Call for Applications

Tidal Stream Projects

Berths B and E – Fundy Ocean Research Centre for Energy ("FORCE")

Power Advisory LLC

Serving as the Procurement Administrator

June 23, 2025

Contents

1. Introduction

The Province of Nova Scotia is located on Canada's Atlantic coast and has one of the largest tidal energy resources in the world. The Bay of Fundy has the world's highest tidal range as well as some of the fastest tidal currents that can reach up to five metres per second (5 m/s). More than 160 billion tonnes of water flow through the Bay of Fundy during each tidal cycle, which is more than the combined flow of all the freshwater rivers and streams in the world. In Minas Passage, 14 billion tonnes of this water pinches through a relatively narrow channel, creating one of the most powerful and significant tidal energy resources.

To better understand how this resource can help Nova Scotia meet its clean energy targets, contribute to economic growth, and reduce reliance on imported energy, the Province has advanced a series of actions, including policy, funding, regulation and the creation of the Fundy Ocean Research Centre for Energy ("FORCE") – North America's leading centre and test site for the research and demonstration of tidal stream technologies.

Nova Scotia has ambitious renewable energy goals, including legislated targets of reaching 80% renewable energy generation by 2030 and Net Zero emissions by 2050.

The Province of Nova Scotia proclaimed the *Marine Renewable-energy Act* in 2018: the first legislation in Canada to govern marine renewable energy projects in provincial waters.[1] The legislation aims to protect the environment, respect community and local needs, and ensure that Nova Scotians benefit from the development of marine renewable energy. The legislation implements the Province's *Marine Renewable Energy Strategy* (2012), which maps out a high-level plan to continue researching, developing, and regulating how we will harness this resource in a coordinated and responsible manner.

The province is committed to the safe and responsible development of marine renewable energy resources, in an incremental and adaptive manner and in the best interests of Nova Scotians. To date, project development has been guided by the following principles:

[1] As amended by 2017, c. 12; 2019, c. 34; 2022, c. 19 (except s. 9(6)); 2024, c. 2, s. 44; 2024, c. 5, ss. 152-155

- Protect and conserve the marine environment
- Employ an adaptive and staged approach to development
- Embrace collaboration and consultation
- Recognize and respect other uses and users of the ocean and balance interests
- Ensure that health and safety are top priorities
- Develop the industry in a sustainable and responsible manner and
- Maintain and ensure community sustainability.

Critical to these principles is the inclusion of and consultation with the Mi'kmaq of Nova Scotia under the Mi'kmaq-Nova Scotia-Canada Consultation Terms of Reference[2].

All capitalized terms in this Call for Applications have the meanings ascribed to them in Appendix A – Glossary of Terms or the draft power purchase agreement ("PPA") unless otherwise defined in this document.

2. Organization and Structure

In the past, under the authority of the *Electricity Act* and *Renewable Electricity Regulations*, the Province of Nova Scotia has granted rights and awarded financial mechanisms to deploy and operate tidal stream technologies at the FORCE test site through a competitive Call for Applications process. With the enactment of the *Marine Renewable-energy Act* in 2018, authority has been established to award licences through a Call for Applications administered by the Nova Scotia Department of Energy. Under the *Marine Renewable-energy Act,* the Minister of Energy ("the Minister") has the authority to delegate the power to award a licence to a Procurement Administrator. This procurement process for tidal energy will be organized and facilitated by an independent Procurement Administrator.

2.1. Procurement Administrator

To fulfill the Call for Applications, Power Advisory LLC ("Power Advisory") has been appointed[3] as the Procurement Administrator to conduct a procurement process and award a PPA or PPAs for tidal stream

[2] https://www.rcaanc-cirnac.gc.ca/eng/1100100031918/1529422910174

[3] OIC 2025-112 https://novascotia.ca/apps/oic/OicFile/Details/20925

energy. In addition, ministerial authority has been delegated to the Procurement Administrator to issue Marine Renewable-electricity licences ("MRE Licence") under the *Marine Renewable-energy Act*.

The Procurement Administrator will determine which projects:

a) Meet the criteria to be issued a MRE Licence under the *Marine Renewable-energy Act*;
b) Are most likely to successfully deliver electricity to the grid within the stated timelines; and
c) Provide the best value for Nova Scotians.

The Procurement Administrator has established a website, www.nstidalprocurement2025.com , which will be the primary means of communicating with potential Applicants about this Call for Applications ("Procurement Website").

3. Project Requirements

In this section we describe eligibility criteria for Projects to respond to this Call for Applications.

3.1. Project Eligibility

The eligibility requirements for Projects responding to this Call for Applications are:

a) The Project must be a tidal stream energy project.
b) The minimum Project Capacity must be five (5) megawatts ("MW") per berth.
c) The maximum Project Capacity must be eight (8) MW per berth.
d) The Project must be in one or both of Berth 'B' or Berth 'E' at FORCE.
e) The proposed tidal stream energy technology must have at least a Technology Readiness Level of 7 ("TRL 7"), i.e., full-scale prototype tested at sea, using the definition of TRL 7 from European Marine Energy Centre Technology Readiness Level.
f) The Project must have a proposed Energy Rate of less than CAD 500/MWh.

g) The Project must begin producing electricity no later than December 31, 2030 ("In-Service Date").

The total aggregate Project Capacity of Projects of both available berths must not exceed 13 MW.

Regarding the TRL 7 eligibility criterion, this pertains to the type of tidal stream energy turbine the Applicant intends to deploy into the berth (s), i.e., a full-scale prototype that has already been tested at sea. We recognize that modifications to this prototype may be needed to adjust for site-specific conditions.

Successful Applicants will be awarded a MRE Licence under the *Marine Renewable-energy Act*. The initial term of a MRE Licence may not exceed twenty (20) years. The template Licence Agreement under the *Marine Renewable-energy Act* is included as Appendix B.

Successful Applicants will also be offered a PPA. The PPA is posted to the Procurement Website. The term of the PPA at the proposed Energy Rate will be fifteen (15) years. A successful Applicant must develop, permit, construct, commission, operate and decommission its Project for the term of the PPA. A project may be awarded more than one PPA, so that separate PPAs are attributed to certain stages of development and activate as devices are commissioned. A successful Applicant must execute the PPA substantially in the form as approved by the Nova Scotia Energy Board ("NSEB"). For greater certainty, the PPA will not be negotiated and will only be modified from the form approved by the NSEB to include Application-specific and project-specific information, subject to the Procurement Administrator's reserved rights (refer to Section 6.3 Reserved Rights).

3.2. Fees

Pursuant to the *Marine Renewable-energy Fees Regulations*[4], all Applications must include an Application Fee of two-thousand five hundred Canadian dollars (CAD 2,500.00) to be considered

[4] https://novascotia.ca/just/regulations/regs/mrefees.htm

complete. Payment must be made via electronic funds transfer ("EFT") payable to the Nova Scotia Minister of Finance.

For instructions on how to make this EFT payment of the Application Fee please contact:

Liz Seeton
Coordinator, Operational Accounting
Province of Nova Scotia
Service Nova Scotia
1505 Barrington Street, Halifax, NS B3J 3K5
6 South Maritime Centre
liz.seeton@novascotia.ca
(902) 221-2644

Applications submitted without an Application Fee payment will not be evaluated.

3.3. Project Location

This Call for Applications is restricted to Berths 'B' and 'E' located within the FORCE Marine Renewable-electricity Area ("FORCE MREA") as described in Schedule C of the *Marine Renewable-energy Act*. As the licence areas will be located within an established berth inside the FORCE MREA, the legislative requirement for a survey by a Nova Scotia Land Surveyor is complete (Appendix C). Appendix D contains maps of Berths 'B' and 'E'.

Berth 'B' has existing subsea and terrestrial cables to connect a project to the FORCE Substation. Berth 'E' does not (refer to Section 3.4 FORCE Mandate and Infrastructure below).

Figure 1 - Map of Nova Scotia with FORCE Location

3.4. FORCE Mandate and Infrastructure

FORCE is North America's leading research centre and test site for tidal stream technology. FORCE collaborates with industry, government, academia, Indigenous groups, and interested parties to:

- develop and operate a tidal energy demonstration facility to understand the commercial potential of tidal stream devices;
- acquire information necessary to assess the performance of tidal stream devices including their effect on the environment and the effect of the environment on the devices; and

- develop techniques and methodologies to monitor the interactions between tidal stream devices and the marine environment and aquatic species.

To support its mandate, FORCE has deployed four subsea electrical cables within the FORCE MREA (Berth B has a subsea cable connection, Berth E does not). Each cable is a composite cable consisting of three 34.5kV insulated power cores, a twelve (12) strand optical fibre cable for control/communication, and a four (4) core auxiliary power cable, all assembled within an outer two (2) layer steel armour protective jacket. Onshore, the cables are connected to land-based system of underground cable, cable vaults and ducts, routed to the FORCE generation collection substation. Production from each tidal stream device connected at each berth, is monitored and controlled separately, and delivered to a generation collection bus. Presently, the FORCE substation can accommodate up to thirty megawatts (30) MW of capacity. The FORCE substation is connected to the Nova Scotia Power Inc. ("NSPI") grid system through 10km of 138kV transmission line.

FORCE does not provide any guarantee or warranty on the condition of the subsea electrical cables. Registered Applicants can request condition survey information on the subsea cables from FORCE.

FORCE also has a 3,000 square foot Visitor and Operations Centre overlooking the ocean site near the community of Parrsboro that supports research and monitoring, marine operations, and engagement efforts. For further information about FORCE, please visit www.fundyforce.ca.

3.5. Site Data

FORCE has collected substantial data within the Minas Passage. Reports and analyses pertaining to environmental effects monitoring can also be found at https://fundyforce.ca/document-collection.

For additional information and detailed site information please contact FORCE:

Ray Pieroway, CET
Technical Director
ray.pieroway@fundyforce.ca

FORCE has the following information available:

a) Documentation

i. FORCE acoustic doppler current profiler (“ADCP”) and bathymetry description

ii. Finite Volume Community Ocean Model (“FVCOM”) - FORCE region model: Summary report

b) ADCP

i. Multiple 30+ day datasets at various locations spanning 2008-2023

Bathymetry

GIS and xyz representations of bathymetry data

Minas Passage Digital Elevation Model (“DEM”) at 2.0 m resolution

FORCE region at 40cm resolution

c) FVCOM – Modelled Velocity Dataset

i. FORCE Region FVCOM model, run for 1 year, projected onto a grid (50 m x 10 mins)

Only potential Applicants that have registered with the Procurement Administrator shall have access to this detailed site data upon request.

3.6. Registration

Potential Applicants are encouraged to register their intention to respond to this Call for Applications by completing the online form at the procurement website. Project-specific information in the registration form is not binding on the Applicant.

Only registered Applicants will have their submissions evaluated.

3.7. Regulatory Context

A successful Applicant will be required to adhere to all environmental, health and safety, and engineering best practice guidelines and standards where they exist for the deployment and operation of tidal stream devices. Receiving a MRE Licence under the *Marine Renewable-energy Act* is one of several consents and approvals that a project will require prior to undertaking activities within a berth. A successful Applicant will be required to engage with all other applicable federal and provincial

regulatory agencies, including Fisheries and Oceans Canada, Nova Scotia Environment and Climate Change and Transport Canada, to assess the requirements under their respective mandate. MRE Licence holders will be required under the terms and conditions of the MRE Licence to work with FORCE when consulting with other regulatory agencies.

In addition, a successful Applicant will be required to enter into an agreement or similar arrangement with FORCE ("FORCE Agreement"). The terms and conditions of the FORCE Agreement will require the payment of quarterly berth fees, and the MRE Licence holder to comply with FORCE's Environmental Assessment approval and its Rules and Regulations governing, among other things, activities at its Facility and test site. A template of the FORCE Agreement is included as Appendix E.

3.8. Questions

The Applicant is responsible for obtaining any needed clarification of the requirements of this Call for Applications. Questions should be directed in writing to the Procurement Administrator using the Q&A functionality of the Procurement Website.

Questions and responses that are deemed to materially affect the Call for Applications requirements, project scope, timelines, etc., or to be of interest to all prospective proponents may be made available on the Procurement Website.

The URL of the Procurement Website is www.nstidalprocurement2025.com

3.9. Application Submission Deadline

The Procurement Administrator will not accept Applications after 5:00:00 pm Atlantic Prevailing Time on a date that is 45 days after NSEB approval of the PPA ("Application Submission Deadline"). Once the NSEB has approved the PPA, we will issue an addendum to the Call for Applications pursuant to subsection 6.3(f) to specify the date of the Application Submission Deadline.

Upon the closing of this Call for Applications, the Department of Energy will post the identity of the Applicants who responded to this Call for Applications on the following website: https://beta.novascotia.ca/government/energy

3.10. Application Submission Delivery

One (1) electronic copy of the Application is required to be uploaded to a secure website on, or before the Application Submission Deadline. Registered Applicants will be emailed a link to a secure website not more than five (5) days prior to the Application Submission Deadline. Applicants can use this link to access a secure website where they can upload their Applications. The Applicant will only have access to its own secured folder.

Applications submitted using any other method of delivery will not be evaluated.

3.11. Application Format

The Application should be presented in the following format (with subheadings as required):

a) Title page – identifying the Applicant
b) Table of Contents
c) Executive Summary
d) Authorized Representative Letter
e) Application Contact Persons
f) Project Overview
g) Applicant and Project Organization
h) Applicant Financial Information
i) Technology Description
j) Project Plan
k) Project Financial Information
l) Risk Management and Insurance Plan
m) Maine Operations Plan
n) Environmental Monitoring Plan
o) Decommissioning and Environmental Restoration Plan
p) Social and Economic Information
q) Indigenous Engagement
r) Mi'kmaq Engagement
s) Stakeholder Engagement
t) Sector Engagement

u) Long-term Goals
v) Sustainability
w) Appendices – this should include any information that supports the material presented in the above sections and include a Table of Concordance.

The Application and its appendices must be submitted in searchable Adobe Acrobat Portable Document Format ("pdf"). Applications should be prepared using 10-point, or greater, typeface using singled-spaced text. All pages should be numbered uniquely. The Financial Model requested in Section 4.9.3 of this Call for Applications must be submitted in Microsoft Excel format and be unlocked so that it can be opened and the cell formulae and data inputs viewed.

The Application should also contain a Table of Concordance as an appendix to the Application to show where information in the Application pertaining to the evaluation matrix set out in Section 5 of this Call for Applications can be found.

As per above, an Application will not be evaluated unless the province receives confirmation of the payment of the Application Fee.

3.12. Disclaimer

This Call for Applications is not a substitute for the *Marine Renewable-energy Act*[5], the *Electricity Act*[6], or any applicable regulations. In the event of any inconsistency between this Call and any Act or regulation, the Act or regulation, as applicable, will prevail.

4. Application Contents

The following subsections describe the contents of an Application.

[5] https://nslegislature.ca/sites/default/files/legc/statutes/marine%20renewable-energy.pdf

[6] https://nslegislature.ca/sites/default/files/legc/statutes/electricity.pdf

4.1. Executive Summary

To enable the evaluation team to gain an overall perspective of the proposed Project, prior to reviewing it in detail, please provide a one or two-page summary of the Application and, at a high level, the process followed to prepare the Application, including organizations or persons consulted or retained to assist in the preparation of the Application.

4.2. Authorized Representative Letter

The Application must include an Authorized Representative Letter executed by an authorized representative of the Applicant, who has signing authority. This letter must state that the content of the Application to be complete and accurate. The representative must provide a statement or assurance that these is no outstanding issue, claim, legal matter related to the Applicant and/or its past work.

The letter must also include the following statement:

> "I understand the Minister may disclose any information, including personal information, contained in this application for a MRE Licence when consulting with any department of the public service of the Province or of Canada, government agency or agency of the Government of Canada, that exercises regulatory authority over any aspect of the activities to be carried on under a MRE Licence."

4.3. Application Contact Persons

Please state in the Application the following information for the primary and secondary contact for the Applicant:

a) Name:
b) Title:
c) Address:
d) Telephone:
e) Email:

The primary contact will be the single point for contact for Application-related matters for the Procurement Administrator and the secondary contact will only be used if the primary contact is unavailable or unresponsive.

4.4. Project Overview

Please provide a detailed description of the Project including, but not limited to, identifying the berth(s), identifying and describing the tidal stream energy technology to be deployed, the methodologies to be used in deployment of the technology, interconnection with the NSPI transmission grid via the FORCE interconnection facility, as well as the operation and maintenance, and decommissioning of the Project. This description should include a description of the necessary vessels and other equipment to complete these activities, plans to secure the services of these vessels, the sequence of operations, and contingency plans. Also, please state the proposed Annual Net Output for the Project.

4.5. Applicant and Project Organization

In this section of the Application the Applicant should described itself and how its proposed Project team will be organized.

4.5.1. Applicant Details

Please provide a description of the Applicant, including but not limited to, whether the Applicant is a corporation, partnership, limited partnership, or other type of business entity. The Applicant must be a single entity. If the Applicant is a joint venture, it must establish some form of single entity, e.g., corporation, limited partnership, etc., with which NSPI will contract.

Describe how the Project is structured and provide a corporate organization chart showing levels of ownership, subsidiaries, etc. of the Applicant. Indicate the nature of the relationships within the proponent including copies of any legal agreements that document the relationship; and provide the following information in respect of each entity with a ten percent (10%) or greater stake in the Project or Applicant.

a) Applicant Name:
b) Applicant Business Structure (corporation, partnership, limited partnership, sole proprietorship, other):

c) Registered Address:
d) Name of Registered Agent:
e) Telephone:
f) Email:
g) Applicant or Project URL:
h) Name of authorized signatory(s):
i) Nova Scotia Registry of Joint Stock Companies ID number (if applicable):

Nova Scotia law requires all businesses operating within the province to register with the Nova Scotia 'Registry of Joint Stock Companies'[7] (with some exceptions for New Brunswick businesses who are registered with the New Brunswick 'Corporate Affairs Registry'). The status of an Applicant's business registration does not preclude the submission of an Application in response to this Call for Applications. However, the Applicant will be expected to be registered at the time of MRE Licence issuance. Evidence of good standing within the Registry, or a plan to register, must be provided at the time of Application.

4.5.2. Experience, Expertise, and Credentials

In this section the Applicant is requested to demonstrate its experience and that of its leadership team. It may be necessary to repeat some examples under several headings or refer to previously provided information if verbatim.

4.5.3. Major Projects

The Applicant should describe its experience, expertise and credentials with respect to tidal stream energy projects, marine renewable energy projects, or major projects. Identify similarities and differences from the proposed Project. Describe any issues or challenges, key lessons learned, and applicable best practices.

[7] https://beta.novascotia.ca/programs-and-services/registry-joint-stock-companies

Provide independent third-party references for three projects that the Applicant, or its project partners, were involved in during the past five years including a contact name, phone number, and email address for each.

4.5.4. Project Management

The Applicant should describe, giving examples, its experience, expertise, and credentials with respect to project management pertinent to the requirements in this Application.

The Applicant should describe similarities to and differences from the Applicant's proposed Project. Describe any issues or challenges, key lessons learned, and best practices.

4.5.5. Experience working with Regulators

The Applicant should describe its experience working with regulators to obtain and maintain approvals and its involvement with environmental monitoring and reporting.

The Applicant should describe, giving examples, similarities and differences from the proposed Project. Describe any issues or challenges, key lessons learned, and best practices.

4.5.6. Marine Operations Experience

The Applicant should describe, giving examples, its experience, expertise, and credentials in carrying out marine operations, including descriptions of projects including technology, date, location, client, and size of project in MW.

Describe similarities and differences from the proposed Project. Describe any issues or challenges, key lessons learned, and best practices employed.

4.5.7. Project Leadership Team

The Applicant should provide a curriculum vitae of the Applicant's project manager with emphasis on their pertinent technical expertise, project management and/or marine engineering experience related to tidal stream energy. Specify the project manager's responsibilities and contributions to the Project, overall time commitment to it, (including time anticipated to be spent on-site and in the province), and

experience working with members of the Project team. Provide at least two references for the project manager including a contact name, phone number, and email address for each.

Provide curricula vitae (maximum of five pages for each member) of the Applicant's key project team members with emphasis on their pertinent technical expertise, project management and/or marine engineering experience related to tidal stream energy. Include their credentials and the activities during which they acquired their expertise and experience.

4.6. Applicant Financial Information

The Applicant should provide the most recent three (3) years of audited or compiled financial statements and the latest interim statements since year-end for all entities or natural persons with a ten percent (10%) or greater stake in the Project. If the Applicant is a special purpose project vehicle, these statements should be from the sponsors of the Project.

Financial statements should be prepared in accordance with Generally Accepted Accounting Principles ("GAAP") or International Financial Reporting Standards ("IFRS"), as the case may be. At a minimum, the financial statements should include a balance sheet, income statement and statement of cash flows along with the notes to these financial statements.

4.7. Technology Description

4.7.1. Site Characteristics

The FORCE MREA is located within the Minas Passage. The Applicant must indicate whether it prefers Berth B or Berth E, or both berths, for its proposed Project, and its second preference of a berth. The Applicant should indicate why it has selected the berth and the suitability of the berth for the proposed tidal stream energy technology. The Applicant should describe its ability to proceed with deployment of the Project technology should it be awarded its second preference.

Applicants should base their Applications on their own investigation of the site and any detailed information provided by FORCE. Typical design characteristics for Berths 'B' and 'E' are:

- Peak normal current: 5-12 knots

- Water depth at the low water mark: 40 m minimum and 60 m maximum
- Seabed condition: bedrock

Berth 'B' is grid connected via submarine cable, substation, and transmission line in advance of generator deployment. FORCE can provide results of most recent cable test but does not provide any warranty on the condition or serviceability of the cable.

Berth 'E' is available for generator deployment as part of this Call for Application but is not cabled; the Applicant will be required to provide its own connection from its equipment to the FORCE substation.

4.7.2. Technology to be Deployed

The Applicant should provide a detailed description of the tidal stream energy technology and associated major equipment intended to be installed and operated. This description must include but is not limited to:

a) General description of the generator(s), number of generators to be installed, and a description of any cable, equipment, or structure to be used in association with the generator(s) including moorings, piles, or anchors.
b) In respect of each tidal stream generator or type of generator:
    i. Proof of ownership, licence, or equivalent right to use the tidal stream energy technology (proof of ownership/licence must be provided in the Application)
    ii. A description of the Technology Readiness Level ("TRL") using the European Marine Energy Centre Technology Readiness Levels along with substantiating information in support of the claimed TRL.
    iii. Technical drawings (drawings should be included in the Application);
    iv. Nameplate Capacity and predicted performance of the proposed tidal stream energy equipment within the FORCE MREA
    v. Footprint on the seafloor, including cable connectors, moorings, anchors, etc., and any proposed exclusionary areas around the generator(s)
    vi. Swept area of the blade/impellor system relative to vertical water column
    vii. Operation and maintenance plans and schedules, including predicted downtime
    viii. Any applicable certifications and/or third-party verifications against IEC or DNC standards
    ix. Minimum current speed for onset
    x. Maximum current speed for cut-out
    xi. Blade/impellor RPM at maximum current speed

xii. Directionality

c) Main collector elements and description of how they move in response to forces exerted by moving water
d) Power take-off and energy conversion systems
e) Survivability and durability of materials, including consideration of corrosion and
f) Design validation, including proof of device and mooring stability, integrity, and suitability for the loading conditions and bathymetric conditions within the FORCE MREA.

Applicants can propose to deploy and operate tidal stream energy equipment at each berth, but each berth has a maximum Project Capacity of 8 MW and the total aggregate Project Capacity between both available berths at the FORCE MREA is 13 MW (see "Tidal Arrays," below). Applicants can apply for more than one berth.

4.7.3. Tidal Arrays

In the event the Applicant is proposing to deploy more than one generator (an array), the Application must include a map, with coordinates, identifying the proposed location of each generator, cable, equipment, or structure proposed to be installed by the Applicant within the berth. The installation of ancillary infrastructure outside of the berth may be proposed, but must be accompanied by maps, coordinates, and appropriate justification. All generators must be installed within the boundaries of the FORCE MREA.

The generator description must describe:

a) Wake footprint, effects, turbulence, and other oceanographic considerations induced from a single generator (including stationary structures) that may affect the operation of another;
b) Generator proximity and the potential for interaction with other generators, cabling, equipment, mooring lines, etc.;
c) How the generators will be connected to the FORCE subsea electrical cable, including a methodology statement (or, if applicable, FORCE's beach cable vault); and
d) A plan to demonstrate how lessons from the first installed generator will be applied to subsequent installations.

4.7.4. Previous Deployment and Testing

Provide details of previous deployment(s) and/or testing (lab or in situ) of the tidal stream technology the Applicant proposes to use, including:

a) Location
b) Dates of deployment/tests
c) Generator deployed/tested
    i. Manufacturer
    ii. Dimensions and Nameplate Capacity in MW of the tidal stream energy equipment
    iii. Diagram of generator
    iv. Differences between generator(s) tested and generator proposed for deployment
    v. Results of tests, including environmental effects monitoring if applicable
d) Results of the previous physical deployments, including evaluations
e) Contact information of any organizations/individuals which conducted independent monitoring/evaluation of previous deployment
f) If possible, please also provide two (2) reference letters from offtakers of the production.

4.7.5. Predicted Performance

The Applicant should describe how it has used the results of a previous deployment or testing to predict the performance of the generator(s) to be deployed. Include the following information:

a) Annual Net Output in MWh
b) Energy-capture efficiency (water-to-wire) as a function of current velocity in the range zero to the greater of 3 m/s or the peak spring-tide velocity at the intended deployment site
c) Annual average availability (including downtime due to failures)
d) Mean time between failures
e) Basis for predictions made
f) Expected maintenance requirements, and description of maintenance and repair procedures

4.8. Project Plan

The Applicant should provide a Project plan with reasonable detail that reflects the proposed approach/process and demonstrates the Applicant's ability to meet the In-Service Date ("Project Plan"). Provide a detailed Project plan with Gantt chart, showing all key tasks and their time frames, as well as the critical path to completion, including details on at least the following:

a) Federal and Provincial Permitting
b) Physical site preparation
c) Fabrication of the tidal stream equipment and other necessary assets

d) Installation of submarine cabling (if applicable)
e) Installation and commissioning of the tidal stream equipment, or units in an array, and other necessary assets
f) Date of interconnection with the NSPI grid
g) In-service Date
h) Operation and maintenance phase
i) Monitoring and compliance
j) Decommissioning and retrieval

Submit clear Project timelines and confirm that you understand that consequences for non-compliance with any timelines set out in the terms and conditions in the MRE Licence, which can include suspension or revocation of the licence.

4.9. Project Financial information

4.9.1. Project cost summary

The Applicant should provide a detailed summary of the full lifecycle Project costs including:

a) Project development
b) Purchasing or licensing the tidal stream energy technology
c) Engineering, procurement, construction and other capital costs
d) Regulatory compliance, including fees and costs associated with maintaining all Project permits and approvals in good standing
e) Environmental monitoring
f) Contingency and/or mitigation funds
g) Research and development, including but not limited to site characterization, marine operations methodologies, environmental monitoring, resource assessment, etc.
h) Deployment and commissioning
i) Operation and maintenance
j) Substation connection and/or other interconnection
k) Insurance
l) General management and administrative, including salaries, travel, and consultants; and
m) Decommissioning, reclamation, and site rehabilitation.

4.9.2. Project Funding Summary

The Applicant should provide details on complete Project funding, including anticipated sources of funds and its ability to obtain funds. Statements must outline anticipated and secured sources of equity, debt, government grants and/or funding for the Project as well as any interest that may be accrued over the life of the Project. Include any letters of commitment and agreements with funding partners, if available. Please include:

a) Cash contributions
b) Public funds
c) Financing
d) Partnering organizations
e) In-kind contributions

4.9.3. Project Financial Model

The Applicant should provide the predicted cash flow detail for the life of the Project in the form of a cash model for the Project ("Financial Model") as an unlocked Microsoft Excel spreadsheet. The Financial Model should indicate the quantum and timing of the estimated revenue for the Project based on the Applicant's proposed Energy Rate, which can be no greater than CAD 500/MWh, energy production, development expenses ("DevEx"), capital expenses ("CAPEX"), operating expenses ("OPEX"), financing costs, government grants or loans, and taxes. The Financial Model should be accompanied by a narrative description of how the model works and that states all the assumptions used in preparing the Financial Model.

If an Applicant is proposing to use both berths it must propose separate Energy Rates for each berth, subject to the condition that the Energy Rate cannot be greater than CAD 500/MWh.

4.10. Risk Management and Insurance Plan

4.10.1. Risk Management Plan

The Applicant should pprovide a risk management plan for the lifecycle of Project that identifies risks including risks to the Project, the environment, the general public, and activities of third parties; an assessment of the potential consequences and mitigation strategies for each risk; and a description of

how the Applicant will monitor compliance with the plan, including any auditing, inspection, or analysis functions.

A risk register for the Project should be included.

4.10.2. Financial Security and Insurance

The Applicant will be solely responsible to obtaining insurance for installation, operation, and decommissioning activities. This includes, but is not limited to, workers compensation, automobile, contractors and equipment, and marine. Additionally, the successful Applicant(s) will be required to name the Province of Nova Scotia and FORCE on any policy issued (where applicable) and proof of coverage must be provided to the Province and FORCE by the successful Applicant prior to any marine/installation activities.

Prior to deployment of any tidal stream energy technology, the successful Applicant must post financial security pursuant to Section 10.3 of the MRE Licence, such as a reclamation bond, letter of credit, or similar guarantee in favour of the Province of Nova Scotia as part of its MRE Licence obligations. Phasing in of this security is possible if the Project technology is deployed in phases. The amount must be sufficient to cover the costs associated with decommissioning Project demonstrated under the authority of the MRE Licence and costs associated with environmental monitoring and restoration and be deemed appropriate by the province.

The Applicant must indicate in its Application that it understands the insurance and security provisions and explain how it will comply with them.

The Applicant may be required by FORCE to obtain insurance additional under the FORCE Agreement in Appendix E to that described in this section.

4.11. Marine Operations Plan

The Applicant should provide a detailed plan for the deployment and maintenance of the tidal stream energy technology including, but not limited to:

a) Types of vessels and equipment to be used
b) Sequence and details for each step

c) Duration of the steps
d) For arrays, the timeline for deployment of each generator within the array (please review Fisheries and Oceans Canada's Revised Staged Approach[8]) and
e) Contingency plans for partial or unsuccessful operations.

4.12. Environmental Monitoring Plan

The Applicant should provide a summary of its understanding of the environmental and regulatory requirements to deploy and operate tidal stream energy equipment at FORCE. This should include a detailed description of how the Applicant will successfully meet these requirements and cooperatively work with FORCE to meet these requirements, drawing on related knowledge and experience.

The Applicant should provide a draft environmental monitoring plan that identifies potential risks and potential interactions between the deployed tidal stream energy technology and marine life in the Minas Passage and articulate a plan for monitoring the effects of the generator(s), cable and other equipment to be constructed, installed or operated, on the distribution and behavior of the species considering: fish and fish habitat, lobster, marine mammals, marine and migratory birds, species at risk, acoustic noise, physical oceanography, currents and waves, and benthic environments.

The plan should consider best available technologies and methodologies for environmental monitoring as well as appropriate data management, processing, analyses, and reporting best practices. It should also describe the alternatives and redundancies that will be in place if monitoring equipment fails at any during a period when monitoring is required.

The Applicant should describe how it will engage qualified individuals/organizations such as the research community and FORCE to ensure compliance with environmental monitoring requirements. The Applicant should also provide evidence of previous efforts and expertise in environmental monitoring.

The Applicant must also acknowledge that all environmental data is considered non-proprietary and may be subject to release in raw, processed, or analyzed form.

[8] Task Force on Sustainable Tidal Energy Development in the Bay of Fundy: Final Report

4.13. Decommissioning and Environmental Restoration Plan

The Applicant should provide a detailed description of the plan for decommissioning the Project, including the following minimum information:

a) Decommissioning of generator(s) and other major equipment
b) Anticipated length of time for full recovery of site
c) Who will carry out decommissioning
d) How will seabed return or be returned to its original condition and monitored post decommissioning
e) Estimated cost of decommissioning and environmental restoration.

4.14. Social and Economic Information

4.14.1. Optimizing Local Benefits

The province recognizes the capacity-building value of involving suppliers and service providers early in the development of tidal stream projects. Local organizations offer a wide range of products and services, many that are likely to be in demand for the development of projects participating in this process. Home to hundreds of ocean technology companies, Nova Scotia's supply community is experienced, provides leading edge technology, is globally renowned, and has already provided a vast array of services needed to support tidal stream projects.

The Applicant should describe:

a) How it intends to engage with potential suppliers, including whether the Applicant has already engaged with potential suppliers and how.
b) How it intends to provide full and fair opportunities for local entities to participate on a competitive basis in the supply of goods and services.
c) The short and long-term employment opportunities that will be generated from the Project, including highly skilled jobs; opportunities for skills transfer; anticipated needs for various Project stages; and policies regarding hiring individuals residing in Nova Scotia.
d) Technology transfer from other sectors or other places.
e) "Added value" from the proposed Project, i.e., additional benefits such as expertise, resources, management, tools and/or methodologies, approach, references, etc.
f) Engagement with the province's post-secondary institutions and research organizations.

g) Expenditures and labour hours that occur within the province and the portion of the overall activity this represents.
h) During and following Project execution, when and how the Applicant will report on how its Project benefited local communities, organizations, and suppliers.
i) How the approach to optimizing local benefits will adapt as the Project progresses.

4.15. Mi'kmaq Engagement

The Government of Nova Scotia prioritizes the continued development of a relationship with the Mi'kmaq of Nova Scotia, which includes greater opportunities for Mi'kmaq participation in social and economic development and meaningful consultation with the Mi'kmaq on decisions that impact land and natural resources.

Applicants should include a detailed plan for how they have and/or will build meaningful, ongoing collaborations with Mi'kmaq communities and/or organizations for the duration of the project. This might include partnerships, letters of support, or other evidence that this work has commenced prior to submission of the Application.

It is recommended that all Applicants read the Proponents' Guide: The Role of Proponents in Crown Consultation With The Mi'kmaq Of Nova Scotia at https://novascotia.ca/nse/ea/docs/ea-proponents-guide-to-mikmaq-consultation.pdf. The Applicant's plan should be aligned with the recommendations in this guide.

4.16. Stakeholder Engagement

The Applicant should provide a detailed plan outlining how it has and/or will involve local communities and stakeholders in the project. This might include partnerships, letters of support, or other evidence that this work has commenced prior to submission of the Application.

4.17. Sector Engagement

Each berth holder at FORCE manages their own project, partnerships, supply chains, communication, and engagement. However, to help support positive outcomes for the sector at large, Applicants are expected to engage in the good faith coordination of planning and communication on significant operations, events, problems, successes, or potentially contentious issues.

The Applicant should provide examples of how it worked in a cooperative environment. The Applicant should also confirm its willingness to communicate with sector partners (including FORCE, other berth holders, research community, industry, and others) to ensure transparency and collaboration.

4.18. Long-term Goals

Applicants should describe its long-term goals with respect to tidal stream energy development in Nova Scotia.

4.19. Sustainability

The province is committed to purchasing goods, services, and construction in a manner that is better for our economy, our environment, and our communities.

Applicants should provide a brief statement (two pages maximum) that describes its commitment to sustainability in its daily operations, and how the Project the Applicant is proposing will be delivered in a sustainable manner (e.g. considering GHG emissions, waste reduction, toxicity reduction, worker health and safety, and local economic development).

5. Evaluation Process

Evaluation of Applications submitted in response to this Call for Applications will be completed by the Procurement Administrator. Evaluation will be based on the completeness and quality of the contents received.

When considering the issuance of a MRE Licence, the Procurement Administrator may consult with any department of the public service of the Province or of Canada, government agency or agency of the Government of Canada that exercises regulatory authority over any aspect of the activities to be carried out under the licence. The Procurement Administrator will, in respect of an application, take into account any concerns expressed by other government departments or agencies about the application during the evaluation process and when prescribing any terms and conditions of the MRE licence.

The Procurement Administrator is not obliged to issue any MRE licence as a result of this Call for Applications.

5.1. Evaluation Matrix

The evaluation matrix in Table 1, below, will be used to evaluate Applications. There will be three stages to the evaluation:

a) Stage 1 – Completeness Check – The Procurement Administrator will review each Application for completeness. Only complete Applications will be advanced to the next stage of the evaluation process.
b) Stage 2 – Mandatory Requirements – Each of the Stage 2 Mandatory Requirements will be evaluated on a pass/fail basis only. All Stage 2 Mandatory Requirements need to be successfully passed for the Application to be advanced to Stage 3 of the evaluation process.
c) Stage 3 – Scored Criteria – Applicant Energy Rate, Technology Maturity and Applicant Capability, and ability to maximize the capacity of the berths will be scored according to the criteria set out in Table 1.

Table 1 - Evaluation Matrix

Stage 1 – Completeness Check			
Is application properly formatted (page #s, title page, PDF, etc.)?	Yes	No	*If 'no', the Procurement Administrator may ask Applicant for necessary revisions*
Primary and secondary points of contact provided for Applicant	Yes	No	*If 'no', the Procurement Administrator may ask Applicant for necessary revisions*
Joint Stock Companies registration provided	Yes	No	*If not provided, the Procurement Administrator may ask a clarifying question, however, this will be required as a condition of MRE Licence issuance*
The Applicant's name, address, e-mail address and telephone number	Yes	No	*If 'no', Procurement Administrator may inform Applicant of deficiency and deficiency must be addressed in the timeline set out by the Procurement Administrator*
A schedule and description of the activities to be carried out under the MRE Licence that includes specific dates for all of the following:	Yes	No	*If 'no', Procurement Administrator may inform Applicant of deficiency and deficiency must be addressed in the timeline set out by the Procurement Administrator*

(i) the expected date that each of the following will be constructed or installed in the licence area: (A) each generator intended to be operated under the MRE Licence, (B) any cable or other equipment or structure intended to be used with a generator, (ii) the expected date that each generator intended to be operated under the MRE Licence will be interconnected with the NSPI electrical grid. (iii) the expected date that decommissioning and site rehabilitation activities will begin;			
A description of each generator intended to be operated under the MRE Licence, including technical and operational information and its Nameplate Capacity;	Yes	No	*If 'no', Procurement Administrator may inform Applicant of deficiency and deficiency must be addressed in the timeline set out by the Procurement Administrator*
A description of any cable or other equipment or structure intended to be constructed, installed or operated under the MRE Licence;	Yes	No	*If 'no', Procurement Administrator may inform Applicant of deficiency and deficiency must be addressed in the timeline set out by the Procurement Administrator*
A plan showing the proposed location of any generator intended to be operated under the MRE Licence and any cable or other equipment or structure intended to be used with each generator;	Yes	No	*If 'no', Procurement Administrator may inform Applicant of deficiency and deficiency must be addressed in the timeline set out by the Procurement Administrator*
A draft environmental monitoring plan	Yes	No	*If 'no', Procurement Administrator may inform Applicant of deficiency and deficiency must be addressed in the timeline set out by the Procurement Administrator*
A risk management plan	Yes	No	*If 'no', Procurement Administrator may inform Applicant of deficiency and deficiency must be addressed in the timeline set out by the Procurement Administrator*
A description of all steps taken by the Applicant to identify the concerns of stakeholders and Indigenous rights holders with respect to the proposed generator	Yes	No	*Wording of this legislative provision suggests "no steps taken" meets this requirement*

and any cable or other equipment or structure intended to be constructed, installed or operated under the MRE Licence;			*provided the Applicant identifies that no steps were taken or that steps may be taken at a later date.*
A list of all concerns expressed by stakeholders and Indigenous rights holders with respect to the proposed generator and any cable or other equipment or structure intended to be constructed, installed or operated under the MRE Licence	Yes	No	*Wording of this legislative provision suggests "no steps taken" meets this requirement provided the Applicant identifies that no steps were taken or that steps may be taken at a later date.*
A description of all steps taken or proposed to be taken by the Applicant to address concerns expressed by stakeholders and Indigenous rights holders;	Yes	No	*Wording of this legislative provision suggests "no steps taken" meets this requirement provided the Applicant identifies that no steps were taken or that steps may be taken at a later date.*
Is the Application Complete and Can Be Advanced to Stage 2?			
Stage 2 - Mandatory Criteria			
Application submitted on or before the Application Submission Deadline	Pass	Fail	*If 'Fail' to any of these questions, Application will not be evaluated further.*
Application fee paid ($2,500 CAD)	Pass	Fail	
Energy rate no higher than $500 CAD/MWh, and no escalator and separate Energy Rates for each berth if the Applicant intends to use both berths.	Pass	Fail	
The Project is in Berth 'B' or Berth 'E', or both berths	Pass	Fail	
The proposed tidal stream energy technology has at least a Technology Readiness Level of TRL 7 (full-scale prototype tested at sea), according to the European Marine Energy Centre Technology Readiness Level.	Pass	Fail	
The tidal stream energy technology Nameplate Capacity is no less than 5 MW and no greater than 8 MW for each Berth, with a cumulative Nameplate Capacity of 13 MW if both Berths proposed to be utilized	Pass	Fail	
Executed Authorized Representative Letter provided	Pass	Fail	

Complete Application (all sections provided)			
Can the Application proceed to Evaluation Stage 3?	**Yes**	**No**	
Stage 3 - Scored Criteria			
Energy Rate	**30 points**		*The Applicant with the lowest Energy Rate receives 30 points. All other Applicants will be given a score based on a pro-rata calculation of their Energy Rate compared to the lowest Energy Rate. For greater certainty, the calculation of an Applicant's pro-rata energy rate score is: (Lowest Energy Rate / Applicant's Energy Rate) x 30 points. The Energy Rate will be scored on a per-berth basis.*
Technology Maturity and Applicant Capability A demonstration by the Applicant that it has the capability, i.e., the requisite Project team, experience, technology and financial wherewithal, to bring the proposed tidal stream energy Project into service. Applicants should address the following aspects of their Project, technology, experience and team in demonstrating their capability: 1. Demonstration of the project experience of the company and Project partners, as well as the experience of Project team (the individuals). Indicate relevant renewable energy development and renewable energy development specifically in marine environments. (10 points) 2. Demonstration of the technological readiness of the proposed tidal stream energy equipment. Applicants should reference European Marine Energy Centre Technology Readiness Level and characterize their proposed technology accordingly and provide substantiation for any claimed technology readiness level. (20 points)	**70 points**		*This is an evaluation of the Project tidal stream energy technology and the Applicant's experience and capability, to deliver the Project.* *Technology Maturity – Applicants should demonstrate that their proposed technology has a least TRL 7. Higher TRL are preferred and should be substantiated.* *Applicant Capability – Applicant should demonstrate that they can finance, permit, design, construct, deploy and operate the Project for the term of the MRE Licence. Capability will be evaluated based on the comprehensiveness and feasibility of the Project Plan, that includes, but is not limited to, the aspects of the Project detailed in first column of this table. A Project Plan that indicates that the Project will begin to generate electricity and deliver it to the grid earlier than the In-Service Date is preferred.*

3. Demonstration that the Applicant can provide and construct the associated infrastructure and balance of plant, including but not limited to cables, anchors, moorings as well as electrical aspects such as interconnection with existing subsea cable, or cable from platform to shore or interconnection between platforms. (5 points) 4. Demonstration that the proposed Project Plan is feasible, and includes but not limited to all key Project tasks, the In-Service Date, Project resources, and the critical path for the Project. The Project schedule should demonstrate that the Project can be developed and begin generating electricity by the In-service Date (5 points) 5. Demonstration of where in the applicable Berth the Project components will be sited and how the site will be developed. (3 points) 6. Identification of all Projects risks and how these risks will be avoided, mitigated or managed. (5 points) 7. Identification of environmental risks and how these risks will be avoided, mitigated or managed. (2 points) 8. Demonstration of how the Applicant will engage the public and indigenous groups, and the approach it will take in resolving any concerns raised during these consultations. (10 points) 9. Demonstration of how the Applicant will obtain sufficient financing to develop and operate the Project and achieve financial close in a timely fashion so that the Project can satisfy the In-Service Date. (5 points) 10. Demonstration that the Project revenues will be sufficient to service any debt incurred by Project and the reasonableness of the proposed DevEx, CAPEX and OPEX (5 points)		

Total Possible Score	**100 points**	
Minimum Required Score	**60 points**	***An Application must receive a 'passing score' of 60 points out of 100 points to be considered for a MRE Licence.***
Total Applicant Score		***Based on the competition, the Applicants with the highest passing scores will be recommended to be issued a Marine MRE Licence such that both Berths contain projects as a result of this Call for Applications, subject to the process described in Section 5.2 (below).***

5.2. The Successful Applicant

Applications will be ranked from highest to lowest Total Applicant Score. The Application with the highest Total Applicant Score will be assigned its berth of first preference ("Top-ranked Application"). All other Applications that have a first preference berth the same as the berth awarded to the Top-ranked Application will be removed from further evaluation unless an Application indicates that the other remaining berth is the Applicant's second preference berth. The remaining Project Capacity available for award in the other berth will be lesser of (a) 8 MW and (b) 13 MW less the Project Capacity of the Project proposed in the Top-ranked Application ("Remaining Capacity"). Any remaining Applications with a Project Capacity greater than the Remaining Capacity will be removed from further evaluation. The Applications that have not been removed from the evaluation will be ranked from highest to lowest Total Applicant Score for the other berth and the Application with the highest Total Applicant Score for the other berth will be awarded that berth ("Second-ranked Application"). If the Top-ranked Application proposes to occupy both berths, the Top-ranked Application will be awarded both berths and the evaluation will end. In the event of a tie in Total Applicant Score, the Application with the lower Energy Rate will be ranked higher. In the event that the Energy Rate comparison does not resolve the tie in Total Applicant Score, then the Application with the higher Project Capacity will be ranked higher.

The successful Applicant or Applicants will be granted a MRE Licence by the Minister of Energy under the *Marine Renewable-energy Act.*

Once a successful Applicant is identified for a berth no other Applicants will be assigned that berth. An Applicant's secondary berth preference will be ranked in the selection process if it is not selected for its first preference.

The MRE Licence(s) may be issued subject to any terms and conditions prescribed by the Minister. This may include establishing performance and reporting requirements, limiting the type of generator, Nameplate Capacity of tidal stream energy equipment, the aggregate amount of electricity to be produced under the MRE Licence, and requirements for public consultation and engagement, research and monitoring, risk management, and project decommissioning.

5.3. Agreement with FORCE

The successful Applicant or Applicants will be required to enter into the FORCE Agreement (Appendix E of the RFP) within 60 days after the issuance of the MRE Licence respecting access to the FORCE facilities, payment of berth fees, compliance with the FORCE Environmental Assessment[9] approval, and compliance with FORCE Marine Operating Procedures.

5.4. Berth fees

The successful Applicant or Applicants will be required to pay Berth Holder fees in accordance with the FORCE agreement, which include payment of the fees for the first quarter and last two quarters upon entering into the agreement. Please indicate acceptance of this requirement.

[9] https://novascotia.ca/nse/ea/minas.passage.tidal.demonstration.asp

5.5. MRE Licence Term

Pursuant to the *Marine Renewable-energy General Regulations*, the licences to be issued under this Call for Application will be no longer than twenty (20) years. The Minister may choose to renew the licence as per s.14 of the *Marine Renewable-energy General Regulations*.

5.6. Public Notice of Approval

Upon issuance of a MRE Licence, the Department of Energy will post on its website, the following information:

a) The identity and address of the MRE Licence holder;
b) The licence area (already defined in this Call for Applications); and
c) Any performance or other requirements stipulated in the MRE Licence.

The Minister may also publish the MRE Licence.

5.7. Additional Approvals and Agreements

It is the responsibility of the MRE Licence holder to obtain all necessary approvals and authorizations associated with the activities approved under this licence.

6. General Terms and Conditions and Reserved Rights

6.1. General Terms and Conditions

This is a Call for Applications and not a tender call. Neither the Procurement Administrator, the Government of Nova Scotia, or NSPI intends, or assumes any contractual or other obligations as a result of the issuance of this Call for Applications, the preparation or submission of an Application by an Applicant, the receipt, opening and consideration of an Application, the evaluation of Applications, provision of additional information or conduct of presentations, the Applicant's participation in any discussions or negotiations, or any other basis whatsoever arising out of this Call for Applications.

Applicants shall not have any claim against the Procurement Administrator, the Government of Nova Scotia, or NSPI for any compensation of any kind whatsoever as a result of participating in this Call for Applications process, including without limitation any claim for costs of Application preparation or participation in negotiations, or for loss of anticipated profits.

Regardless of any other provision in this Call for Applications, or any oral or written representation, promise or warranty provided to the Applicant by the Procurement Administrator (including any of the Procurement Administrator's officers, employees or agents) the Procurement Administrator will not be liable to the Applicant in relation to any matter relating to this Call for Applications.

By submitting an Application, the Applicant agrees to indemnify the Procurement Administrator, the Government of Nova Scotia and NSPI against any liability to any third party in relation to the third party's direct or indirect participation in this Call for Applications, including (without limitation) the third party's submission of a bid or proposal to the Applicant in reliance on the Procurement Administrator's responsibilities to the Applicant under this Call for Applications, whether this claim is based on the Procurement Administrator's breach of this Call for Applications, or any express or implied warranty, or based on Procurement Administrator's negligence, intended conduct, omissions, or other wrongdoing.

6.2. Prohibited Conduct

The following conduct is prohibited under this Call for Applications ("Prohibited Conduct"):

a) By submitting an Application, the Applicant represents that it has prepared its Application in confidence without any connection, knowledge, comparison of figures, arrangement or collusion with any member of another Applicant's or potential Applicant's team. For clarity, this prohibition includes communication in respect of Energy Rate, methods, factors or formulas, and the intent to participate or not participate in this Call for Applications, whether that communication is direct or indirect through a third party or related party and irrespective of whether such communication is intentional, unintentional or through ordinary course communication or reporting.

b) Applicants, or members of an Applicant's team, are strictly prohibited from communicating with any appointed official, director, officer, or employee of the Government of Nova Scotia, FORCE, NSPI, elected officials, the Procurement Administrator or any other person involved in the development, administration or evaluation activities in respect of this Call for Applications,

either before or after submission of an Application, with an aim to influencing the outcome of this Call for Applications process.

An Applicant engaging in Prohibited Conduct could have its Application disqualified.

6.3. Reserved Rights

The Procurement Administrator shall have sole and absolute discretion to:

a) Make public the names of any or all Applicants and members of their respective Project teams.
b) Verify with any Applicant, or with a third party, any information set out in an Application and check references other than those provided by an Applicant.
c) Disqualify any Applicant whose Application contains misrepresentations or any other inaccurate or misleading information.
d) Disqualify any Applicant that purports to change the terms of the PPA or makes its Application conditional upon material changes to the terms of the PPA approved by the NSEB.
e) Disqualify any Applicant or the Application of any Applicant who has engaged in Prohibited Conduct.
f) Modify or amend the Call for Applications, including without limitation the schedule for the Call for Applications process, the Application requirements, or any other terms, whether material or not.
g) Suspend or cancel this Call for Applications at any time.
h) Reject any or all Applications submitted in response to this Call for Applications and, in that event, at its option, to call for additional Applications.
i) Conduct post-submission discussions with any one or more Applicant(s) regarding Energy Rate, Project scope, or any other aspect of an Applicant's submission, and such other aspects as the Procurement Administrator may require and request additional information and clarification regarding any Application.
j) Accept any Application which in any manner, whether substantially or in a non-substantial or minor way, fails to conform to or comply with any of the requirements of this Call for Applications, whether such requirements are expressed as mandatory criteria, or reject any application for any such non-conformity or non-compliance.
k) Request that an Applicant rectify any deficiency of a non-material nature in an Application.
l) Reject any Application where the Applicant refuses to execute the PPA substantially in the form of the PPA approved by the NSEB.

m) Award a MRE Licence to an Applicant for any berth regardless of whether the berth is the Applicant's first or second preference for a berth.
n) Resolve a tie in Total Applicant Score if a comparison of proposed Energy Rate and Project Capacity does not resolve the tie.

7. References and Relevant Materials

7.1. Legislation and Regulation

Marine Renewable-energy Act (2015, amended 2017, 2019, 2022, 2024). Available online: https://nslegislature.ca/sites/default/files/legc/statutes/marine%20renewable-energy.pdf

Marine Renewable-energy Fee Regulations (January 2018). Available online: https://novascotia.ca/just/regulations/regs/mrefees.htm

Marine Renewable-energy General Regulations (January 2018). Available online: https://novascotia.ca/just/regulations/regs/mregen.htm

DFO's approach to assessing risk of death of fish from collision with tidal energy devices (2024). Available online: https://www.dfo-mpo.gc.ca/pnw-ppe/ffhpp-ppph/publications/fish-risk-monitoring-risque-surveillance-poisson-eng.html

DFO's guide to Adaptive Environmental Effects Monitoring Programs (AEEMP) for tidal energy devices in the Bay of Fundy (2024). Available online: https://www.dfo-mpo.gc.ca/pnw-ppe/ffhpp-ppph/publications/bay-fundy-aeemp-tidal-energy-baie-fundy-pasee-energie-maremotrice-eng.html

7.2. Additional Reading

Task Force on Sustainable Tidal Energy Development in the Bay of Fundy Final Report. Available online: (https://www.dfo-mpo.gc.ca/pnw-ppe/ffhpp-ppph/publications/fundy-tidal-final-report-baie-fundy-marees-rapport-final-eng.html)

FORCE Environmental Effects Monitoring Program reporting. Available online: (https://fundyforce.ca/document-collection/environmental-effects-monitoring-program-annual-report-2023)

Fundy Tidal Energy Demonstration Project (2009) Environmental Assessment Approval. Available online: https://novascotia.ca/nse/ea/minas.passage.tidal.demonstration.asp

Marine Renewable Energy Strategy (May 2012). Available online: https://energy.novascotia.ca/sites/default/files/Nova-Scotia-Marine-Renewable-Energy-Strategy-May-2012.pdf

Mi'kmaq-Nova Scotia-Canada Consultation Terms of Reference (2010). Available online: https://novascotia.ca/abor/docs/MK_NS_CAN_Consultation_TOR_Sept2010_English.pdf

Proponents' Guide: The Role of Proponents in Crown Consultation with the Mi'kmaq Of Nova Scotia (November 2012). Available online: https://novascotia.ca/abor/docs/Proponents%20Guide%20November%202011%20ecopy.pdf

7.3 Relevant Websites

Fundy Ocean Research Center for Energy (FORCE): www.fundyforce.ca

Nova Scotia Department of Energy: https://energy.novascotia.ca/renewables

Procurement Website: www.nstidalprocurement2025.com

Appendix A: Glossary of Terms

All section references in this appendix refer to sections in this Call for Applications, unless stated otherwise.

"ADCP" is defined in Section 3.5

'Annual Net Output' means the production of the Project net of any station service loads and losses at the point of injection at the FORCE substation, expressed in MWh

'Applicant' means any entity responding to this Call for Applications

'Application' means a response to this Call for Applications submitted by an Applicant, including all supporting and substantiating materials.

'Application Fee' has the meaning given to it is Section 3.2

'Authorized Representative Letter' has the meaning given to it in Section 4.2

'Application Submission Deadline' is defined in Section 3.10.

'Call for Applications' means this document, including its appendices, as may be amended.

'CAPEX' has the meaning given to it in Section 4.9.3

'DEM' is defined in Section 3.5

'DevEx' has the meaning given to it in Section 4.9.3

'EFT' is defined in Section 3.2

'Energy Rate' means the price per MWh paid by NSPI under the PPA for electricity from the Project.

'Financial Model' has the meaning given to it in Section 4.9.3

'FORCE' means the Fundy Ocean Research Centre for Energy

'FORCE MREA' has the meaning given to it in Section 3.3

“FVCOM” is defined in Section 3.5

‘IEC’ means the International Electrotechnical Commission

‘In-Service Date’ has the meaning given to it in Section 3.1

‘Minister’ is defined in Section 2.

‘MRE Licence” means a Marine-electricity licence granted under the *Marine Renewable-energy Act*

‘Nameplate Capacity’ means the maximum instantaneous electrical output from tidal stream energy generating equipment expressed in MW.

‘OPEX’ has the meaning given to it in Section 4.9.3

‘Procurement Website’ means www.nstidalprocurement2025.com

‘Prohibited Conduct’ is described in Section 6.2

‘Project’ means the arrangement and configuration of tidal stream energy equipment and associated equipment and devices proposed to be installed, operated and decommissioned at the FORCE berth(s) to produce electricity, as described in an Application.

“Project Capacity” means the aggregate Nameplate Capacity of all the tidal stream energy equipment proposed for the Project.

‘Remaining Capacity’ is defined in Section 5.2

‘RPM’ means rotations per minute

‘Second-ranked Application’ is defined in Section 5.2

‘Table of Concordance’ is defined in Section 3.11

‘Top-ranked Application’ is defined in Section 5.2

Appendix B: Template Marine Renewable-Electricity Licence

(incorporated by reference)

Appendix C: Nova Scotia Land Surveyor Survey

(incorporated by reference)

Appendix D: FORCE Maps of Berths ‘B’ and ‘E’

(incorporated by reference)

Appendix E: FORCE Agreement

(incorporated by reference)