

Southwestern Power Administration
Request for Proposals – Regarding Purchase Power

RFP Number: SWPA2022-11

1. **PURPOSE:** Southwestern Power Administration (Southwestern), a Power Marketing Administration within the United States of America, represented by the Secretary of Energy, acting by and through the Administrator, is issuing this Request for Proposals (RFP) to meet its firm power commitments. Southwestern intends to award one or more Purchase Power Contracts for a firm energy product in quantities of 20 megawatts (MW) up to a combined total of 200 MW deliverable to Southwestern’s transmission system. Southwestern seeks delivery of firm energy for a minimum term of January 1, 2023, through February 28, 2023, and will consider Proposals for terms extending through March 31, April 30, or May 31, 2023.
2. **BACKGROUND:**
 - 2.1. Southwestern is acting pursuant to Section 302(a)(1) of the Department of Energy Organization Act (91 Stat. 578; 42 U.S.C. 7152), Section 5 of the Flood Control Act of 1944 (58 Stat. 887, 890; 16 U.S.C. 825s), and Public Law 95-456 (92 Stat. 1230; 16 U.S.C. 825S-3).
 - 2.2. This RFP is not subject to the Federal Acquisition Regulation or Department of Energy Acquisition Regulations.
 - 2.3. Southwestern serves more than 100 firm power customers on a wholesale basis in Arkansas, Kansas, Louisiana, Missouri, Oklahoma, and Texas.
 - 2.4. The U.S. Army Corps of Engineers operates and maintains hydroelectric power plants and switchyard facilities which Southwestern uses to provide power to its customers.
3. **POWER REQUIREMENTS:**
 - 3.1. **Minimum Term:** January 1, 2023, through February 28, 2023. Proposals for terms extending through March 31, April 30, or May 31, 2023, will also be considered.
 - 3.2. **Sink:** SPA
 - 3.3. **Product:** Southwestern is seeking a firm, on-peak energy product, as provided in the following options. As used in these option descriptions, on-peak days are Mondays, Tuesdays, Wednesdays, Thursdays, and Fridays, excluding the NERC holidays (New Year’s Day on Monday, January 2, 2023, and Memorial Day on May 29, 2023). On-peak hours are HE 0700 through HE 2200 Central Prevailing Time (CPT).

Product options, see Attachment A for more information:

 - 3.3.1. Firm On-Peak Daily Day-Ahead Energy delivered to the SPA sink in quantities of 20 MW or greater (up to a combined total of 200 MW) for all on-peak days, all on-peak hours (CPT).
 - 3.3.2. Firm Peaking Daily Day-Ahead Energy delivered to the SPA sink in quantities of 20 MW or greater (up to a combined total of 200 MW) for the following two blocks of four-hours each for all on-peak days:

HE 0700 through HE 1000 and HE 1800 through HE 2100

- 3.3.3. Southwestern encourages Offerors to submit fixed monthly price offers but is willing to consider other proposals for firm energy products, including variable price offers within contractual bounds.
 - 3.4. Title: The title of the energy shall pass to Southwestern at the delivery point (SPA sink).
4. EVALUATION CRITERIA: Southwestern, in seeking the best value, will evaluate each Proposal as a whole. The following criteria will be used to evaluate Proposals:
 - 4.1. Availability Period: Southwestern is seeking to purchase firm energy for the minimum term of January 1, 2023, through February 28, 2023, and will consider terms that extend through March 31, April 30, or May 31, 2023.
 - 4.2. Price: The total delivered price, taking into account energy charges, transmission costs, administrative costs, and any other charges, will be considered. For Proposals with index-based price formulas subject to volatile market conditions, Southwestern will assess the risks associated with such prices. For Proposals subject to curtailment or unavailability, financial or physical mitigations to address such conditions will be considered.
 - 4.3. Transmission: Southwestern will evaluate the ability of the Offeror to obtain transmission service to supply firm energy to the SPA sink, and the likelihood, in Southwestern's opinion, that transmission service may be subject to curtailment.
 - 4.4. Reliability: Reliability of the supply. Southwestern will evaluate the contingencies and limitations of the product and consider the appurtenant risks.
 - 4.5. Legal and Regulatory Compliance: The generation source(s) and supporting facilities must be properly permitted and in compliance with applicable Federal and state statutes and regulations.
 - 4.6. Past Performance: Based on past performance information submitted by the Offeror, Southwestern will consider the Offeror's past performance in meeting its obligations of relevant agreements as an indicator of the Offeror's ability to meet contractual obligations with Southwestern.
 - 4.7. Financial Capability: Southwestern will determine if the Offeror has or can acquire adequate financial resources to fulfill the requirements of the contract based on the financial capability information provided in the Offeror's Proposal.
5. PROPSOAL SUBMITTAL PREPARATION INSTRUCTIONS:
 - 5.1. Process and Schedule:
 - 5.1.1. Proposal Submission: All Offerors shall submit completed Proposals in Adobe Acrobat .pdf format to Southwestern at the email address provided below. Proposals submitted by means other than email will not be accepted. Please reference RFP #: SWPA2022-11, in the subject line of the email.

Email:

OfficialCorrespondence@swpa.gov

- 5.1.2. Proposal Deadline: Proposals must be received by Southwestern by 4:00 PM CPT on December 9, 2022. Any Proposals received after the due date may be excluded from consideration.
- 5.1.3. Proposal Validity: Each Offeror must hold its Proposal open and valid through December 29, 2022, or for a period of 20 days following Southwestern's receipt of the Proposal, whichever is later.
- 5.1.4. Delivery: Southwestern is seeking to purchase firm energy for the minimum term January 1, 2023, through February 28, 2023. Longer terms through March 31, April 30, or May 31, 2023, will be considered.
- 5.1.5. All potential Offerors and Offerors responding to this RFP are responsible for all costs incurred in evaluating and responding to this RFP and/or the negotiation process.
- 5.1.6. Southwestern is not obligated to verify receipt of Proposals.
- 5.1.7. All questions and other communications concerning this RFP should be directed to:

Mr. Dennis Constien
Director, Power Marketing and Transmission Strategy

Telephone:
(918) 595-6669

Email:
dennis.constien@swpa.gov

- 5.2. Proposal Submittal Preparation: Offerors proposing a variety of firm energy products should submit separate Proposals for each product. Each Proposal shall be organized by section as described below. Each Proposal shall be signed by a company official with the authority to make offers and legally bind the Offeror. Failure to follow the preparation instructions may result in the exclusion of the Proposal from consideration.
 - 5.2.1. Proposal Overview and Executive Summary: The Proposal shall contain a general overview and a summary of the Proposal. This section should also include the name, address, and legal description of the entity submitting the Proposal. The description should include the type of firm energy product offered and the key benefits it will provide to Southwestern. The summary should be limited to one page.
 - 5.2.2. Availability Period: The Proposal shall contain information on the availability period. Southwestern is seeking to purchase firm energy for the minimum term January 1, 2023, through February 28, 2023. Longer terms through March 31, April 30, or May 31, 2023, will be considered.
 - 5.2.3. Price Information: Price information should include any and all capacity, energy, transmission, administrative, and other applicable costs. The following price information should be specified in this section of the Proposal, as applicable:
 - Capacity price;
 - Energy price;
 - Seasonal pricing, if offered;
 - Any other price component, ensuring all pricing is clearly provided.

- 5.2.4. Transmission and Delivery of Power and Energy:
- Describe and list the current status of any agreements for interconnection and firm transmission service that are applicable to delivery of power and energy to the SPA sink.
 - Provide copies of any studies performed which demonstrate transmission availability from the generation source to the SPA sink, and any proposed mitigation to curtailments over third-party transmission systems.
- 5.2.5. Product Information: The following product information should be specified in this section of the Proposal, as applicable to the product proposed:
- On-peak energy (energy provided all on-peak hours of all on-peak days) or peaking energy (energy provided in two four-hour blocks for all on-peak days)
 - Description of resource(s); and
 - Limitations that may constrain operation or dispatch.
- 5.2.6. Contingencies and Limitations: The Proposal must specify any and all actual and potential energy and delivery limitations that may impact the firmness and availability of the energy product offered. Southwestern reserves the right to request additional information from the Offeror regarding limitations or any other details related to the Proposal. Contingencies and limitations may be caused by factors including, but not limited to:
- Power sales to other parties;
 - Transmission limitations and curtailment risks;
 - Environmental permit, weather condition, or emissions limitations;
 - Operating constraints; and
 - Fuel supply interruptions or other risks.
- 5.2.7. Legal and Regulatory Compliance: This section should address whether the generation source(s) and/or supporting facilities have obtained the necessary permits and/or authorizations to comply with applicable Federal and state statutes and regulations.
- 5.2.8. Past Performance: This section should describe relevant past experience and performance. Past performance may include Federal and non-Federal customer references. The information must include current contact information for all past performance references provided. The Offeror agrees to permit Southwestern's representatives to contact the listed references and inquire about the Offeror's past performance. Offerors with no past performance due to recent business establishment/incorporation must provide supporting documentation verifying the recent business establishment/incorporation.
- 5.2.9. Financial Capability: The financial viability of the Offeror must be demonstrated to provide assurance that the Offeror, and any other party involved in the Proposal, has adequate financial capability. Southwestern may request additional financial information; however, each Proposal must include the following information at a minimum: Bond rating of Offeror (not a parent or affiliated entity) by Moody's and/or Standard & Poor's.
- 5.2.10. Contact Information and Authorization:
- Provide the Name, Title, Telephone, Email Address, and any additional pertinent contact information for the Contact Person(s).

- Provide the Name and Title of the company official with the authority to make offers and legally bind the Offeror, along with the company official's authorizing signature and date.
6. USE OF INFORMATION IN PROPOSALS: Applicable information submitted in Proposals by Offerors will be treated as Controlled Unclassified Information in accordance with Federal law. Disclosure of information to Southwestern could be subject to the Freedom of Information Act. Southwestern will not return any documents to Offerors.
 7. NEGOTIATIONS AND SELECTION OF PROPOSALS:
 - 7.1. The right is reserved by Southwestern to reject any or all Proposals, or re-solicit for Proposals, if desired, based on the sole judgment and discretion of Southwestern, where such action is deemed the most advantageous to Southwestern. Any Proposal that is incomplete, conditional, or obscure, or that contains irregularities of any kind, may be rejected. In the event a contract agreement cannot be reached with the successful Offeror(s), Southwestern reserves the right to accept the Proposal(s) of any other Offeror(s) or to seek additional Proposals. Southwestern will evaluate Proposals to determine which Proposals provide the best overall value to Southwestern and its firm power customers. Southwestern may also seek clarification of Proposal information or additional Proposal information from Offerors.
 - 7.2. Southwestern will initiate contract negotiations with Offeror(s), as appropriate. Southwestern reserves the right to enter into a contract at any time with an Offeror which, in the opinion of Southwestern, will provide the best overall value to Southwestern and its firm power customers. Southwestern reserves the right to enter into discussions with multiple Offerors at any time.
 - 7.3. This RFP shall not constitute a commitment by Southwestern to purchase power from any entity submitting a response to this RFP.

Attachment A

Product Option from Sub-Section 3.3.1.

Firm On-Peak Daily Day-Ahead Energy Requirement

All On-Peak Days, All On-Peak Hours HE 0700 through HE 2200 (CPT)

Minimum Term: January 1, 2023, through February 28, 2023

Month	Period	Hourly Amount (MW)	On-Peak Hours	Maximum Total Monthly Amount (MWh)	Delivery Point (Sink)
January	On-peak	Up to 200	336	67,200	SPA
February	On-peak	Up to 200	320	64,000	SPA
March (for Proposals through March 31, April 30, or May 31)	On-peak	Up to 200	368	73,600	SPA
April (for Proposals through April 30 or May 31)	On-peak	Up to 200	320	64,000	SPA
May (for Proposals through May 31)	On-peak	Up to 200	352	70,400	SPA

Product Option from Sub-Section 3.3.2.

Firm Peaking Daily Day-Ahead Energy Requirement

All On-Peak Days, HE 0700 through HE 1000 and HE 1800 through HE 2100 (CPT)

Minimum Term: January 1, 2023, through February 28, 2023

Month	Period	Hourly Amount (MW)	On-Peak Hours	Maximum Total Monthly Amount (MWh)	Delivery Point (Sink)
January	On-peak days, 2 blocks of 4-hours	Up to 200	168	33,600	SPA
February	On-peak days, 2 blocks of 4-hours	Up to 200	160	32,000	SPA
March (for Proposals through March 31, April 30, or May 31)	On-peak days, 2 blocks of 4-hours	Up to 200	184	36,800	SPA
April (for Proposals through April 30 or May 31)	On-peak days, 2 blocks of 4-hours	Up to 200	160	32,000	SPA
May (for Proposals through May 31)	On-peak days, 2 blocks of 4-hours	Up to 200	176	35,200	SPA