



Maryland

**OFFICE OF STATE PROCUREMENT (OSP)
DEPARTMENT OF GENERAL SERVICES**

**SOLE SOURCE PROCUREMENT
SPECIFICATIONS**

for

OFFSHORE WIND POWER

BPM045055

SECTION A

SOLE SOURCE SPECIFICATIONS OFFSHORE WIND POWER DEPARTMENT OF GENERAL SERVICES

1.BACKGROUND AND PURPOSE

A. The State of Maryland (“State”) has a goal to achieve 8,500 megawatts of offshore wind power capacity by 2031 (Md. Code Ann., Public Utilities Article Section 7-704.1).

B. The Department of General Services (“DGS” or “Department”), in compliance with Md. Code Ann., Public Utilities Article Section 7-704.4, is issuing these sole source specifications to enter a power purchase agreement (“PPA”) with (contractor) of no less than twenty (20) years in duration to procure offshore wind power including all associated renewable energy credits (“RECs”) and other environmental attributes.

C. The Contractor, both directly and through its subcontractor(s) or Designated Agent(s) must be able to provide all goods and services and meet all of the requirements requested in these specifications and the PPA. As used here and in the PPA, a “Designated Agent” is a third party authorized by the State or the Contractor to perform the day-to-day obligations of the PPA. The Contractor shall remain responsible for the performance of the PPA regardless of the participation of subcontractors or Designated Agents in the work.

2.CONTRACTOR REQUIREMENTS- GENERAL

The Contractor shall:

A. Hold site control of a lease area from the United States Department of the Interior on the outer continental shelf of the Atlantic Ocean more than ten miles off the coast of the State.

B. Have the ability to and provide documentation of the ability to connect from the lease area to the PJM Interconnection, LLC (“PJM”) grid at a point located on the Delmarva Peninsula. The Delmarva Peninsula contains the peninsula between the Chesapeake and Delaware bays, including most of Delaware and those parts of Maryland and Virginia east of the Chesapeake Bay.

C. Have a Federal Energy Regulatory Commission (“FERC”) power marketing license as well as PJM membership as a Generation Owner. The Contractor shall have entered into all required PJM agreements required for the performance of its obligations in connection with the Facility (an offshore wind-powered generating facility located off the coast of the Delmarva Peninsula). These agreements shall be in full force and effect, or the Contractor shall have

entered into an agreement with a market participant that will perform all the Contractor's PJM-related obligations in connection with the Facility and Attachment T, the PPA.

- D. An overall not to exceed Minority Business Enterprise (MBE) subcontractor participation goal of 15% and a Veteran Small Business Enterprise (VSBE) goal of 3%, representing a percentage of the total PPA dollar value, including all renewal option terms, if any, has been established for this procurement.
 - 1) Notwithstanding any subgoals established for this RFP, the Contractor is encouraged to use a diverse group of subcontractors and suppliers from any/all of the various MBE classifications to meet the remainder of the overall MBE participation goal.
 - 2) By submitting a response to this solicitation, (contractor) acknowledges the overall not to exceed MBE subcontractor participation goal and subgoals and commits to achieving the overall goal and subgoals by utilizing certified minority business enterprises.

3. Contractor Submittals

- A. Provide proof and description of the lease and lease area covered in Par. 2(A) above.
- B. The Contractor shall include with its response to these specifications any applications filed, or agreements held with PJM (and, if needed, waive confidentiality with PJM for verification of the applications or agreements).
- C. Provide documentation and attestation of the licenses and agreements outlined above in 2 (C).

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**MANDATORY AFFIDAVITS
AND
ATTACHMENTS**

Vendor must sign and return to the Procurement Officer the following forms:

**ATTACHMENT C
COMAR 21.05.08.07
BID/PROPOSAL AFFIDAVIT**

Click link to download a fillable copy of the *Bid/Proposal Affidavit*:
https://procurement.maryland.gov/wp-content/uploads/sites/12/2018/04/AttachmentC-Bid_Proposal-Affidavit.pdf

**ATTACHMENT D
MBE FORMS D-1A**

<https://procurement.maryland.gov/wp-content/uploads/sites/12/2018/05/AttachmentDMBE-Forms-1.pdf>

ATTACHMENT E

Veteran-Owned Small Business Enterprise (VSBE) Form E-1A
<http://procurement.maryland.gov/wp-content/uploads/sites/12/2018/04/AttachmentE-VSBEForms.pdf>

**ATTACHMENT H
COMAR 21.05.08.08**

CONFLICT OF INTEREST AFFIDAVIT AND DISCLOSURE

Click link to download a fillable copy of the *Conflict of Interest Affidavit And Disclosure*:
<https://procurement.maryland.gov/wp-content/uploads/sites/12/2018/05/AttachmentH-Conflict-of-InterestAffidavit.pdf>.

**ATTACHMENT L
REFERENCE CHECKS**

Each reference shall be from a customer for whom the Bidder has provided goods or services within the most recent five years.

Click link to download a fillable copy of the *Reference Checks*
<https://procurement.maryland.gov/wp-content/uploads/sites/12/2024/07/Attachment-L.-Reference-Checks.pdf>

ATTACHMENT N

**COMAR 21.07.01.25
CONTRACT AFFIDAVIT**

Click link to download a fillable copy of the *Contract Affidavit*:
<https://procurement.maryland.gov/wp-content/uploads/sites/12/2020/03/Attachment-N-Affidavit.pdf>

**ATTACHMENT T
POWER PURCHASE AGREEMENT**

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EXHIBIT 1
MBE, VSBE and SBR Research Factors Template

Exhibit 1. MBE, VSBE, and SBR Research Factors Template
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Solicitation Title: Sole Source Solicitation – Offshore Wind Power - BPM045055

This exhibit serves as a summary of the factors the State used, in conjunction with guidance from the Governor’s Office of Small, Minority, and Women’s Business Affairs, to determine:

1. The expected degree of Minority Business Enterprise (MBE) participation for the procurement contract, including subcontracting opportunities identified for the project, any applicable North American Industry Classification System (NAICS) codes linked to the subcontracting opportunities, and the number of certified MBEs in those industries.
2. The expected degree of Veteran-owned Small Business Enterprise (VSBE) participation for the procurement contract, including subcontracting opportunities identified for the project, any applicable United Nations Standard Products and Services Codes (UNSPSC) [identified in eMaryland Marketplace Advantage (eMMA) as Categories] linked to the subcontracting opportunities, and the number of certified VSBEs in those industries; and
3. If this procurement is for a Statewide Master Contract where secondary competition may occur, the expected degree of Small Business Reserve (SBR) participation for the secondary competition agreement (such as a task order agreement or purchase order agreement) to be designated as an SBR, including opportunities identified for the secondary competition agreement, any applicable UNSPSCs linked to the subcontracting opportunities, and the number of certified SBRs in those industries.

Disclaimer: This summary’s research results are not all inclusive and do not exclude any other subcontracting opportunities that the Bidder/Offeror may identify in preparing a Bid/Proposal to submit in response to the solicitation.

MBE Research by NAICS Code		
NAICS Codes	Description	# MBEs in MDOT Directory
237130	Power and Communication Line and Related Structures Construction	77
332312	Fabricated Structural Metal Manufacturing	3
335929	Other Communication and Energy Wire Manufacturing	1
483111	Deep Sea Freight Transportation	1
488310	Port and Harbor Operations	0
524126	Direct Property and Casualty Insurance Carriers	4
541110	Office of Lawyers	42
541360	Geophysical Surveying and Mapping Services	17
541611	Administrative Management and General Management Consulting Services	1,797

541820	Public Relations Agencies	18
237990	Other Heavy and Civil Engineering Construction	142
333611	Turbine and Turbine Generator Set Units Manufacturing	0
335999	All Other Miscellaneous Electrical Equipment and Component Manufacturing	1
483113	Coastal and Great Lakes Freight Transportation	0
488330	Navigational Services to Shipping	2
532411	Commercial Air, Rail and Water Transportation Equipment Rental and Leasing	1
541330	Engineering Services	400
541370	Surveying and Mapping (except Geophysical) Services	64
541620	Environmental Consulting Services	15
541990	All Other Professional, Scientific and Technical Services	195
MBE Research by Keywords		
Keywords		# MBEs in MDOT Directory
Power and Communication Line and Related Structures Construction		77
Fabricated Structural Metal Manufacturing		3
Other Communication and Energy Wire Manufacturing		1
Deep Sea Freight Transportation		1
Port and Harbor Operations		0
Direct Property and Casualty Insurance Carriers		4
Office of Lawyers		42
Geophysical Surveying and Mapping Services		17
Administrative Management and General Management Consulting Services		1,797
Public Relations Agencies		18
Other Heavy and Civil Engineering Construction		142
Turbine and Turbine Generator Set Units Manufacturing		0
All Other Miscellaneous Electrical Equipment and Component Manufacturing		1
Coastal and Great Lakes Freight Transportation		0
Navigational Services to Shipping		2
Commercial Air, Rail and Water Transportation Equipment Rental and Leasing		1
Engineering Services		400
Surveying and Mapping (except Geophysical) Services		64
Environmental Consulting Services		15
All Other Professional, Scientific and Technical Services		195

VSBE Research by UNSPSC/eMMA Category Code		
eMMA Category Codes	Description	#VSBEs in eMMA Directory
26130000	Power and Communication Line and Related Services	2
80120000	Office of Lawyers	1
80101508	Administrative Management and General Management Consulting Services	87
80170000	Public Relations Agencies	1
81101500	Other Heavy and Civil Engineering Construction	3
81100000	Engineering Services	8
41114200	Surveying and Mapping (except Geophysical) Services	1
77000000	Environmental Consulting Services	6
41000000	All Other Professional, Scientific and Technical Services	14

NOTE: In this procurement, small businesses are strongly encouraged to submit a bid/proposal as a Prime Contractor to compete as an SBR at the secondary competition level. SBR certification is required to receive an SBR-designated secondary competition agreement award.

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