DRAFT – For Review  
Purposes Only**

# Request for Proposal

**SPP-RFP-2015001**

RFP ISSUED DATE: [March 2, 2015](#)

RFP ORIGATION STUDY: [2015 ITP10](#)

## Table of Contents

Table of Contents .....	2
Section 1 - Background .....	3
1.1 SPP Overview .....	3
1.2 Overview of Order 1000 Process .....	3
1.3 RFP Deposit .....	4
1.4 RFP Timetable .....	4
1.5 RFP Communication .....	5
Section 2 – Project Objectives .....	6
2.1 Project Overview .....	6
2.2 Project Specifications .....	6
2.3 Project Design Standards .....	7
2.4 Project Regulatory Context and Authority .....	8
2.5 RFP Proposal Cost Estimate .....	8
Section 3 - Proposal Process and Requirements .....	9
3.1 Instructions for Submitting a Proposal .....	9
3.2 Respondent Information .....	9
3.3 Engineering Design (Reliability/Quality/General Design) .....	9
3.4 Project Management (Construction Project Management) .....	9
3.5 Operations (Operations/Maintenance/Safety) .....	9
3.6 Rate Analysis (Cost to Customer) .....	9
3.7 Finance (Financial Viability and Creditworthiness) .....	10
3.8 Conditions of Bid .....	10
3.9 Confidential Information .....	10
3.10 RFP Deposit .....	10
3.11 Information Exchange Requirements .....	10
3.12 Confidentiality .....	10
3.13 Disclosure of Interest .....	11
3.14 Disclaimer .....	11
3.15 Requirements and Criteria .....	12
Section 4 - Acknowledgements .....	13

## Section 1 - Background

### 1.1 SPP Overview

Southwest Power Pool, Inc. ("SPP") is regional transmission organization ("RTO") made up of members in central United States serving more than fifteen million customers. Membership is comprised of investor-owned utilities, municipal systems, generation and transmission cooperatives, state authorities, wholesale generators, power marketers, and independent transmission companies. SPP's footprint includes over 48,000 miles of transmission lines, and approximately 370,000 square miles of service territory.

SPP was a founding member of the North American Electric Reliability Corporation in 1968, and was designated by the Federal Energy Regulatory Commission as a Regional Transmission Organization ("RTO") in 2004 and a Regional Entity ("RE") in 2007. As an RTO, SPP ensures reliable supplies of power, adequate transmission infrastructure, and competitive wholesale prices of electricity. The SPP RE oversees compliance enforcement and reliability standards development.

Visit SPP.org to [read more fast facts](#), see a list of [SPP members](#) and [access governing documents](#), including the Open Access Transmission Tariff, Bylaws, and Membership Agreements.

### 1.2 Overview of Order 1000 Process

FERC Order 1000 requires the removal of federal right of first refusal ("ROFR") for certain transmission projects under the SPP Open Access Transmission Tariff ("OATT" or "Tariff"). To comply with this requirement, SPP developed the Transmission Owner Selection Process ("TOSP") to competitively solicit proposals for projects that no longer have ROFR. Transmission Facilities that meet the criteria contained in Attachment Y, Section I.1 of the Tariff and are approved for construction or endorsed by the SPP Board of Directors ("BOD") after January 1, 2015, are known as Competitive Upgrades. SPP will solicit proposals for Competitive Upgrades from [Qualified RFP Participants](#) ("QRPs") utilizing the TOSP.

A QRP is an entity that wants to participate in the TOSP. Each entity must submit a QRP application and supporting materials to demonstrate that it satisfies the qualification criteria, as defined in Attachment Y, Section III of the Tariff. All QRP applications must be received no later than June 30 of the year prior to the calendar year in which the applicant wishes to begin participation in the TOSP. Only approved QRPs can participate in the TOSP.

A Request for Proposal ("RFP") will be created and published for each Competitive Upgrade which is approved for construction or endorsed by the BOD after January 1, 2015. RFPs are only issued to QRPs through email distribution. SPP staff will also make a list publicly available of all projects that are expected to be competitively bid. QRPs have 180 days (the "RFP Response Window") to submit their RFP proposal via the Request Management System (RMS), unless SPP staff uses its discretion to reduce the RFP Response Window to no less than ninety (90) days based on, but not limited to, a project need date or project scope. The RFP Response Window duration will be stated in the RFP. If the final day of the RFP Response Window falls on a weekend of a holiday recognized by SPP, the due date for RFP responses shall be the next Business Day. The estimate provided in an RFP proposal establishes the RFP Response Estimate ("RRE"), as defined in Business Practice 7060. Refer to Business Practice 7060 for more detail on SPP's required structure and accuracy of cost estimates.

All RFP submissions will be reviewed and evaluated by an [Industry Expert Panel](#) (“IEP”). After completing the RFP evaluation, the IEP will recommend an RFP proposal for each Competitive Upgrade for which SPP must select a replacement Transmission Owner to the BOD pursuant to Section III.2.f of Attachment Y of the Tariff.

If the Competitive Upgrade was submitted as a [Detailed Project Proposal](#) (“DPP”) during the Integrated Transmission Planning (“ITP”) study process as outlined in Section III.8.b. of Attachment O of the Tariff, the submitting QRP may be eligible to receive incentive points pursuant to the eligibility requirements described in Section III.2.f.iv of Attachment Y of the Tariff. Any entity may submit a DPP during the 30-day transmission planning response window occurring after the needs assessment is published during the Integrated Transmission Planning (ITP) 3-year planning cycle.

**The RFP and overall TOSP process are governed by the SPP Tariff and Business Practices. If there is a conflict between this document and the SPP Tariff or Business Practices, the SPP Tariff and Business Practices shall govern.**

### 1.3 RFP Deposit

The Respondent must agree to pay a deposit for each RFP proposal (the “TOSP Deposit”). The TOSP Deposit required for this RFP proposal is: \$~~50,000~~[206,966,744](#).

The TOSP Deposit and cost calculation are outlined in Section III.2(e) of Attachment Y of the SPP Tariff. The TOSP Deposit is required with each RFP proposal, and is required to be paid by electronic funds transfer or by check. SPP will hold each Respondent’s TOSP Deposit in a segregated interest-bearing account in the name of the Respondent tied to the Respondent’s Internal Revenue Service Tax Identification Number.

At the completion of the TOSP, SPP will determine the actual costs to administer the TOSP, detailed in Section III.2(e)(ii), and each Respondent will make additional payments or obtain refunds based on the reconciliation of the TOSP Deposits collected and actual TOSP costs. The cost will be allocated to each RFP proposal on a pro-rata share basis, calculated by taking the total TOSP costs for each Competitive Upgrade and dividing by the number of RFP proposals submitted for that Competitive Upgrade. Any unused deposit amounts will be refunded with interest earned on such deposits.

If an RFP proposal is disqualified from further consideration pursuant to Section III.2(d)(iv) of Attachment Y, SPP shall refund to the Respondent ninety (90) percent of its RFP deposit.

Comment [SM1]: PENDING LANGUAGE

### 1.4 RFP Timetable

The following events are scheduled for this bid:

Task	Deadline
RFP Issued <sup>1</sup>	March 2, 2015
Notice of Intent to Submit RFP Response	April 1, 2015

<sup>1</sup> SPP shall issue each RFP by or before the later of: (1) seven (7) calendar days after approval or endorsement of the Competitive Upgrade by the SPP BOD; or (2) eighteen (18) months prior to the date that anticipated financial expenditure is needed for a Competitive Upgrade.

Pre-bid Conference Call	April 15, 2015
Proposal/Deposit Deadline by 12 p.m.	August 29, 2015

### 1.5 RFP Communication

QRPs should submit any inquiries through the SPP Request Management System ("RMS").

Please refer to this link for RMS: <https://spprms.issuetrak.com/login.asp>.

For further questions regarding SPP's FERC Order 1000 process, please contact [SPP Customer Relations](#).

To receive information related to Order 1000, please subscribe to the "SPP Order 1000" exploder [here](#).

DRAFT

## Section 2 – Project Objectives

### 2.1 Project Overview

SPP is issuing this RFP to solicit offers from QRP ("Respondents") for the project described below. By responding, Respondents are bound by the terms and conditions of this RFP.

On *January 31, 2012*, the BOD approved the *Woodward District EHV – Tatonga – Matthewson – Cimarron 345 kV Ckt 2* listed below as a Competitive Upgrade to be issued as an RFP as specified in Section III of Attachment Y of the SPP Tariff. SPP identified a need for the project below as a part of the *2012 Integrated Transmission Planning 10-Year Assessment*.

### 2.2 Project Specifications

**Project ID:** 30364

**Need Date for Project:** 3/1/2021

**Project Name:** *Woodward District EHV – Tatonga – Matthewson – Cimarron 345 kV Ckt 2*

**Project Overview:** *Construct a second 345 kV circuit approximately 126 miles long from the Woodward District EHV to Tatonga to Matthewson to Cimarron substations. Construct a new Matthewson 345 kV substation at the intersection point of the existing Cimarron – Woodring and Northwest – Tatonga 345 kV lines.*

**Estimated Cost for Project:** \$206,966,741

**Date Regulatory Approval Complete:** 9/1/2014

**Expected Financial Expenditure Date:** 3/1/2015

**Upgrade ID:** 50420

**Network Upgrade Name:** *Tatonga – Woodward District EHV 345 kV New Line Ckt 2*

**Network Upgrade Description:** *Construct a second 345 kV circuit approximately 49 miles long between the existing Tatonga and Woodward District EHV substations.*

**Categorization:** *Regional Reliability*

**Network Upgrade Specification:** *All elements and conductor must have an emergency rating of at least 1792 MVA.*

**Network Upgrade Justification:** *To address the Cleo Corner - Glass Mountain 138 kV overload and El Reno - Roman Nose - Southard 138 kV overload for the outage of the Woodward District EHV - Tatonga 345 kV Ckt 1 and Tatonga - Northwest 345 kV Ckt 1 lines.*

**Cost Allocation of the Network Upgrade:** *Base Plan Funded*

**Estimated Cost for Network Upgrade:** \$71,876,622

**Upgrade ID:** 50421

**Network Upgrade Name:** *Matthewson – Tatonga 345 kV New Line Ckt 2*

**Network Upgrade Description:** *Construct a second 345 kV circuit approximately 61 miles long between the new Matthewson substation and the existing Tatonga substation.*

**Categorization:** *Regional Reliability*

**Network Upgrade Specification:** *All elements and conductor must have an emergency rating of at least 1792 MVA.*

**Comment [dkh2]:** Add details of ownership of existing substations and/or lines to the descriptions

Clearly state any breaker terminations that will be required for new lines into an existing substation

Tailor this data to specify what information the bidder needs to provide instead of NTC-like information and identify ownership of existing equipment involved in the upgrade/project

**Comment [dkh3]:** Add information on who provided the estimate and note that estimate is a Study Cost Estimate

**Comment [dkh4]:** Clearly identify emergency rating and how that rating is calculated/determined

**Network Upgrade Justification:** *To address the Cleo Corner - Glass Mountain 138 kV overload and El Reno - Roman Nose - Southard 138 kV overload for the outage of the Woodward District EHV - Tatonga 345 kV Ckt 1 and Tatonga - Northwest 345 kV Ckt 1 lines.*

**Cost Allocation of the Network Upgrade:** *Base Plan Funded*

**Estimated Cost for Network Upgrade:** *\$82,139,900*

**Upgrade ID:** *50456*

**Network Upgrade Name:** *Cimarron – Matthewson 345 kV New Line Ckt 2*

**Network Upgrade Description:** *Construct a second 345 kV circuit approximately 16 miles long between the existing Cimarron substation and the new Matthewson substation.*

**Categorization:** *Regional Reliability*

**Network Upgrade Specification:** *All elements and conductor must have an emergency rating of at least 1792 MVA.*

**Network Upgrade Justification:** *To address the Cleo Corner - Glass Mountain 138 kV overload and El Reno - Roman Nose - Southard 138 kV overload for the outage of the Woodward District EHV - Tatonga 345 kV Ckt 1 and Tatonga - Northwest 345 kV Ckt 1 lines.*

**Cost Allocation of the Network Upgrade:** *Base Plan Funded*

**Estimated Cost for Network Upgrade:** *\$32,780,617*

**Upgrade ID:** *50458*

**Network Upgrade Name:** *Matthewson 345 kV Substation*

**Network Upgrade Description:** *Construct new Matthewson 345 kV substation at the intersection point of the existing Cimarron – Woodring and Northwest – Tatonga 345 kV lines. The substation will include terminals for six (6) 345 kV lines: two (2) circuits from Cimarron substation, two (2) circuits from Tatonga substation, one (1) circuit from Northwest substation, and one (1) circuit from Woodring substation.*

**Categorization:** *Regional Reliability*

**Network Upgrade Specification:** *All elements must have an emergency rating of at least 1792 MVA. Substation must be built in a breaker-and-a-half arrangement to accommodate six (6) line terminals.*

**Network Upgrade Justification:** *To address the Cleo Corner - Glass Mountain 138 kV overload and El Reno - Roman Nose - Southard 138 kV overload for the outage of the Woodward District EHV - Tatonga 345 kV Ckt 1 and Tatonga - Northwest 345 kV Ckt 1 lines.*

**Cost Allocation of the Network Upgrade:** *Base Plan Funded*

**Estimated Cost for Network Upgrade:** *\$20,169,602*

**NOTE TO STAKEHOLDERS:** *This information will be provided with the RFP issuance.*

### 2.3 Project Design Standards

Respondent should comply with design specifications as outlined in the Minimum Design Standards (“MDS”), which can be found [here](#). The MDS are in compliance with the [SPP Study Estimate Design Guide](#).

**Comment [dkh5]:** Replace should with shall throughout document

## 2.4 Project Regulatory Context and Authority

Pursuant to Section III of Attachment Y of the SPP Tariff, SPP is issuing this RFP providing QRPs with the opportunity to submit an RFP proposal for the Competitive Upgrade(s) described herein. On [January 30, 2015](#), the SPP Board of Directors endorsed or approved the Competitive Upgrade(s) described in Section 2 of this RFP to be constructed as part of the [2015 ITP10 Study](#).

## 2.5 RFP Proposal Cost Estimate

The RFP Response Estimate (“RRE”) as described in [SPP Business Practice 7060](#) is the cost estimate included in the response to an RFP by the Respondent for a Competitive Project. The RRE will be used as the established baseline for reporting all cost estimate changes during the Project Tracking process and will be the basis for determining project variance. The final project cost is expected to be within a -20% to + 20% variance from the RRE.

Comment [dkh6]: Add a link to the BP

DRAFT



## Section 3 - Proposal Process and Requirements

### 3.1 Instructions for Submitting a Proposal

The Respondent shall provide a completed RFP Response Form (Appendix A) with supporting documentation itemized within to meet SPP's objectives as described in Section 2.

All RFP proposals should be submitted through RMS (<https://spprms.issuetrak.com/login.asp>).

For further questions regarding SPP's FERC Order 1000 process, please contact [SPP Customer Relations](#).

Refer to the RFP Response Form Instruction document for guidance.

### 3.2 Respondent Information

Please provide Respondent information for the authorized person making this proposal and any alternate person with the same authority whom SPP should contact in the event of questions or clarification. If this is a joint RFP proposal or assignment, complete applicable section on Tab A on the RFP Response Form.

- Complete Tab A on the RFP Response Form

### 3.3 Engineering Design (Reliability/Quality/General Design)

The Respondent must provide engineering design and technical requirements specific to the Competitive Upgrade for which it submits this proposal.

- Complete Tabs 1A and 1B on the RFP Response Form

### 3.4 Project Management (Construction Project Management)

The Respondent must provide construction project management information specific to the Competitive Upgrade for which it submits this proposal.

- Complete Tabs B, 1A, 1B, 2A and 2B on the RFP Response Form

### 3.5 Operations (Operations/Maintenance/Safety)

The Respondent must provide operations information specific to the Competitive Upgrade for which it submits this proposal.

- Complete Tab 3 on the RFP Response Form

### 3.6 Rate Analysis (Cost to Customer)

The Respondent must provide rate analysis information specific to the Competitive Upgrade for which it submits this proposal.

- Complete Tabs 4A, 4B, 4C and 4D on the RFP Response Form

### 3.7 Finance (Financial Viability and Creditworthiness)

The Respondent must provide finance information specific to the Competitive Upgrade for which it submits this proposal.

- Complete Tab 5 on the RFP Response Form

### 3.8 Conditions of Bid

In submitting a response to this RFP, Respondent acknowledges and accepts the conditions detailed in Section 4 (Acknowledgements) by initialing each sub-paragraph and signing at the bottom by an authorized representative of Respondent.

- Complete Tab C on the RFP Response Form

### 3.9 Confidential Information

The Respondent must identify any information in the RFP Proposal that the Respondent considers to be confidential. – Pending decision if RFP will be considered confidential except for specific items identified as not confidential.

### 3.10 RFP Deposit

A requirement that the QRP or Respondent, or in the case of a Joint RFP Proposal, the QRPs/Respondents, agree(s) to pay, as outlined in Section III.2(e) of Attachment Y:

- (1) A deposit for each RFP proposal submitted for its share of the Transmission Provider's costs to administer the Transmission Owner Selection Process; and
- (2) Any additional costs that are assessed after the completion of the Transmission Owner Selection Process.

Complete Section 4 (Acknowledgements) of this RFP and submit deposit with RFP response to comply with this requirement.

### 3.11 Information Exchange Requirements

Identification of data required to be provided to the Transmission Provider in accordance with NERC reliability standards and CEII requirements.

- Complete Tabs 1A and 1B on the RFP Response Form

### 3.12 Confidentiality

This RFP is confidential and for the sole use of Respondent's preparation of a proposal. By Respondent's acceptance hereof, Respondent agrees:

1. Not to disclose, copy, or distribute this RFP in whole or in part to persons other than Respondent's employees and agents who are authorized by nature of their duties to receive such information and who have been advised of these obligations of confidentiality.

Comment [SM7]: Pending internal review

2. To return or destroy any SPP confidential or proprietary materials upon SPP's request. Additionally, Respondent shall certify in writing that all confidential or proprietary materials related to this RFP have been either returned or destroyed as provided by this requirement.
3. Not to use any information in this RFP or any other materials related to the business affairs or procedures of SPP and of its member organizations or customers for the Respondent's advantage, other than in performance of this RFP.

Prior to performing work, Respondents who intend to use subcontractors will be required to have subcontractors execute non-disclosure agreements or be contractually required to comply with the Respondent's obligations of confidentiality as contained in the final contract. Respondents who seek to negotiate possible sub-contract arrangements with SPP's existing subcontractors will be held accountable for any breach of obligations of confidentiality.

### **3.13 Disclosure of Interest**

All Respondents shall make full disclosure, in writing, at the time of the proposal of any business relationships with SPP personnel or business relationships with any SPP stakeholders or their personnel, including but not limited to the following:

- Any ownership of shares or interests in the Respondent by any SPP personnel, SPP stakeholders, or personnel of any SPP stakeholder.
- Complete details of any directorships in the Respondent's company or employment by the Respondent of: the SPP Board of Directors; officers; staff; or SPP member, customer, or market participants' Board of Directors, officers, or staff.
- All other contractual relationships between the Respondent and SPP, SPP employees, or other SPP stakeholders.
- Any ownership of shares or interests by Respondent in SPP, entities owned/operated by its staff, or any SPP stakeholder.
- Complete details of any directorships held by the Respondent or its personnel or any SPP member, customer, or market participant.
- All other contractual relationships between the Respondent and SPP, its employees, or other SPP stakeholders

By submission of a proposal, the Respondent certifies (and in the case of a joint proposal, each party certifies) that:

- No relationship exists or will exist during the contract period between the Respondent and SPP or the Respondent and SPP stakeholders that could be construed as a conflict of interest and breach the terms or conditions of this RFP or any resulting contract.

### **3.14 Disclaimer**

This RFP is not an offer to enter into a contract, but is merely a request for the Respondent to submit information. Expenses incurred in responding to this request are the responsibility of the Respondent. All materials submitted become the property of SPP. SPP reserves the right to modify, reject or use without limitation any or all of the ideas from submitted information. SPP reserves the right to discontinue the RFP process at any time for any reason. The finalist's response to this RFP will become part of the final contract if awarded. Wherever there is a conflict between Respondent's responses to this RFP and the terms and conditions contained in any contract subsequently entered into by the parties, the terms and conditions of the contract will

prevail. SPP has no obligations to disclose the results of the RFP process or to disclose why particular Respondent(s) were selected to participate in the contract negotiations process.

SPP reserves the right to (1) accept other than the lowest-priced proposal, (2) accept or reject any proposal in whole or in part, or (3) reject all proposals with or without notice or reasons. If SPP does not accept any proposal, it may choose to abandon the work or have the work performed in another manner.

### 3.15 Requirements and Criteria

An Industry Expert Panel (“IEP”) will evaluate the written proposals. During this time, IEP may initiate discussions with SPP or Respondents for the purpose of clarifying aspects of the proposals. However, proposals may be evaluated without such discussions. Respondents shall not initiate such discussions.

The responses will be evaluated according to, but not restricted to, the following criteria:

- Previous relevant experience with ...
- The Respondent’s demonstration of its capabilities to provide a...
- The Respondent’s overall responsiveness and consistency in meeting the requirements as specified in this RFP;
- Demonstration by the Respondent of an ongoing business capability, e.g., financial statements, etc.;
- The Respondent’s organizational and technical approach;
- The Respondent’s willingness and ability to meet the designated timelines and the reporting dates agreed upon with SPP;
- The compliance of the Respondent’s response to the proposal specification(s);

## Section 4 - Acknowledgements

Comment [SM8]: Pending internal review

In submitting a response to this RFP, Respondent acknowledges and accepts the following conditions, and make the following representations. Please initial each sub-paragraph in each box below in your response.

- A-1 Ownership of Proposals – All Proposals in response to this RFP are to be the sole property of SPP.
- A-2 Oral Contracts – Any alleged oral Contracts or arrangements made by a respondent with any employee of SPP will be superseded by the written Contract.
- A-3 Amending or Canceling Request – SPP reserves the right to amend or cancel this RFP, at any time, if it is in the best interest of SPP.
- A-4 Rejections for Default or Misrepresentation – SPP reserves the right to reject the Proposal of any Respondent that is in default of any prior contract or for misrepresentation.
- A-5 Clerical Errors in Awards – SPP reserves the right to correct inaccurate awards resulting from its clerical errors.
- A-6 Rejection of Qualified Proposals – Proposals are subject to rejection in whole or in part if they limit or modify any of the terms and/or specifications of the RFP.
- A-7 Presentation of Supporting Evidence – If requested, Respondent(s) shall present evidence of experience, ability and financial standing necessary to satisfactorily meet the requirements set forth in the RFP or those implied in the Proposal.
- A-8 Consistency in Submissions – The hardcopy submission of the Proposal will prevail in the case of a discrepancy between the electronic and hardcopy version of the documents.
- A-9 Changes to Proposals – No additions or other changes to the original Proposal will be allowed after RFP Response Window is closed.
- A-10 Collusion – In submitting a Proposal, the respondent implicitly states that the Proposal is not made in connection with any competing respondent submitting a separate response to the RFP, and is in all respects fair and without collusion or fraud.
- A-11 Costs – SPP shall not be liable for any cost incurred in the preparation of this RFP.
- A-12 Subcontractors – The use of subcontractors must be clearly identified and explained in the Proposal. The prime contractor shall be wholly responsible for the performance of the contract in its entirety whether or not subcontractors are used. Subcontractors shall be bound by the terms and conditions of this RFP. The prime contractor shall indemnify and hold SPP harmless from any and all activities related to the services provided by the subcontractor(s) under this contract.

A-13 Legal Compliance – In submitting a Proposal, the respondent warrants that it is legally authorized to do business in the state of the proposed project, is in compliance with all applicable laws and regulations, is not prohibited from doing business with SPP by law, order, regulation, or otherwise, and the person submitting the Proposal on behalf of the Respondent is authorized by the Respondent to bind it to the terms of the Proposal.

A-14 Legal Requirement- Depending on the nature of the services to be performed, Respondent may be subject to certain legal requirements mandated by federal regulatory authorities pertaining to the security of facilities and non-disclosure of information. Respondent acknowledges that it will comply with the federal requirements imposed upon SPP which are relevant to the services anticipated by this Proposal.

IN WITNESS WHEREOF, the parties hereto have caused this RFP proposal to be executed by their respective authorized officials.

RFP Respondent:

By: \_\_\_\_\_  
Name Title Date