

MENOMINEE TRIBAL ENTERPRISES



GENERAL OFFICE & FORESTRY CENTER: P.O. BOX 10 - NEOPIT, WI 54150
PHONE: 715/756-2311 - LBR. SALES: 715/756-2287 - FAX: 715/756-2386



December 2007

Menominee Tribal Enterprises invites qualified interests to respond to the attached Request for Proposal. Menominee Tribal Enterprises ('MTE') seeks to enter into a financial professional services agreement with a qualified respondent to assist in the development of a biomass electric energy generation facility.

The successful applicant will be an individual, consulting firm, or consulting team qualified to provide a creative, thoughtful response to the RFP and who successfully exhibits depth of understanding for the proposed project. Responses are due **January 31, 2008 at 3:30pm, CST.**

MTE is soliciting proposals for financial services to explore options for developing a biomass project to generate 5-20 MW electricity. MTE intends to develop a renewable energy project that provides significant local economic. MTE may seek to form a joint agency, government entity, or any other type of entity that could be established to own, operate and transmit electric power for its own use within Wisconsin's existing regulatory structure.

We appreciate your consideration of the attached Proposal. If you have any questions, please do not hesitate to contact Adrian Miller, President at 715-756-2311 ext. 1156.

REQUEST FOR PROPOSAL
(RFP)

FINANCIAL PROFESSIONAL SERVICES
for
RENEWABLE ENERGY DEVELOPMENT PROJECT
of the

MENOMINEE TRIBAL ENTERPRISES

**REQUEST FOR PROPOSAL
RENEWABLE ENERGY DEVELOPMENT PROJECT**

TABLE OF CONTENTS

SECTION I: INTRODUCTION1
SECTION II: BACKGROUND.....2
SECTION III: SUBMISSION OF PROPOSALS2
SECTION IV: DEFINITIONS2
SECTION V: RULES OF GOVERNING REQUEST FOR PPROPOSALS3
 A. INSTRUCTIONS FOR PREPARING AND SUBMITTING PROPOSALS
 B. PROPOSAL CONDITIONS
 C. CONTACT BETWEEN PROPOSER AND MTE
SECTION VI: SELECTION OF PROPOSAL4
 A. SELECTION PROCESS
SECTION VII: CONTENT OF PROPOSAL5
 A. QUALIFICATIONS (KNOWLEDGE, EXPERTISE, CAPABILITIES)
 B. SCOPE OF SERVICES
 C. RATES
 D. CONFLICTS OF INTEREST

REQUEST FOR PROPOSALS FOR FINANCIAL SERVICES

SECTION I: INTRODUCTION

Menominee Tribal Enterprises (MTE) desires to solicit proposals for the development of recommendations for the development of a biomass renewable energy generation project. MTE seeks to provide a leadership role in generating clean and affordable electricity from renewable energy that contributes to the State economy.

The issuance of this Request for Proposal (RFP) constitutes only an invitation to submit proposals to MTE. It is not to be construed as an official request for bids, but as a means by which MTE can acquire information related to the purchase of services. Any proposal submitted as provided herein constitutes a suggestion to negotiate and IS NOT A BID.

MTE reserves the right to determine, in its sole and absolute discretion, whether any aspect of the proposal satisfactorily meets the criteria established in this RFP, the right to seek clarification from any Proposer(s), the right to negotiate with any Proposer(s) whether or not they submitted a proposal, the right to reject any or all proposals with or without cause, and the right to cancel and/or amend, in part or entirely, the RFP.

The RFP does not commit MTE either to award a contract or to pay for any costs incurred in the preparation of a proposal. Submission of a proposal as provided herein shall neither obligate nor entitle a prospective Proposer to enter into an agreement with MTE.

It is understood that any proposal received and evaluated by MTE can be used as a basis for direct negotiation of the cost and terms of a contract between MTE and the particular firm submitting such a proposal. MTE reserves the right to negotiate pertinent contract terms concurrently with any number of firms as they deem in their best interest, whether or not such firm has submitted a proposal. In submitting this proposal, it is understood by the Proposer that MTE reserves the right to accept any proposal, to reject any and all proposals and to waive any irregularities or informalities that MTE deem are in their best interest.

Evaluation of proposals by staff, advisory committees or by any other group is advisory only. MTE may consider or reject such evaluations or recommendations for any or all proposals. Such evaluations are for the sole benefit of MTE, and as such, they are not binding upon MTE nor may they be relied upon in any way by a Proposer.

MTE reserves the right to request additional data, oral discussion, or a presentation in support of the written proposal. MTE is not obligated to respond to any proposal submitted nor are they legally bound in any manner whatsoever by the submission of a proposal. It is the intention of MTE to enter into a contract with the firm(s) with which MTE can make the most satisfactory arrangements for its needs.

MTE has broad rights with respect to the proposal detailed in this RFP. MTE may decide to contract with more than one entity to develop the services contemplated herein.

SECTION II: BACKGROUND

MTE is soliciting proposals for financial services to explore options for developing a biomass renewable energy project to generate 5-20 MW of electricity. MTE intends to develop a renewable energy project that provides significant local economic development in northeast Wisconsin while supplying a dependable, cost-effective supply of renewable energy. MTE may seek to form a joint agency, government entity, or any other type of entity that could be established to own, operate and transmit electric power within Wisconsin's existing regulatory structure.

SECTION III: SUBMISSION OF PROPOSALS

Each Proposer must submit an original and four (4) copies of the proposal.

Each Proposer shall also supply an electronic copy of the proposal in pdf format.

Proposals must be received no later than **3:30pm, Central Standard Time (CST), January 31, 2008**, and submitted to the following address:

Adrian Miller, President
PO Box 10
Neopit WI 54150

or by email to:

adrianm@mtewood.com

Proposals submitted by telegraph or facsimile will not be accepted. MTE is not responsible for delays or losses caused by the US Postal Service or any other carrier or delivery service. MTE reserves the right to accept proposals after the date specified above.

SECTION IV: DEFINITIONS

- A. **Conflict of Interest:** A situation in which a person or entity presently has, or has previously had, a duty or obligation to more than one person or organization, and consequently cannot fairly maintain obligations to the actual or potentially adverse interests of one or more parties. A conflict of interest exists where an individual owes a duty of loyalty to another party, which is or can be compromised, directly or indirectly, by the pursuit of personal interests by a person or entity, or the pursuit by that person or entity of obligations to another person or party.

- B. **Proposer:** An individual or firm which submits a proposal to provide the financial services requested by this RFP. A Proposer can include a joint venture, partnership, or other organizational structure, including a proposal team.

SECTION V: RULES OF GOVERNING REQUEST FOR PROPOSALS

A. INSTRUCTIONS FOR PREPARING AND SUBMITTING PROPOSALS

1. **Proposal Signature** – Each proposal shall be signed by a principal of the Proposer firm, or another person, who is fully authorized to act on behalf of the Proposer(s)
2. **Extension of Time** – MTE reserves the right to extend the proposal due date. If a Proposer needs an extension of time to prepare the proposal a written request should be forwarded no later than five (5) days prior to the due date of this RFP and explain the circumstances necessitating the request. The request should be directed to the address noted in Section V (C) (1), Contact Between Proposer and MTE- Questions. Extensions may be granted in the sole discretion of MTE. In the event an extension request is granted, prospective Proposer(s) will be notified immediately.
3. **Addenda-Right to Withdraw RFP** – MTE reserves the right to add to, amend, withdraw, and/or cancel, in part or entirely, this RFP for any reason and at any time with no liability to any prospective Proposer for any costs or expenses incurred in connection with the RFP or otherwise. If any part of the RFP is revised, addenda to the RFP will be provided to all Proposers provided a copy of the RFP.

B. PROPOSAL CONDITIONS

1. **Public Record/Confidentiality** – Proposals submitted may become a matter of public record. Proposer agrees as a condition of submitting a proposal that MTE will not be held liable or accountable for any loss or damage which may result from proposals becoming a matter of public record. The Proposer agrees, by submitting a proposal, to indemnify MTE from any liability resulting from any and all third party claims and/or losses which may arise as a result of this process.
2. **Award** – MTE reserves the right not to award a contract to any Proposer(s). If MTE decides to award a contract(s), MTE will award a contract(s) to the qualified Proposer(s) whose proposal MTE determines best meets the needs of MTE. MTE reserves the right to award a contract(s) other than to the lowest priced proposal.
3. **Ownership of Materials Submitted** – All material submitted is the property of MTE and will not be returned.

4. **Proposer's Costs** – MTE shall not be responsible for any costs incurred by Proposers in connection with this RFP. Proposers shall bear all costs associated with proposal preparation, submission and attendance at presentation interviews, or any other activity associated with this RFP or otherwise.
5. **Use of Proposal Ideas** – MTE reserves the right to use any or all Proposer service ideas presented. Selection or rejection of the proposal does not affect this right.

C. CONTRACT BETWEEN PROPOSER AND MENOMINEE TRIBAL ENTERPRISES

1. **Questions** – Inquiries concerning any aspect of this RFP and contract award should be submitted, in writing to:

Menominee Tribal Enterprises
Adrian Miller, President
PO Box 910
Neopit WI 54150

or by email to:

adrianm@mtewood.com

The closing date for receipt of written questions will be on **January 31, 2008** at

2. **Errors** – Should the Proposer believe that an error appears in the RFP documents, Proposer shall notify the address noted above.

SECTION VI: SELECTION OF PROPOSAL

A. SELECTION PROCESS

1. **Criteria Compliance** – MTE reserves the right to determine, in their sole and absolute discretion, whether any aspect of a proposal satisfactorily meets the criteria established in this RFP.
2. **Submission of Alternatives** – Although this RFP specifies minimum requirements for completion of the proposal and should be responded to in all respects, Proposers are invited and encouraged to submit alternative concepts of governance and financing that may be of interest to MTE.
3. **Additional Information Requests** – MTE reserves the right to request additional information from Proposers during any phase of the proposal evaluation process. During the evaluation and selection process, MTE may request the presence of Proposer's representatives to make representations and answer specific questions. Notification of any such requirements will be given as necessary.

SECTION VII: CONTENT OF PROPOSAL

Proposals must include the following information, preferably in the following order:

A. QUALIFICATIONS (KNOWLEDGE, EXPERTISE, CAPABILITIES)

1. Please state your firm's name, including its organizational form (i.e. partnership, corporation, etc), address, and date of formation or establishment of firm, or as appropriate, similar information for each member of the proposal team.
2. Please identify:
 - a. The expertise of the firm or proposal team in the area of financial analysis relating to development, financing, construction of a biomass facility to generate electricity.
 - b. The names of consultants who will be assigned to the work, their academic credentials, resumes and experience.
 - c. Similar projects undertaken within the past five (5) years. For each project, identify the client's name, address and telephone for a contact person currently available who is familiar with the project.
 - d. The knowledge, understanding and experience of the firm or proposal team in working with the electric utility industry, electric power markets, and the relevance of that work to this project.
 - e. The understanding of the firm or proposal team of the electric transmission system, the roles and responsibilities and operations of MTE, interconnection requirements, tariffs, renewable energy credits, and other incentives or barriers for a non-utility organization to produce electricity from bio-mass.
 - f. The knowledge of the firm or proposal team of the federal, tribal and state laws, rules, and regulations relevant to the electric utility industry; actions regarding renewable energy development by tribal, state, federal, national and regional regulatory agencies, including the federal Securities and Exchange commission (SEC); and experience representing clients before the PUC and other regulatory agencies.
 - g. The knowledge of the means available for public and private financing, and financing for significant infrastructure facilities. An understanding of the options available to finance renewable energy projects including Clean Renewable Energy Bonds, federal grants and loans available through the US Department of Energy, the US Department of Agriculture, and other state, federal and private

agencies and organizations that provide financial assistance to develop capacity.

B. SCOPE OF SERVICES

The proposal is intended to establish the credentials of the Proposer or proposal team regarding previous work in the areas of expertise sought.

Briefly describe how the Proposer would approach, develop, analyze, evaluate and recommend a financial model to enable MTE to implement a biomass energy project that supports local economic development goals and produces electricity.

C. RATES

Please list your fee proposal. In addition, state the normal hourly rates charged by the persons who will or may be assigned to perform services for MTE and the discounted rate which will be charged to MTE. It is expected that fee proposals will include a significant discount from normal hourly rates.

Maximum available for project: \$50,000

D. CONFLICTS OF INTEREST

Please disclose any conflicts of interest your firm may have in performing the work described in this RFP. Please refer to *Definitions*, Section IV.