



<b>Purchasing Use Only:</b>	
Approval#:	160502

## SOLICITATION WAIVER JUSTIFICATION AND REQUEST FORM

**ALL FIELDS ARE REQUIRED – INCOMPLETE REQUESTS WILL BE RETURNED TO THE AGENCY**

<b>1a</b>	<b>Agency Contact Information - Note: Approved copy will be sent to only the contact(s) listed below:</b>			
	State Agency:	<i>Public Utilities Commission of Nevada (PUCN)</i>		
		<i>Contact Name and Title</i>	<i>Phone Number</i>	<i>Email Address</i>
		<i>Nichole Shafer, Financial Officer</i>	<i>775-684-6195</i>	<i>nshafer@puc.nv.gov</i>

<b>1b</b>	<b>Vendor Information:</b>	
	Identify Vendor:	<i>Energy + Environmental Economics, Inc. (E3)</i>
	Contact Name:	<i>Snuller Price</i>
	Address:	<i>101 Montgomery Street, Suite 1600, San Francisco, CA 94104</i>
	Telephone Number:	<i>415-391-5100</i>
	Email Address:	<i>snuller@ethree.com</i>

<b>1c</b>	<b>Type of Waiver Requested – Check the appropriate type:</b>	
	Sole or Single Source:	<input checked="" type="checkbox"/>
	Professional Service Exemption:	<input type="checkbox"/>

<b>1d</b>	<b>Contract Information:</b>			
	Is this a new Contract?	Yes	<input checked="" type="checkbox"/>	No
	Amendment:	#		
	CETS:	#		

<b>1e</b>	<b>Term:</b>				
	One (1) Time Purchase:				
	Contract:	Start Date:	<i>5/2/2016</i>	End Date:	<i>6/30/2016</i>

<b>1f</b>	<b>Funding:</b>	
	State Appropriated:	
	Federal Funds:	
	Grant Funds:	
	Other (Explain):	<i>Regulatory Fund Fees – The PUCN’s budget is funded primarily through the annual regulatory assessment levied against public utilities in the State.</i>

<b>1g</b>	<b>Total Estimated Value of this Service Contract, Amendment or Purchase:</b>	
		<i>\$66,610.00</i>

2	<b>Provide a description of work/services to be performed or commodity/good to be purchased:</b>
	<i>The original contract with E3 was necessitated by Nevada Assembly Bill (AB) 428, which was enacted on June 11, 2013. AB 428 required the Commission to open an investigation relating to the costs and benefits attributable to net energy metering.</i>
	<i>Section 26.5 of AB 428 states that the investigation shall engage a knowledgeable and independent third party to analyze all factors that the Commission deems necessary to determine costs and benefits to the State of Nevada, customer-generators who participate in net-metering, customers of a utility who do not participate in net metering, and each utility that offers net metering.</i>
	<i>A written report of the findings and recommendations from the investigation, including, without limitation, a calculation and determination of the total costs of and benefits from net-metering was due to the Director of the Legislative Counsel Bureau on or before October 1, 2014.</i>
	<i>The new contract will update the prior 2014 E3 study regarding net energy metering in Nevada using the most recently available information, and the analysis tools will be adapted to provide results comparable to those in the prior study so that the two studies can be compared side by side.</i>

3	<b>What are the unique features/qualifications required for this service or good that are not available from any other vendor:</b>
	<i>E3 previously completed the study and has the knowledge and tools available to gather the required data and release a final report for similar comparison. To be able to compare the revised study to the previous study, using the same vendor is vital. Additionally, the Legislative Committee on Energy requested that the Commission contract with E3 to update the study in order to do a side-by-side comparison.</i>

4	<b>Explain why this service or good cannot be competitively bid and why this purchase is economically only available from a single source:</b>
	<i>Contracting with E3 again is the most cost effective method to ensure all data is interpreted accurately using the same methodology and parameters as the previous study. This will ensure the reports are comparable.</i>

5	<b>Were alternative services or commodities evaluated? Check One.</b>	Yes:	<input type="checkbox"/>	No:	<input checked="" type="checkbox"/>
	a. <i>If yes, what were they and why were they unacceptable? Please be specific with regard to features, characteristics, requirements, capabilities and compatibility.</i>				
	b. <i>If not, why were alternatives not evaluated?</i>				
	<i>Contracting with E3 again is the most cost effective method to ensure all data is interpreted accurately using the same methodology and parameters as the previous study. This will ensure the reports are comparable.</i>				

6	<b>Has the agency purchased this service or commodity in the past? Check One. Note: If your previous purchase(s) was made via solicitation waiver(s), a copy or copies of <u>ALL</u> previous waivers <u>MUST</u> accompany this request.</b>	Yes:	<input checked="" type="checkbox"/>	No:	<input type="checkbox"/>

a. <i>If yes, starting with the most recent contract and working backward, for the <b>entire</b> relationship with this vendor, or any other vendor for this service or commodity, please provide the following information:</i>				
<i>Term Start and End Dates</i>		<i>Value</i>	<i>Short Description</i>	<i>Type of Procurement (RFP, RFQ, Waiver #)</i>
<i>12/10/2013</i>	<i>10/1/2014</i>	<i>\$160,100.00</i>	<i>Net Metering Study</i>	<i>Waived by Chief of Purchasing 10/2013.</i>
		\$		
		\$		
		\$		
		\$		

7	<b>What are the potential consequences to the State if the waiver request is denied and the service or good is competitively bid?</b>
	<i>If another company were to come in the data might be interpreted differently, therefore the information may not be comparable.</i>

8	<b>What efforts were made or conducted to substantiate there is no competition for the service or good and to ensure the price for this purchase is fair and reasonable?</b>
	<i>Not fiscally responsible to use another vendor as E3 already has the knowledge and relevant data to make a genuine comparison.</i>

9	<b>Will this purchase obligate the State to this vendor for future purchases? Check One.</b>	Yes:		No:	X
	a. <i>If yes, please provide details regarding future obligations or needs.</i>				
	<i>At this time, there are no plans for a similar study to be conducted, however, if the Legislation requests such a study previous statistics may be used for future studies.</i>				

By signing below, I know and understand the contents of this Solicitation Waiver Request and Justification and attest that all statements are true and correct.

Nichole Shafer  
Agency Representative Initiating Request

Nichole Shafer  
Print Name of Agency Representative Initiating Request

5/2/16  
Date

Breanne Potter  
Signature of Agency Head Authorizing Request

Breanne Potter  
Print Name of Agency Head Authorizing Request

5/2/16  
Date

PLEASE NOTE: In an effort to avoid possible conflict with any equipment, system or process already installed or in place by the State of Nevada or to assist in our due diligence, State Purchasing may solicit a review of your request from another agency or entity. The signature below indicates another agency or entity has reviewed the information you provided. This signature does not exempt your agency from any other processes that may be required.

Name of agency or entity who provided information or review:

N/A

Representative Providing Review

Print Name of Representative Providing Review

Date

Please consider this memo as my approval of your request. This exemption is granted pursuant to NAC 333.150(2)(a)(b)(c), NRS 333.400. This exemption may be rescinded in the event reliable information becomes available upon which the Purchasing Administrator determines that the service or good sought may in fact be contracted for in a more effective manner. Pursuant to NRS 284.173(6), contracts for services do not become effective without the prior approval of the State Board of Examiners (BOE).

If you have any questions or concerns please contact the Purchasing Division at 775-684-0170.

Signed:

[Signature]  
Administrator, Purchasing Division or Designee

5-4-2016  
Date