COMMONWEALTH ORGANICS-TO-ENERGY

GRANTS FOR

IMPLEMENTATION PROJECTS AND PILOT PROJECTS

Solicitation No. 2019-COTE-IP-6

Solicitation Version: August 2018

Solicitation will remain open until further notice
# TABLE OF CONTENTS

1. **Introduction** ........................................................................................................... 4  
   1.1 Commonwealth Organics-to-Energy Program: Overview ......................................... 4  
   1.2 Purpose of Solicitation .............................................................................................. 4  
   1.3 About MassCEC ........................................................................................................ 5  

2. **Grants for Implementation Projects and Pilot Projects** ............................................ 5  
   2.1 Project Types ............................................................................................................ 5  
   2.2 Grant Levels and Budget Details ............................................................................... 7  
   2.3 Minimum Eligibility Requirements ......................................................................... 8  
   2.4 Requirements for Project Execution and Completion ............................................. 9  
   2.5 Milestones and Payment Process ............................................................................. 10  

3. **Applications** ............................................................................................................. 11  
   3.1 Application and Submission Instructions .................................................................. 11  
   3.2 Application Timeframe and Evaluation Process .................................................... 12  
   3.3 Applicants’ Questions and Answers ........................................................................ 12  

4. **Selection Criteria** ..................................................................................................... 13  

5. **General Solicitation Conditions** ............................................................................... 15  
   5.1 Notice of Public Disclosure ..................................................................................... 15  
   5.2 Contractual Requirements ..................................................................................... 15  
   5.3 Disclaimer And Waiver Authority ........................................................................... 15  

6. **Key Definitions** ......................................................................................................... 16  
   6.1 Definitions ............................................................................................................... 16
Appendices available as separate downloadable documents:

Appendix 1  Minimum Technical Requirements

Appendix 2a Implementation Project Deliverable Requirements (Word)
  • Checklist
  • Financing Certification Statement
  • Implementation Report template

Appendix 2b Pilot Project Deliverable Requirements (Word)
  • Checklist
  • Financing Certification Statement
  • Pilot Report template

Appendix 3  Sample Implementation - Pilot Grant Agreement (PDF)

Appendix 4  Authorized Applicant’s Signature and Acceptance Form (PDF)

Appendix 5  Application Forms and Budget Instructions (Word)

Appendix 6  Budget Form (Excel)
1. INTRODUCTION

1.1 COMMONWEALTH ORGANICS-TO-ENERGY PROGRAM: OVERVIEW

The goal of the Commonwealth Organics-to-Energy Program (the “Program”) is to support the development of facilities that convert source-separated organic materials and sewage sludge into heat, electricity, and/or compressed natural gas, as well as create additional products of value in agriculture, horticulture or landscaping. The program is designed to advance the Commonwealth’s goal of substantially increasing the diversion of source-separated organics away from landfilling or incineration.

The Commonwealth Organics-to-Energy Program provides grants for the development of well-conceived, well-sited facilities that are consistent with program goals. Projects must be located in the service territories of the investor-owned or municipal electric distribution companies that pay into the Massachusetts Renewable Energy Trust Fund, which is administered by the Massachusetts Clean Energy Center ("MassCEC"). The principal technology supported is anaerobic digestion, although a limited number of awards may be made for projects employing other commercially available technologies.

The following table summarizes the grants that are available under the Commonwealth Organics-to-Energy Program to different types of organizations for various activities. Please note that only Implementation and Pilot projects (described more fully in Table 2) are covered by this solicitation.

**Table 1: Summary of Grants Available Under MassCEC's Commonwealth Organics-to-Energy Program**

<table>
<thead>
<tr>
<th>Solicitation</th>
<th>Applicant/Project Types in Brief</th>
</tr>
</thead>
<tbody>
<tr>
<td>Implementation and Pilot Projects</td>
<td>- Public or private entities&lt;br&gt;- Design, permitting and construction of facilities; installation and commissioning of equipment</td>
</tr>
<tr>
<td>Technical Services/Technical Studies*</td>
<td>- Public entities only&lt;br&gt;- Technical services for municipalities considering development or permitting of facilities</td>
</tr>
<tr>
<td>Feasibility Studies*</td>
<td>- Public or private entities&lt;br&gt;- Detailed studies leading to the design of facilities for specific sites that have at least a portion of their feedstock guaranteed</td>
</tr>
</tbody>
</table>

*Not covered by this solicitation

1.2 PURPOSE OF SOLICITATION

The purpose of this solicitation is to seek applications for funding for “Implementation” and “Pilot” projects employing Eligible Technologies and Eligible Feedstocks to produce any combination of the following, while generating minimal liquid or solid byproducts requiring disposal:

- Electricity
- Useful Thermal Energy
• Compressed biogas for vehicle fuel
• Biogas for pipeline injection

Projects that add combined-heat-and-power ("CHP") capability to anaerobic digestion facilities built prior to 2017 are also eligible for Implementation grants.

This solicitation is not intended for the following types of projects:

• Organics collection systems or equipment
• Manufacture of paper cubes intended for combustion
• Manufacture of transportation fuels, other than renewable natural gas
• Facilities for which the primary Feedstock would be woody biomass or energy crops
• Facilities that would be technically or financially dependent on more than 5,000 tons per year of food waste from off-site sources that are not under the Applicant’s direct control. (Food waste from off-site sources are an allowable feedstock, but the proposed facilities may not be technically or financially dependent upon obtaining more than 5,000 tons per year.) This restriction does not apply to facilities to be located on Martha’s Vineyard or Nantucket.

This solicitation describes the grant levels, eligibility requirements, application process, and grant disbursement process for awards. Definitions for capitalized terms are listed in Section 6. As the program develops over time, this solicitation may be updated to reflect the current offerings.

1.3 ABOUT MASSCEC

The Massachusetts Clean Energy Center ("MassCEC") is a publicly-funded agency dedicated to accelerating the success of clean energy technologies, companies and projects in the Commonwealth—while creating high-quality jobs and long-term economic growth for the people of Massachusetts. Since it began operating in 2009, MassCEC has helped clean energy companies grow, supported municipal clean energy projects and invested in residential and commercial renewable energy installations, creating a robust marketplace for innovative clean technology companies and service providers.

2. GRANTS FOR IMPLEMENTATION PROJECTS AND PILOT PROJECTS

2.1 PROJECT TYPES

This solicitation covers two types of projects: Implementation and Pilot. Implementation grants for commercially viable technologies are the primary focus of this solicitation, however, MassCEC will consider Pilot Projects where the Applicant can provide a strong case for how the project will advance the field of organics-to-energy in Massachusetts. The distinctions between the two types of projects are described in Table 2, below.
<table>
<thead>
<tr>
<th>Feature</th>
<th>Implementation Projects</th>
<th>Pilot Projects</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use of Technology</td>
<td>Project employs proven technology previously used in similar applications</td>
<td>Project demonstrates new application of proven technology, or new combination of proven technologies. (Program is not intended for demonstration of new technologies.)</td>
</tr>
<tr>
<td>Scale</td>
<td>Project is full scale and is expected to be economically viable on an on-going basis</td>
<td>Project may be less than full-scale and may not be economically viable at the scale proposed</td>
</tr>
<tr>
<td>Permanence of structures</td>
<td>New structures, if any, and principal equipment have expected life of at least 15 years, assuming appropriate maintenance and scheduled overhauls</td>
<td>Installations may be temporary; project may be dismantled or upgraded to permanent at a later date</td>
</tr>
<tr>
<td>Completeness of system/process</td>
<td>Project represents a complete system or an upgrade of an existing system. Produces only de minimis wastes or byproducts</td>
<td>Project may represent a portion of a complete process, e.g., anaerobic digestion without beneficial use of all byproducts</td>
</tr>
<tr>
<td>Addition of CHP</td>
<td>Project may consist solely of the addition of a combined heat-and-power system that uses the biogas from an existing anaerobic digester</td>
<td>N/A; CHP-only projects will be considered Implementation Projects</td>
</tr>
<tr>
<td>Data to be generated and shared</td>
<td>Grantee will report energy production data to MassCEC for 5 years. Grantee will share other basic data about inputs, outputs, and other project elements as MassCEC may require.</td>
<td>Applicant will present data collection and analysis plan that explains the questions to be addressed, data to be collected, and evaluation methodology; and will share the results of the evaluation. Note: Project deliverables will include reasonably detailed descriptions of system design, as well as the data described above.</td>
</tr>
<tr>
<td>Physical outputs</td>
<td>To the greatest extent feasible, physical outputs such as compost, digestate, or other liquids or solids, should be usable products or further processed into usable products, and a plan for onsite use or marketing should be described. De minimis quantities of removed contaminants are acceptable.</td>
<td>Productive use of physical outputs is preferred, but not required. If productive use is not a part of the pilot project, the follow-on plan must describe how physical products will be used in permanent or long-term projects.</td>
</tr>
<tr>
<td>Follow-on plan</td>
<td>Not required</td>
<td>Required. Applicant should explain how results of proposed project will be used to facilitate permanent or long-term projects.</td>
</tr>
</tbody>
</table>

MassCEC recognizes that the distinction between Implementation and Pilot projects may be unclear in some cases. All potential Applicants are therefore **encouraged to discuss their project concepts with MassCEC staff prior to submitting an application by contacting the person identified in Section 3.3.** Clarification by MassCEC regarding
classification of a proposed project as Implementation or Pilot is not a guarantee that the proposed project will be funded.

Either type of project, Implementation or Pilot, may include a design phase. The inclusion of a design phase is optional, depending on the status of work previously completed and the scope of work outlined in the Applicant’s Work Plan (see Application Form). Generally, Applicants should include a design phase if any design work must still be completed, or if significant permit applications remain to be filed.

Note regarding the sizing of CHP systems: Systems may be designed and sized to use natural gas as a supplement to biogas from an anaerobic digester. However, only the cost of a generator sized to use the volume of available biogas will be allowed in the budget; the incremental cost of a larger generator will not be considered an Allowable Expense.

### 2.2 GRANT LEVELS AND BUDGET DETAILS

**Implementation** grants are capped at $500,000 and must meet a cost-effectiveness requirement. The grant cost-effectiveness ratio is calculated by dividing the amount of the grant ($) by the expected number of kilowatt-hours to be generated in a year (for thermal energy, assume 3,412 BTU = 1 kWh). This ratio must not exceed 1.5. For example, if an Implementation project will produce 100,000 kWh/yr, it will be limited to a grant of no more than $150,000.

**Pilot** project grants are capped at $250,000.

All applicants may submit grant requests for either:

a) The project’s construction phase only. In this case, the budget should reflect only such expenses as equipment procurement, site preparation, construction, construction management, and commissioning; or

b) Both the design phase and the construction phase of a project.

**Apportionment of Total Grant by Phase:** Up to 50% of the total grant may be applied to the design phase, if any. (Example: For a total grant of $500,000, no more than $250,000 may be allocated to the design phase.)

**Minimum Grantee Cost-Share by Phase:** For the design phase (if any), Grantee must supply at least 25% of Allowable Expenses. In the construction phase, Grantee must supply at least 50% of Allowable Expenses. “Allowable Expenses” are explained in the Budget Instructions, found in Appendix 5 of this solicitation.

**Credit for Cost Share:** Cost-share requirements apply to Allowable Expenses incurred after the Effective Date of the project Grant Agreement. Expenses incurred prior to the Effective Date are not Allowable Expenses; thus any payments for expenses incurred prior to the Effective Date do not count toward the Grantee’s cost share. The Grantee’s share of costs can be met with Grantee’s cash, loans, grants, or a combination of these sources. Any grants must be from entities such as federal or state agencies or charitable foundations. Consultants or other subcontractors to the Grantee may not supply any part of the Grantee’s cost share.

See Section 5.2 for more information about contractual requirements.
2.3 MINIMUM ELIGIBILITY REQUIREMENTS

MassCEC, in its sole discretion, shall determine the eligibility of each Applicant based on the requirements set forth herein.

1. The proposed project must be located within the service territory of an Eligible Electric Provider.
2. An Applicant must be a commercial, industrial, institutional or public entity.
3. The Applicant must be one of the following:
   a) an existing electricity end-user and customer of record on the project site in the service territory of an Eligible Electric Provider; or
   b) an entity (e.g., a Third-Party Owner) that plans to sell electricity to an electricity end user(s) and customer(s) of record in the service territory of an Eligible Electric Provider; or
   c) an entity that plans to assign net metering credits to an electricity end user(s) and customer(s) of record in the service territory of an Eligible Electric Provider; or
   d) an entity that will provide biogas to an existing landfill gas-to-energy facility; or
   e) an entity that will provide biogas to a compressed gas vehicle fueling station or inject it into a pipeline.
4. Applicants must demonstrate that:
   • The project will employ only commercially available eligible Technologies and eligible Feedstocks.
   • The Applicant has Site Control as evidenced by any one of the following:
     o Site ownership
     o A ground lease of at least 11 years from the date of application for an Implementation project or 5 years from the date of application for a Pilot project
     o An option to lease or purchase the site valid for at least two years from the date of grant application; the lease period should include the expected development period plus at least 10 years from the expected date of commercial operation
     o A service agreement with a Host Customer, comparable to the above (shorter terms may be acceptable with justification)
     o A letter of intent to enter into a service agreement with a Host Customer. Note: If the letter of intent contains contingencies, MassCEC may request additional information or condition an award on execution of a service agreement, as it sees fit.
   • The project is feasible, as evidenced by detailed studies.
   • The permitting path for the project has been defined.
   • For projects with potential for offsite impacts such as odor, noise, or delivery-related traffic, the developer has a community outreach plan and has at least begun to engage the community in the project. Such planning should address:
     o identification and assessment of relevant stakeholders
     o important issues for each group
outreach prior to applying for significant permits
ongoing means of communication through construction and operations
identification and minimization of potential community impacts through measures such as odor control technology, transportation routes and schedules, number and size of delivery vehicles per week, scheduling of active site operations

Applicants for construction-only grants must be able to describe completed community outreach activities and how potential offsite impacts will be mitigated.

- Appropriate Feedstocks will be available and a Feedstock procurement plan is in place.
- Offtake plans are in place for power, heat, or biogas.
- The Applicant has a marketing plan for physical products.
- Disposal plans are in place for any byproducts, if necessary.
- Three-phase power is available, if needed.

MassCEC will give preference to projects that can demonstrate a thorough feasibility analysis. In addition, MassCEC will give preference to projects where a significant portion of the energy output is used on site.

Note that Applicants need not have all financing in place at the time of submission of a response to this solicitation. However, Grantees must certify that all necessary funding for project completion is in place upon request for the first installment of the construction phase of a grant.

2.4 REQUIREMENTS FOR PROJECT EXECUTION AND COMPLETION

Additional requirements will apply to the execution and completion of funded projects and will be documented in a Grant Agreement. These requirements will include the following, as applicable:

- Grantees must certify that sufficient financing is in place to complete a project before MassCEC will disburse the first construction-phase installment of a grant.
- All installations must be performed in compliance with local, state, and federal laws and codes.
- Grantees must procure services from subcontractors using commercially responsible procurement mechanisms, and to the greatest extent practicable, using competitive procurement procedures. Applicant/Grantee is required to notify MassCEC in the event that it intends to or has entered into an agreement for goods, services, or labor with a Related Party ("Related Party Expense") and wishes the associated expense to be considered an Allowable Expense. MassCEC must approve the use of any Related Party as part of the initial Grant Agreement or prior to Grantee incurring expenses with the subcontractor after the Grant Agreement has been executed. In no case may the expenses associated with a Related Party account for more than 15% of all Allowable Expenses in a given phase.
- All equipment funded in part or in whole by MassCEC must be new and of a design suitable for the proposed installation.
- Major purchased equipment must carry a warranty of at least one year, or the project must have a combination of warranty or service contract to cover the first year of operations.
• The finished project must be fully commissioned and a commissioning report must be submitted. Commissioning is the process of ensuring that all systems are designed, installed, functionally tested, and capable of being maintained and operated according to the approved design and the owner’s operational needs. At a minimum, the commissioning report should include: inspection process and findings, system and component testing process and findings, and initial system performance findings.

• Projects with electrical output must use a revenue-grade meter to track production.

• Projects must report electrical output to MassCEC’s Production Tracking System for a minimum of five years through use of an automated Data Acquisition System. Information about such systems can be found on the MassCEC website (http://www.masscec.com/production-tracking-system-0); the expense of such systems may be included in a project’s budget.

2.5 MILESTONES AND PAYMENT PROCESS

Grants are paid out in installments upon achievement of significant milestones, as specified in the Grant Agreement. Payment of a grant installment is contingent upon submission to MassCEC of all the deliverables required for the associated milestone, along with a signed statement certifying that the Grantee has incurred sufficient Allowable Expenses and paid their vendors amounts totaling the minimum required cost share. The deliverables and invoice are subject to MassCEC review and approval. Electronic submissions are required.

No grant funds may be used to reimburse or write down costs incurred prior to the execution of an agreement with MassCEC.

For projects with a design phase, the design phase grant installment will be paid upon submission and acceptance of the final design deliverables, as outlined in Appendix 2a (for Implementation projects) and Appendix 2b (for Pilot projects). Such projects will not be eligible for construction milestone payments until all design deliverables have been approved by MassCEC.

Table 3, below, provides a standard schedule of milestones and Grant Installments, to be used as a guideline. Applicants may request a different schedule that better fits the development of their project if accompanied by a justification. MassCEC reserves the right to require a different schedule in any Grant Agreement.
### Table 3: Sample Milestones and Payment Schedule

<table>
<thead>
<tr>
<th>Milestone</th>
<th>Key Milestone Elements and Deliverables</th>
<th>Deadline Relative to Effective Date of Grant Agreement</th>
<th>Maximum Grant Installment</th>
</tr>
</thead>
<tbody>
<tr>
<td>D1</td>
<td>• Community Outreach Report&lt;br&gt;• Design Documents&lt;br&gt;• Significant Permit and Interconnection Applications Filed</td>
<td>6 months</td>
<td>Up to 100% of Design-phase portion of grant</td>
</tr>
<tr>
<td>C1</td>
<td>• Updated Construction-phase Budget (if applicable)&lt;br&gt;• Major Equipment Ordered&lt;br&gt;• Financing Confirmed, based on Updated Budget</td>
<td>8 months</td>
<td>Up to 50% of Construction-phase portion of grant</td>
</tr>
<tr>
<td>C2</td>
<td>• Permits Received&lt;br&gt;• System Installed and Commissioned&lt;br&gt;• Start of Reporting to MassCEC’s Production Tracking System (for projects with electrical output)&lt;br&gt;• Construction Project Report (Implementation projects only)</td>
<td>32 months</td>
<td>Implementation projects: Up to remainder of Construction-phase portion of grant&lt;br&gt;Pilot projects: Up to 85% of Construction-phase portion of grant (less amount previously disbursed)</td>
</tr>
<tr>
<td>C3 (“Pilot” Only)</td>
<td>• Final Project Report Submitted, including information on first three months of operations</td>
<td>36 months</td>
<td>Up to 100% of Construction-phase portion of grant (less amounts previously disbursed)</td>
</tr>
</tbody>
</table>

Further details about project deliverables are provided in Appendices 2a and 2b, for Implementation and Pilot Projects, respectively.

### 3. APPLICATIONS

#### 3.1 APPLICATION AND SUBMISSION INSTRUCTIONS

Those considering applying for an Implementation or Pilot project grant are encouraged to discuss their project concept informally with MassCEC staff as early as possible. The purposes of the discussion are to provide general guidance to the potential applicant and to provide notice to MassCEC of likely applications.

Applicants must complete a separate application for each proposed project. Applicants are expected to have already completed a feasibility study and to provide substantive technical and economic detail, as well as demonstrate a
thorough understanding of project risks and related mitigation measures. The application must demonstrate a firm commitment from all partners involved in the project.

The Application and Budget Forms **must** be complete. MassCEC recommends that Applicants carefully follow instructions and prepare complete, clear, and concise applications. It is the sole responsibility of the Applicant to ensure that its application is complete, meets minimum threshold requirements and is properly submitted to MassCEC.

The following items must be submitted to MassCEC as part of an application package:

- One electronic copy of all application materials including the *signed* Authorized Applicant Signature and Acceptance Statement Application Cover Sheet, Threshold Eligibility Checklist and application narrative (in Microsoft Word or PDF), budget (in a live Excel spreadsheet only) and attachments (in Microsoft Word or PDF format). Do not submit more than a total of four (4) electronic files.

- Two double-sided copies (no three-ring binders) of all application materials, except team resumes. Please provide a table of contents, number the pages, and include separate sections with dividers for all attachments.

Applications must be clearly labeled **Commonwealth Organics-to-Energy**. Electronic copies must be emailed to organics@masscec.com or included on a thumb drive along with the hard copies. Please submit the hard copies to:

Commonwealth Organics-to-Energy  
Solicitation No. 2019-COTE-IP6  
Massachusetts Clean Energy Center  
63 Franklin Street, 3rd Floor  
Boston, MA 02110

### 3.2 APPLICATION TIMEFRAME AND EVALUATION PROCESS

Applications will be accepted on a rolling basis from the date this solicitation is posted to its website until further notice. MassCEC will endeavor to provide at least two weeks’ advance notice of plans to close the solicitation, but may close it at any time without prior notice.

MassCEC anticipates providing an initial response to Applicants within three weeks of receipt of a complete application. MassCEC staff may request supplemental information prior to formal review. MassCEC may also request an interview with Applicants. In some cases, a panel of external reviewers may also be consulted for recommendations or specific questions.

The approval timeline for new awards to Applicants who previously received MassCEC awards may require an additional two months if the total of new and prior awards would exceed $1.25 million. For the purposes of calculating this per-Applicant funding total, grants previously provided to Related Parties will be counted.

### 3.3 APPLICANTS’ QUESTIONS AND ANSWERS

Questions concerning this Solicitation should be submitted in **writing (mail or e-mail)** to the contact listed below. All inquiries should reference the Solicitation 2019-COTE-IP6. MassCEC will provide a link to a list of generally-applicable questions and answers in the “FAQ” section of the Commonwealth Organics-to-Energy web page.
4. SELECTION CRITERIA

Applications will be evaluated using the criteria in the table below. These criteria will be used to identify proposed projects that meet minimum threshold criteria, demonstrate a relatively high probability of success, and reflect a high-quality project.

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Sub-Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Threshold</td>
<td>MassCEC reserves the right to only consider applications that in its sole judgment, meet the following minimum threshold criteria, including:</td>
</tr>
<tr>
<td></td>
<td>• The application is complete and responsive to the Solicitation and Application requirements.</td>
</tr>
<tr>
<td></td>
<td>• The application includes all required attachments.</td>
</tr>
<tr>
<td></td>
<td>• The clarity, specificity, and consistency of the application are sufficient to be deemed credible.</td>
</tr>
<tr>
<td></td>
<td>• The Applicant has committed to the required cost-share and provided evidence of overall commitment to completion of the project.</td>
</tr>
<tr>
<td></td>
<td>• The proposed project meets all requirements stated in Section 2.3.</td>
</tr>
<tr>
<td>Team Commitment and</td>
<td>• Applicant’s impetus and expectations for the project, and commitment and capacity to complete it</td>
</tr>
<tr>
<td>Qualifications</td>
<td>• If applicable, the commitment of other key players, such as site property owners (if different than the Applicant)</td>
</tr>
<tr>
<td></td>
<td>• Qualifications, experience, and commitment of the key technical personnel in providing similar services for other projects</td>
</tr>
<tr>
<td>Project Concept and</td>
<td>• Thoroughness of feasibility study, including technical feasibility, reliability of Feedstock supply, and plans for disposition of agronomic products and byproducts, if any</td>
</tr>
<tr>
<td>Demonstration of</td>
<td>• Track record of technological approach</td>
</tr>
<tr>
<td>Feasibility</td>
<td></td>
</tr>
</tbody>
</table>

Rachel Ackerman
Commonwealth Organics-to-Energy
organics@masscec.com
Phone: 617-315-9326
<table>
<thead>
<tr>
<th>Criteria</th>
<th>Sub-Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Financial analysis or estimates supporting the commercial viability of the proposed project</td>
<td></td>
</tr>
<tr>
<td>• Suitability of site for proposed project</td>
<td></td>
</tr>
<tr>
<td>• Quality of project and technical risk assessment, extent of identified and unidentified risks and uncertainties, and proposed strategies for risk mitigation</td>
<td></td>
</tr>
<tr>
<td>• Development progress and timeframe for completion</td>
<td></td>
</tr>
<tr>
<td>Public Outreach Plan and Community Compatibility*</td>
<td>* Applicable only to projects with potential for community impacts such as increased traffic, odors, or noise</td>
</tr>
<tr>
<td>• Clear evidence of prior public outreach and specific plans for continued public outreach and education throughout project execution</td>
<td></td>
</tr>
<tr>
<td>• Compatibility with surrounding land uses</td>
<td></td>
</tr>
<tr>
<td>• Plans to avoid or mitigate potential adverse impacts</td>
<td></td>
</tr>
<tr>
<td>Project Programmatic Benefits</td>
<td>• Production of energy and MA RPS-qualified certificates (RECs) for consumption by Massachusetts ratepayers</td>
</tr>
<tr>
<td></td>
<td>• Organics processing capacity (tons per year)</td>
</tr>
<tr>
<td></td>
<td>• Advancement of understanding of organics-to-energy Technologies and their applications</td>
</tr>
<tr>
<td></td>
<td>• Potential for improving public awareness and acceptance of organics-to-energy facilities</td>
</tr>
<tr>
<td></td>
<td>• Replicability or scalability</td>
</tr>
<tr>
<td></td>
<td>• Direct economic benefits through tax payments to Massachusetts governmental entities, leases to Massachusetts property owners, increased construction or operations jobs for Massachusetts residents, and/or increased economic activity for Massachusetts firms</td>
</tr>
<tr>
<td>Project Plan and Schedule</td>
<td>• Clarity, level of detail, and reasonableness of work plan (realistic goals and schedule)</td>
</tr>
<tr>
<td></td>
<td>• Appropriateness of proposed deliverables as evidence of project progress</td>
</tr>
<tr>
<td>Budget</td>
<td>• Reasonableness of the budget for the development of the project</td>
</tr>
</tbody>
</table>
5. GENERAL SOLICITATION CONDITIONS

5.1 NOTICE OF PUBLIC DISCLOSURE

As a public entity, MassCEC is subject to Massachusetts’ Public Records Law, codified at Chapter 66 of the Massachusetts General Laws (“Public Records Law”). Applicant acknowledges and agrees that any documentary material, data, or other information submitted to MassCEC are presumed to be public records. An exemption to the Public Records Law may apply to certain records, including materials that fall under certain categories under a statutory or common law exemption, including the limited exemption at Massachusetts General Laws Chapter 23J, Section 2(k) regarding certain types of confidential information submitted to MassCEC by an applicant for any form of assistance. By submission of an application, Applicant acknowledges and agrees that MassCEC, in its sole discretion, shall determine whether any particular document, material, data or other information is exempt from or subject to public disclosure. Thus, MassCEC urges Applicant to carefully consider what documents, materials, data and other information is submitted to MassCEC in connection with this Solicitation.

In line with Public Records Law requirements, MassCEC treats the following types of information as confidential:

- The financial terms contained in leases, power or REC purchase agreements, contracts for feedstock, or service contracts with other parties
- Project pro-formas
- Trade secrets
- Personal information (Social Security numbers should NOT be provided to MassCEC)

5.2 CONTRACTUAL REQUIREMENTS

Following announcement of a Grant Award, MassCEC intends to enter into a Grant Agreement with each selected Applicant. A sample Grant Agreement is included in Appendix 3. Applicants should review the sample Grant Agreement and ask any clarifying questions before signing the Authorized Applicant’s Signature and Acceptance Statement in Appendix 4.

5.3 DISCLAIMER AND WAIVER AUTHORITY

This solicitation does not commit MassCEC to award any funds, pay any costs incurred in preparing an application, or procure or contract for services or supplies. MassCEC reserves the right to accept or reject any or all applications received, waive minor irregularities in submittal requirements, modify the anticipated timeline, request modification of the application, negotiate with all qualified Applicants, cancel or modify the solicitation in part or in its entirety, or change the application guidelines, when it is in its best interests.

This solicitation has been distributed electronically using MassCEC’s website. It is the responsibility of Applicants to check the website for any addenda or modifications to a RFP to which they intend to respond. MassCEC accepts no liability and will provide no accommodation to Applicants who submit an application based on an out-of-date RFP document.
6. KEY DEFINITIONS

The following are definitions for key terms frequently used in the solicitation.

### 6.1 DEFINITIONS

<table>
<thead>
<tr>
<th><strong>Applicant</strong></th>
<th>An individual or entity that submits an application to MassCEC for a Grant, but has not yet received a Grant Award through the current solicitation.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Awarded Applicant</strong></td>
<td>An Applicant that has received a Grant Award through this solicitation</td>
</tr>
<tr>
<td><strong>Committed Partner</strong></td>
<td>An entity that is committed to partnering with the Applicant in a way that is critical to the ultimate success of the project, such as by providing Eligible Feedstock to the facility; or the Site Owner, when the Site Owner is not the Applicant. (Note: Consultants hired by the Applicant are not Committed Partners.)</td>
</tr>
<tr>
<td><strong>Eligible Electric Provider</strong></td>
<td>One of the Massachusetts investor-owned electricity distribution companies (National Grid, Eversource, or Unitil) or a Municipal Light Plant (MLP) that contributes to the Massachusetts Renewable Energy Trust. The Green Communities Act of 2008 allows municipally owned electric departments to voluntarily opt-in to the Renewable Energy Trust Fund. More information about opting into MassCEC's Renewable Energy Trust Fund and a list of those MLPs that have already done so is available online on the Municipal Lighting Plant Communities page of the MassCEC website. For information on areas served by investor-owned electric distribution companies, see: web1.env.state.ma.us/DPU/FileRoom/CityUtilities.</td>
</tr>
<tr>
<td><strong>Host Customer</strong></td>
<td>An entity to which the Applicant will provide contracted services related to the installed system (e.g., wastewater treatment, electricity, heat) and on whose property the installed system will be located.</td>
</tr>
<tr>
<td><strong>Related Party</strong></td>
<td>Any entity that shares any common ownership with Applicant.</td>
</tr>
<tr>
<td><strong>Third-Party Owner</strong></td>
<td>An energy generator who is a separate entity from the Host Customer.</td>
</tr>
<tr>
<td><strong>Feedstock, Eligible</strong></td>
<td>• Any combination of source-separated organic materials (&quot;SSO&quot;), yard wastes, animal manure or sewage sludge. However, project success must not be dependent on obtaining more than 5,000 tons per year of food waste from off-site sources that are not under the Applicant’s direct control.</td>
</tr>
<tr>
<td><strong>Feedstock, Ineligible</strong></td>
<td>MassCEC reserves the right to reject any projects using Feedstocks it deems inconsistent with the objectives of the program. Examples include but are not limited to: • Municipal solid waste • Construction &amp; demolition waste</td>
</tr>
<tr>
<td><strong>Grant Agreement</strong></td>
<td>An agreement between MassCEC and Grantee outlining the terms under which MassCEC provides funding to develop and install an organics-to-energy facility.</td>
</tr>
<tr>
<td>---------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Grant Award</strong></td>
<td>A commitment to provide the Applicant with a grant subject to the terms of a Grant Agreement.</td>
</tr>
<tr>
<td><strong>Grantee</strong></td>
<td>The entity to which MassCEC provides funding pursuant to the terms of a Grant Agreement.</td>
</tr>
<tr>
<td><strong>Project Site</strong></td>
<td>The specific contiguous property at which the organics-to-energy system will be located, for which the Applicant or Awarded Applicant has site control.</td>
</tr>
</tbody>
</table>
| **Technologies, Eligible** | - Anaerobic digestion, advanced composting with heat recovery  
  - Gasification or pyrolysis, using commercially available, proven technology  
  - Systems must produce electricity, Useful Thermal Energy, **biogas for vehicle fueling or pipeline injection, or any combination of these.** If a system produces electricity, it must be eligible for qualification under the Massachusetts Renewable Portfolio Standard. |
| **Technologies, Ineligible** | MassCEC reserves the right to reject any Technology it deems inconsistent with the objectives of the program. Examples include but are not limited to:  
  - Direct combustion of the Feedstock  
  - Manufacture of paper cubes intended for combustion  
  - Torrefaction  
  - Production of biodiesel  
  - Production of liquid fuels intended primarily for vehicle use |
| **Useful Thermal Energy** | Energy (a) in the form of direct heat, steam, hot water, or other thermal form that is used in production and beneficial measures for heating, cooling, humidity control, process use, or other valid thermal end-use energy requirements and (b) for which fuel or electricity would otherwise be consumed. |