

**From:** Chavez,Ottmar (AAPP)  
**Sent:** Saturday, January 11, 2020 9:04 PM  
**To:** Fontanes Gomez, Fermín (AAPP) <[Fermin.Fontanes@p3.pr.gov](mailto:Fermin.Fontanes@p3.pr.gov)>  
**Cc:** Marrero, Omar (AAFAF) <[omar.marrero@aafaf.pr.gov](mailto:omar.marrero@aafaf.pr.gov)>; Edison Aviles Deliz <[eavilesdeliz@energia.pr.gov](mailto:eavilesdeliz@energia.pr.gov)>; Ralph Kreil Rivera <[ralph.kreil@prepa.com](mailto:ralph.kreil@prepa.com)>; José F. Ortiz Vázquez <[jose.ortiz@prepa.com](mailto:jose.ortiz@prepa.com)>  
**Subject:** Re: P3A - T&D Project - Preferred Bidder Selection Vote

In favor as proposed below, to negotiate better financial conditions, not present yet, with preferred bidder.

-Ottmar  
787-505-2665

On Jan 10, 2020, at 8:46 PM, Fontanes Gomez, Fermín (AAPP) <[Fermin.Fontanes@p3.pr.gov](mailto:Fermin.Fontanes@p3.pr.gov)> wrote:

Dear Members of the Partnership Committee,

In accordance with Article 8(b) of Act No. 29-2009, as amended, known as the Public Private Partnerships Act (“Act 29”) and Section 3.4 of *Regulation for the Procurement, Evaluation, Selection, Negotiation and Award of Partnership Contracts and Sale Contracts for The Transformation of the Electric System Under Act No. 120-2018, as Amended* (the “Regulation”), the Puerto Rico Public Private Partnerships Authority (the “Authority”) hereby acknowledge receipt of the Evaluation Scorecards of all the Partnership Committee Members (the “PC”).

The Authority tabulated the Evaluation Scorecards (Financial and Operations Scorecards, Technical Scorecards and Presentation Scorecard) of each of the members of the PC to determine the ranking of the Proposals submitted by Luma Energy and PSEG Puerto Rico. The ranking of the Proponents based on the result of the overall tabulated Evaluation Scorecards of all the members of the PC is the following:

1. Luma Energy
2. PSEG Puerto Rico

Below is a table showing the averages of the tabulated Evaluation Scorecards.

**Table – Average Evaluation Scorecards**

| Criteria     | LUMA         | PSEG         |
|--------------|--------------|--------------|
| Financial    | 45.32        | 42.26        |
| Technical    | 42.22        | 37.17        |
| Presentation | 4.80         | 4.40         |
| <b>Total</b> | <b>92.34</b> | <b>83.83</b> |

Based on these results, the Authority hereby submits for your consideration a request to vote either in favor or against the selection of: (i) Luma Energy (Rank #1) as the Preferred Proponent; and, (ii) approve the revisions to the Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement (“O&M Agreement”) provided to the PC in the email sent on January 8, 2020. For your benefit, the Authority includes a copy of the aforementioned email with all of the attachments provided to the Members. If approved by the Members of the PC, the O&M Agreement will be circulated to the Preferred Proponent in conjunction with the notice of the Preferred Proponent.

A vote in favor will authorize the Authority to negotiate with the Preferred Proponent the terms and conditions of the O&M Agreement and work towards the improvement of the terms of the financial components of the Luma Energy’s Proposal.

To that effect, the Authority respectfully requests the Members of the PC to, in the exercise of their responsibilities under Act 29 and the Regulation, approve to select LUMA Energy as the Preferred Proponent, approve the O&M that will be sent to the Preferred Proponent and authorize the Authority to negotiate the terms and conditions of the O&M Agreement.

Unanimous written consent from all Members of the PC is required to select the Preferred Proponent and the O&M Agreement.

**Please provide your votes no later than tomorrow, January 11, 2020. As previously stated, all of the Members of the PC must submit a vote in in order to become approved.**

Please reply to all of the other Members of the PC.

Thanks,

Fermín

**Fermín Fontánes**

Executive Director  
Puerto Rico Public Private Partnerships Authority  
Fiscal Agency and Financial Advisory Authority  
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