Amendment/Addendum # 2

DATE: October 30, 2014
TO: All Offerors of Record
FROM: Greg Van Wart, Keith Adams, Senior Buyers
SUBJECT: Amendment/Addendum #2 to P-374 “Power Purchase Agreement for Solar Array at Westside Campus”

This Amendment/Addendum becomes part of the Contract Documents.

Offerors are required to acknowledge receipt and acceptance of this Amendment/Addendum in the space provided in SECTION E: SIGNATURE OF FIRM’S AUTHORIZED REPRESENTATIVE.

Questions / Clarifications as follows:

CLARIFICATION #1: The Project Description in Section 2 (Solar Array Development Opportunity) of the Notice of Request for Proposals (P-374) is amended by adding the following section:

2. Contract Requirements
   a. The Proposal must provide pricing for both the purchase of power from the array and for acquisition of the array itself by CNM at some future date should CNM, in its sole discretion, elect to purchase the array.
   b. The final contract agreed upon by CNM and the Developer must qualify as a “guaranteed utility savings contract” pursuant to the Public Facility Energy Efficiency and Water Conservation Act [Chapter 6, Article 23 NMSA 1978].
   c. The term of the contract shall not exceed twenty-five years or the expected useful life of the most durable energy or water conservation measure in the contract, whichever period of time is less.

QUESTION #1: It seems that Affordable Solar provided design services on this project. Are they eligible to bid on the construction according to New Mexico state procurement law?
**ANSWER:** Affordable Solar did not participate in the preparation of specifications, qualifications or evaluation criteria or provide the specific design of the project that will be used in the evaluation of the proposals. Therefore, Affordable Solar is eligible to submit a proposal response for this RFP.

QUESTION #2: Will the period in which and whether the Parent Guarantee shall be in effect be negotiated?

**ANSWER:** No.

QUESTION #3: Section 3. A. Basic Qualifications states proof of an approved guaranteed utility savings contract and qualification as a Developer/Contractor by EMNRD must be provided as part of the RFP response. If we are in the process of having a guaranteed utility savings contract approved and being qualified as a Developer/Contractor by EMNRD and can meet the remainder basic qualifications will our bid be considered to meet all the basic qualifications?

**ANSWER:** Yes.