

CHAIRMAN  
Martin P. Honigberg

COMMISSIONERS  
Robert R. Scott  
Kathryn M. Bailey

EXECUTIVE DIRECTOR  
Debra A. Howland

STATE OF NEW HAMPSHIRE



PUBLIC UTILITIES COMMISSION

21 S. Fruit St., Suite 10  
Concord, N.H. 03301-2429

TDD Access: Relay NH  
1-800-735-2964

Tel. (603) 271-2431

FAX No. 271-3878

Website:  
[www.puc.nh.gov](http://www.puc.nh.gov)

January 12, 2018

RFP #2018-001

**NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION  
REQUEST FOR PROPOSALS  
FOR CONSULTING SERVICES**

Prospective Consultants:

The New Hampshire Public Utilities Commission (Commission) is seeking proposals from qualified firms or individuals to assist the Commission in evaluating the Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a/ Liberty Utilities (Liberty or Company) Integrated Resource Plan (IRP), Firm Supply and Transportation Agreements, and proposed pipeline and liquid natural gas (LNG) facilities (Granite Bridge Project). The evaluation will entail a review of Liberty's demand forecast and a cost/benefit analysis of agreements and the Granite Bridge Project versus alternative demand/supply options. The primary focus is to assess Liberty's long-term resource requirements and the most cost effective means to meet those requirements.

Pertinent dates and information are as follows:

1. Electronic Proposals must be received by the Commission prior to 4:30 p.m. on January 31, 2018.
2. Proposals should be submitted to:

Eunice Landry, Business Administrator  
New Hampshire Public Utilities Commission  
21 S. Fruit Street, Suite 10  
Concord, NH 03301-2429  
[RFP@puc.nh.gov](mailto:RFP@puc.nh.gov)

3. Prospective consultants may submit written inquiries about this Request for Proposals (RFP) by email to [RFP@puc.nh.gov](mailto:RFP@puc.nh.gov) by 4:30 p.m. on January 22, 2018. Inquiries and written responses will be posted on the Commission's website at: [www.puc.nh.gov/home/requestforproposal.htm](http://www.puc.nh.gov/home/requestforproposal.htm). The subject line of the email must state the following: RFP #2018-001, CONSULTING SERVICES.
4. In addition to the electronic submission, prospective bidders must submit three (3) additional

paper copies to the address above, which must be postmarked no later than February 1, 2018

5. Follow-up conferences/interviews will be scheduled as needed.
6. An evaluation team consisting of Commission and/or other qualified personnel will be established to evaluate proposals submitted in response to this RFP (Proposals) submitted by prospective consultants (Proposers).

## **I. BACKGROUND**

The Commission is an administrative agency with executive, legislative and quasi-judicial powers. The Commission's prime responsibility is as an arbiter between the public utilities and their ratepayers. Proceedings in this regard address such areas as public utility rates, financing, terms and conditions of utility service, quality of service, safety and reliability, eminent domain matters, public utility exemptions from local zoning ordinances, public utility franchises, utility crossings of public lands and waters, wholesale relationships between utilities, rulemakings, and consumer complaints. The Commission's regulatory authority over most telephone utilities was limited by legislation enacted in 2012. The Commission performs other roles and functions as specified in relevant state statutes.

On October 2, 2017, Liberty filed a Least Cost Integrated Resource Plan (IRP) with the Commission. *see* Docket No. DG 17-152. The petition and subsequent docket filings are available on the Commission's website at <http://www.puc.nh.gov/Regulatory/Docketbk/2017/17-152.html>.

On December 21, 2017, Liberty filed a petition requesting Commission approval of a delivered supply contract and precedent agreement for firm transportation capacity and a Commission finding that Liberty's decisions to build a pipeline and liquefied natural gas (LNG) facility is prudent. *see* Docket No. DG 17-198. The petition and subsequent docket filings are available on the Commission's website at: <http://www.puc.nh.gov/Regulatory/Docketbk/2017/17-198.html>

Proposers will be expected to be familiar with the contents of the filings noted above.

## **II. SCOPE OF SERVICES**

The consultant is to evaluate Liberty's existing and future customer load requirements and if the Company's proposed supply and transportation agreements and Granite Bridge Project will do so in a reliable and least cost manner.

The consultant selected for this project will, at the discretion of the Commission and in consultation with Commission staff, be asked to perform the following tasks:

- a. Evaluate Liberty's IRP to determine if the demand forecast is reasonable;
- b. Evaluate Liberty's supply planning to determine if appropriate and consistent with least cost planning;
- c. Evaluate Liberty's supply plans and prepare a comparative cost analysis of supply options, including but not limited to:

- Liberty’s delivered supply contract with ENGIE Gas & LNG, LLC
- Liberty precedent agreement with Portland Natural Gas Transmission System for firm transportation capacity
- Liberty’s proposed Granite Bridge Pipeline
- Liberty’s proposed Granite Bridge LNG facility

In addition to providing analysis, evaluations, and recommendations regarding the issues listed above, the consultant(s) may also be asked to provide the following:

- a. Analytical support in technical sessions, settlement conferences, and negotiations;
- b. Assistance to Staff in the preparation, review, and analysis of discovery requests and responses with respect to the joint petition, transaction structure, transition planning, and other submissions filed by parties and commenters in the proceeding;
- c. Preparation and delivery of reports and testimony prior to and during the litigated phases of the proceeding; and
- d. Participation in Commission hearings during the litigated phases of the proceeding.

The consultant shall conduct a project scoping meeting with Commission Staff. The purpose of the meeting will be to review and refine the scope, task, and project approach requirements; establish a project plan, with key deliverables and milestone dates; and establish project management and communication protocols to ensure that the information needs of both Staff and the consultant are satisfied. In the process of preparing each deliverable, the consultant will work closely with Staff in order to facilitate effective knowledge transfer on each issue.

### **III. CONFIDENTIALITY**

Each Proposer agrees to maintain confidential all information to which it has access until such time as it is instructed otherwise by the Commission. A Proposal must remain confidential until the effective date of any contract resulting from this RFP. A Proposer’s disclosure or distribution of Proposals other than to the State will be grounds for disqualification.

### **IV. WORKPAPERS**

At the conclusion of the work, the consultant will make available to the Commission summaries of significant work papers and source documents as requested.

### **V. COMPONENTS OF THE PROPOSAL**

The following is a list of the information to be provided in the proposal. Proposers should respond to all areas listed below, in the order listed, and conclude with a separate section on cost.

1. Corporate/Company Information. Information concerning its corporate/company history; i.e., how many years in business, corporate officers or company principals, location of branch offices, professional and business association memberships, etc., including current or prior engagements involving substantive areas similar to those described in this RFP, the parties it represented in such engagements, the scope of work it performed in such engagements, and

the recommendations it made publicly or positions it advocated publicly in connection with such engagements.

2. Relevant Experience. Detailed description of the Proposer's relevant experience with respect to resource optimization modeling and demands forecasting, New England natural gas market, siting and construction of natural gas facilities, capital investment planning and regulatory review.
3. Personnel Assigned. A list of all personnel who will be assigned to this project, including the project manager (if applicable), and detailed resumes and summaries of each individual, reflecting his or her relevant experience and the nature of his or her specific responsibilities. During the course of the work, the Commission must approve in writing of any substitutions or changes in personnel assigned to perform the work.
4. References. A list of up to three references for work performed which is similar in scope or content to the one being proposed, preferably within the past 5 years.
5. Statement of Disclosure. Identification and description of any existing or potential conflicts of interest, including those that arise as a result of relationships or affiliations with utility companies under the jurisdiction of the Commission, other industry participants, trade associations, or advocacy organizations or groups that may be anticipated to participate in the Commission's proceeding on the Liberty filings.
6. Detailed Budget Proposal. A detailed cost proposal that identifies the hourly rate for personnel and any associated expenses, with specific reference to the defined scope of services and the responsibility of individual personnel for particular areas of inquiry and evaluation.

## VI. SELECTION CRITERIA

Cost is a consideration but may not be the determining factor in the Commission's decision. In addition to cost, the Commission will consider the following criteria and assign a corresponding point score, where a maximum score for all criteria would be 100 points and any proposal with a total aggregate point score of less than 65 points will not be considered for selection:

1. Qualifications, technical expertise, knowledge, and practical experience that the organization possesses, including that of the staff and any subcontractors assigned to the project, providing services directly relevant to the specified scope of services. **Maximum Point Score: 30**
2. Cost of consulting services and expenses, including the competitiveness of the proposed hourly rates and any proposed discounts or other cost-effective benefits. (The Commission reserves the right to negotiate lower fees or a different fee structure than proposed, with any selected firm(s).) **Maximum Point Score: 25**
3. General experience and qualifications in providing similar services in New Hampshire as

well as other states and to other utility commissions or regulatory agencies, including similar current or prior engagements. **Maximum Point Score: 25**

4. Availability and accessibility of staff assigned to project, including physical proximity to New Hampshire. **Maximum Point Score: 10**
5. Overall responsiveness to the requirements of the RFP, including completeness, clarity and quality of the proposal. **Maximum Point Score: 10**

## **VII. GENERAL PROPOSAL CONDITIONS**

1. Proposals must be typed and double-sided. Proposals that are incomplete or unsigned will not be considered. Electronic Proposals must be received by the Commission prior to 4:30 p.m. EST on January 31, 2018. The electronic copy must be in PDF (portable document file) format. In addition to the electronic submission, prospective bidders must submit three (3) additional paper copies which must be postmarked no later than February 1, 2018. Proposals must be addressed to Eunice Landry, Business Administrator, New Hampshire Public Utilities Commission, 21 S. Fruit Street, Suite 10 Concord, NH 03301-2429 and via email at [RFP@puc.nh.gov](mailto:RFP@puc.nh.gov).
2. Proposers may submit written inquiries about this RFP by e-mail to [RFP@puc.nh.gov](mailto:RFP@puc.nh.gov) no later than 4:30 p.m. on January 22, 2018. Inquiries and responses to such inquiries will be posted on the Commission's website as they are received.
3. The Commission reserves the right to cancel or withdraw this RFP, to reject or accept any or all Proposals, to reject or accept all or any part of any Proposal, to determine what constitutes a conforming Proposal, to waive irregularities that it considers not material to the Proposal, to award the Proposal solely as it deems to be in the best interest of the State, to contract for any portion of the Proposals submitted and to contract with more than one Proposer if necessary. Notwithstanding any other provision of this RFP, this RFP does not commit the Commission to award a contract.
4. This RFP and all information relating to this RFP, including, but not limited to, fees, contracts, agreements and prices, are subject to the laws of the State of New Hampshire regarding public information and regarding state procurement of goods and services.
5. The Commission reserves the right to amend or supplement this RFP at its discretion, prior to the Proposal submission deadline. In the event of an amendment or supplement to this RFP, the State, at its sole discretion, may extend the Proposal submission deadline, as it deems appropriate.
6. Proposals must be valid for one hundred and eighty (180) days following the deadline for submission of Proposals.
7. By submitting a Proposal, a Proposer agrees that in no event shall the Commission be either responsible for or held liable for any costs incurred by a Proposer in the preparation of or in

connection with the Proposal, or for work performed prior to the effective date of a resulting contract.

**VIII. CERTIFICATES**

Proposers will be required to provide the following certificates prior to entering into a contract:

Secretary of State's Office Certificate of Good Standing ("CGS")	Individuals contracting in their own name do not need a CGS. Business organizations and trade names need a CGS, except for nonresident nonprofit corporations.
Certificate of Vote /Authority ("CVA")	Individuals contracting in their own name do not need a CVA. Business entities and trade names need a CVA.
Certificate of Insurance	Certificate of Insurance form attached with insurance coverage required under the contract. Modifications of insurance coverage required will be specified in the contract.
Workers' Compensation	Contractor must demonstrate compliance with or exception from RSA 281-A (and if applicable, RSA 228:4-b and RSA 21-I:80, and any other applicable laws or rules).

**IX. FORM OF CONTRACT**

1. The terms and conditions set forth in Form P-37 (v. 1/09) General Provisions Agreement (available at: <http://www.puc.nh.gov/Home/requestforproposal.htm>) are part of the Proposal and will apply to any contract awarded the Proposer.
2. Any contract resulting from this RFP shall not be deemed effective until it is signed by the Commission.
3. Any contract awarded from this RFP will expire on December 31, 2018. The Commission at any time, in its sole discretion, may terminate the contract, or postpone or delay all or any part of the contract, upon written notice.
4. When responding to this RFP, please include your ability to comply with Paragraph 14, Insurance, of the General Provisions Agreement. Please note that the Commission will allow substitution of professional liability insurance for part or all of the per occurrence comprehensive general liability insurance coverage. In addition, excess liability insurance in an equal amount may be substituted for up to \$1,000,000 of the per occurrence comprehensive general liability or professional liability insurance coverage. The State reserves the right to further waive or modify the insurance requirement in Paragraph 14 based

on Proposals submitted.

## **X. FINANCIAL INFORMATION AND PUBLIC POSTING REGARDING RFPs**

Pursuant to the relevant statutes and regulations, all responses to this RFP shall be considered confidential until the award of a contract. At the time of receipt of Proposals, the State will post the number of responses received with no further information. No later than five (5) business days prior to submission of a contract resulting from this RFP to Governor and Council, the State will post the name and rank or score of each Proposer.

The content of each Proposal shall become public information upon the effective date of any resulting contract. Any information submitted as part of a response to this RFP may be subject to public disclosure under RSA 91-A. In addition, in accordance with RSA 9-F:1, any contract entered into as a result of this RFP will be made accessible to the public online via the website Transparent NH (<http://www.nh.gov/transparentnh/>). Accordingly, business financial information and proprietary information such as trade secrets, business and financials models and forecasts, and proprietary formulas may be exempt from public disclosure under RSA 91-A:5, IV. If you believe any information being submitted in response to a request for proposal, bid or information should be kept confidential as financial or proprietary information, you must specifically identify that information in a letter to the Commission, and should mark/stamp the materials as such. Marking of the entire Proposal or entire sections of the Proposal (e.g., pricing) as confidential will neither be accepted nor honored.

Notwithstanding any provision of this RFP to the contrary, contractor pricing will be subject to disclosure upon approval of the contract by the Governor and Council. The State will endeavor to maintain the confidentiality of portions of the Proposal that are clearly and properly marked confidential. If a request is made to the State to view portions of a Proposal that the contractor has properly and clearly marked as confidential, the State will notify the contractor of the request and of the date upon which the State plans to release the records. A designation by the contractor of information it believes exempt from disclosure does not have the effect of making such information exempt. The State will determine the information it believes is properly exempted from disclosure. By submitting a Proposal, contractors agree that unless the contractor obtains a court order, at its sole expense, enjoining the release of the requested information, the State may release the requested information on the date specified in the State's notice without any liability to the contractors.