



# **NORTH SIDE ENERGY CENTER**

**Case No. 17-F-0598**

**1001.12 Exhibit 12**

**Construction**

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## **Exhibit 12: Construction**

This Exhibit will track the requirements of Stipulation 12, dated February 10, 2021, and therefore, the requirements of 16 New York Codes, Rules and Regulations (NYCRR) § 1001.12.

### **12(a) Quality Assurance and Quality Control Plan**

This Exhibit contains preliminary quality assurance and quality control (QAQC) procedures demonstrating how the Applicant will implement and monitor conformance of Project installation with the applicable design, engineering and installation standards and criteria.

The Applicant will have a construction team at the Project Area to handle materials, construction, and quality control during construction of the Project. The Engineering, Procurement, and Construction (EPC) Contractor will manage local subcontractors to complete construction. An example QAQC Plan has been prepared for the Project and is included as Appendix 12-1; however, the EPC Contractor, yet to be selected, will prepare a Final QAQC Plan for the Project that will be submitted to the Secretary of the Siting Board.

Throughout the construction phase, ongoing coordination will occur between the Project development and construction team. The Applicant will maintain a full-time construction manager to collaborate daily with the EPC Contractor. The construction manager will help to coordinate Project activities, including ongoing communication with local officials, citizens groups, and landowners. The construction manager will also have the following responsibilities:

- Project Plan of the Day
- Safety and environmental performance;
- Schedule, cost, and quality performance;
- Revenue performance;
- Monthly management meetings;
- Overall Project direction;
- Administration of contracts; and
- EPC contractor guidance and quality control.

The Applicant's construction manager will maintain full authority and responsibility for the EPC Contractor, all subcontractors, and the associated quality control measures. A breakdown of responsibilities and quality assurance can be found in Appendix 12-1.

The construction manager will also maintain construction site safety under the Applicant's "ZERO Today" philosophy as described in Exhibit 18 of this Application. The Applicant will conform to the requirements of the Occupational Safety and Health Administration (OSHA), the United States Environmental Protection Agency (USEPA), and other applicable regulations in New York State to ensure the safety of personnel and the public. The appropriate safety training will be required of all personnel working on the Project.

In addition to the construction manager, there will be a number of personnel with various levels of accountability to provide for the timely, safe, and efficient use of resources and labor. Each supporting has specific responsibilities related to the Project. Detailed descriptions of roles and responsibilities can be found in Appendices 12-1 and 12-2. Below is a list of support personnel and a brief description of their accountabilities in relation to the Project.

- **Project Engineer** – Provides support and quality control to the engineering team for the Project. Communicates requests for information and engineering change notices to the construction team should there be any questions with field construction. Timely resolution of any engineering inquiry is imperative to drive the Project schedule.
- **Project Controls** – Tracks cost controls, risk, and capital forecasting in relation to the Project. Monitors updates to the Project schedule and reports on effects to the Project and its associated costs.
- **Operations Plant Lead and Start-Up Operations Transition** – Typically brought in near the end of construction to ensure a quick, safe, and efficient transition from the construction team to the operations team. This ensures the end of construction and transition into commissioning activities are completed smoothly.
- **Civil/Environmental** – Interfacing with permitting to ensure the requirements have been met. Identification and resolution of deficiencies. Oversight of compliance with environmental requirements. Maintaining daily coordination of the civil construction and activities associated with the installation of the solar panel arrays. Review and quality assurance of work in accordance with design standards. Monitor safety compliance, implement quality control, perform inspections and assurance of mechanical completion. An Environmental Monitor, as described in other sections of this Application, will also be retained, will be present onsite, and will perform the duties required by the certificate conditions approved by the Siting Board.

- **Electrical** – Coordination and monitoring of electrical contractor’s work. Monitoring and coordination of all electrical and ground testing of the solar panel arrays and inverters. Monitor safety compliance, assessment of deficiencies and their associated resolutions.
- **Substation** – Coordination and monitoring of substation contractor’s work. Maintain daily coordination of the substation construction. Monitoring and coordination of electrical and ground testing of the substation. Monitor safety compliance, assessment of deficiencies and their associated resolutions.
- **Logistics and Materials** – Provide for the efficient delivery of Project equipment and materials on site and in accordance with the Project schedule.
- **Commissioning** – Manage the testing and inspection of the electrical, mechanical, and communication systems associated with the Project.
- **Site Coordinator** – Management of weekly performance metrics, logging or contractor documents and drawings, coordination with road contractor, and maintaining jobsite safety.
- **Site General Support** – Assist and support various support personnel.
- **Site Administrator** – Management and transmittal of Project documents. Assistance with the business management and administrative duties of the Project Manager and other associated support staff.

A description of necessary qualifications for the positions listed above along with a copy of a sample EPC Contractor’s Solar Project Construction Quality Program can be found in Appendix 12-1. The EPC Contractor will maintain all requirements or similar requirements to those listed in this document, as well as abiding by the standard of the Applicant’s development and construction personnel. The EPC Contractor will provide a Quality Program with the requirements or very similar requirements listed in this section and the example document.

Refer to Appendix 12-2 for the Applicant’s Major Duties & Accountability Matrix for Project personnel.

### ***Accountabilities and Oversight***

The Applicant and its contractors and subcontractors are required to maintain the highest quality controls during the development, construction, and operation of the Project. The Applicant will have a team of personnel in place as listed above and in Appendix 12-1 to maintain the daily operation and quality of the construction of the Project. Additionally, the EPC Contractor will

maintain documentation, conformance, inspection, and testing of work completed at the Project to ensure that all work has been completed in accordance with Project specifications. The comprehensive QAQC Plan through the EPC Contractor in conjunction with the quality oversight of the Applicant's team of personnel will ensure that work adheres to the highest possible quality and safety metrics throughout the Project development, construction, and operation.

### ***Project Organization***

The EPC Contractor will provide an effective organizational structure to ensure a responsible construction team with a commitment to quality and safety. The effective structure will contain appropriate personnel to facilitate the construction of the Project, including managers, engineers, superintendents, inspectors, foreman, and quality personnel. Each employee has the responsibility to implement quality processes in every aspect of the construction process. Non-conforming work with the established level of quality and Project specifications will be corrected appropriately.

### ***Process Controls***

Process controls are designed so that work is completed in a safe, consistent, and quality manner. An efficient use of Process Controls such as Project meetings, daily planning meetings, and monthly management meetings help to address responsibilities and ensure the timely construction of the Project. The topics of discussion of these meetings may range from daily construction activities to safety and emergency agendas to the resolution of on-site construction challenges.

### ***Design Controls***

Plans and drawings shall be thoroughly reviewed for completeness of construction. The engineering team shall clarify instances of construction that require further information for completion. Design deviations must first be accepted and approved by the Engineer of Record prior to construction of that Project Component.

### ***Document Control***

Project documents will be collected, stored, transmitted, and submitted in a controlled and defined manner. Project closeout documentation will be provided to the Applicant as a Project deliverable. Specific reporting and timelines will be established between the Applicant and the EPC Contractor prior to the start of construction.

### ***Training***

Internal and external training for personnel provide for consistency and completeness of job site training efforts. Training records shall be kept for Project personnel for the duration of construction. Employees must have safety training and abide by the regulations as set forth by OSHA and other relevant New York State Safety regulations.

### ***Subcontractor Evaluations***

Subcontractors will be assessed on various factors including performance, safety, capability, and quality of work. This continual information gathering can help to assess the subcontractor's suitability for present and future work. Subcontractors are subject to audit and performance review throughout the development and construction process.

### ***Material Management***

Materials delivered or supplied for the use of construction of the Project will be in quality compliance with manufacturer and Project specifications. The handling and storage of materials shall be in accordance with manufacturer recommendations so that there is no compromise in the quality of the material.

### ***Inspection and Testing***

Inspection and testing shall be completed in a controlled manner in accordance with manufacturer, engineering, and Project specifications. Both internal and external quality checklists will be established and used as well as the potential for third-party testing contractors. Inspection and testing documentation will be generated and stored to assure the quality of all materials, systems, and Project Components.

### ***Calibration***

Calibration of construction tools and equipment will be completed so that construction work is performed within the required technical standards. The calibrations will be conducted in accordance with the applicable standards and manufacturer's recommendations. The results from each calibration shall be maintained.

### ***Nonconformance***

Project materials, products, and work will be inspected and tested to provide conformance with manufacturer, engineering, and Project specifications. Project Components that are

nonconforming will be subject to rejection, repair, or replacement, as determined collaboratively between the Applicant and the EPC Contractor. Unsatisfactory work completed by the EPC Contractor will be resolved immediately by the Applicant and corrective actions will be taken to avoid future nonconformance.

### ***Auditing***

Audits will be performed so that quality standards are being met and adhered to throughout Project development and construction. Results of the quality audits will promote efficiency and quality control, as well as further the quality standards as the Project progresses. Records from each audit shall be maintained by the Applicant.

### ***Project Delivery***

The Project shall be constructed in accordance with the plans, engineering standards, manufacturer's recommendations, contractor standards, the Applicant's expectations, and any certificate/permitting conditions. Meetings between the EPC Contractor and the Applicant will be conducted on a regular basis so that all expectations are being met. The inspections and testing of Project Components will verify Project quality standards are being met. Every precaution shall be taken by the EPC Contractor to provide for the safety of Project employees and the general public throughout the duration of Project construction and operation. Public safety is a high priority to the Application.

Prior to operation of the Project, an Operation and Maintenance (O&M) staff will be selected and integrated into the Project during the construction phase. The Applicant, construction manager, and O&M staff will be in continuous coordination to provide for a smooth transition from construction of the Project to commissioning and operation of the facility.

## **12(b) Company Official Statement**

### ***(1) Protection of Underground Facilities***

The Applicant and its contractors will conform to the requirements contained in Public Service Law § 119-b, as implemented by 16 NYCRR Part 753, regarding protection of underground facilities in order to assure public safety and prevent damage to public and private property.



## ***(2) Pole Numbering and Marking Requirements***

The Applicant and its contractors will conform to the pole numbering and marking requirements as implemented by 16 NYCRR Part 217, if required.

### **12(c) Preliminary Plans to Avoid Interference with Existing Utility Systems**

The Applicant compiled and consolidated utility information within the Project Area. All existing/operating utility systems, both above and below ground, are identified and designated as electric, communication, natural gas, municipal (e.g. water and sewer), etc. NYPA's electric transmission lines cross the Project Area in three locations north of the proposed solar arrays, as seen on Figure 4-2. Underground collection lines will need to cross beneath the right-of-way (ROW) for the transmission line at one location along and beneath Massena-Helena Road. Massena-Helena Road is owned by St. Lawrence County. As such, a Road Use Agreement will be put in place for this crossing. Coordination with NYPA for this will continue during the Project's design.

The Applicant and/or EPC Contractor will submit a request for information with Dig Safely New York to receive identification of all documented buried utilities within the Project Area. Safety of all personnel and the prevention of damages to existing/operating utilities is a top priority of the Applicant.

The Applicant will continue to collaborate with all utility companies within the Project Area to avoid or minimize any potential interference. Measures to minimize interference where avoidance is not possible include horizontal directional drilling (HDD) instead of trenching, relocation of Project components (e.g., relocating collection lines to avoid interference with a well), and crossing of existing utilities at 90-degree angles. When necessary, the Applicant will establish a crossing agreement for any permanent crossing of Project components with existing utilities. Crossing agreements will be negotiated and established as a last resort to avoid interference with existing/operating utilities.

The Applicant does not expect to have permanent crossings of existing transmission lines, distribution lines or fiber optic lines with the exception of the NYPA electric transmission lines. Certain electrical distribution lines will be crossed, and the Applicant will coordinate with applicable entities concerning the safe methods to be implemented for these crossings. Each permanent crossing would be subject to site-specific engineering and construction requirements. The Applicant will adhere to all requirements set forth by Dig Safely New York, all applicable

engineering codes and guidelines associated with each permanent utility crossing and will work with the utility companies to provide that any interference with existing/operating utilities is avoided or minimized if permanent crossings are required. Refer to the Preliminary Design Drawings in Appendix 11-1 for preliminary plans and details on utility crossings.

#### **12(d) Procedures to Address Public Complaints**

A formal Complaint Resolution Plan has been developed to provide guidance on addressing potential public complaints, including noise-specific complaints, during the construction and operation of the Project. The Complaint Resolution Plan, provided as Appendix 12-3, details the specific procedures for issuing a complaint and the information required by the complainant in order to properly resolve the complaint. A standard complaint form and a sound complaint form are provided in the Complaint Resolution Plan. These forms may be submitted to the Applicant by mail or delivered in person to the temporary construction office at the Project Area.

Reasonable complaint inquires will be answered by a Project representative within 72 hours of receipt during normal business hours. A record shall be maintained by the Applicant detailing the complaint received and the resolution taken. Records will also be maintained for unresolved complaints received and a description of the reason for no resolution. The complaint resolution process will be limited to reasonable and objectively practical complaints.

The Applicant will retain and maintain a log of each complaint and the associated complaint resolution. The complaint log can be sent to the New York State Department of Public Service (NYSDPS) upon request within seven business days.

The Applicant shall publish a summary of the Complaint Resolution Plan in local newspapers, including local community and general circulation newspapers, no fewer than two weeks prior to the commencement of construction activities. Inclusion of the summary in the newspapers will provide notice to the public regarding the Complaint Resolution Plan. A list of newspapers in which the summary will be published are identified in the Applicant's Public Involvement Program (PIP) Plan. The Complaint Resolution Plan will also be provided to the Towns of Massena, Brasher, and Norfolk and be posted on the Applicant's website, and will be available at the temporary construction office.

If a complaint resolution cannot be provided within 60 days of receipt of the complaint, a timeline and recommended measures to be taken will be provided to the complainant. The timeline and

measures will be developed in accordance with the complaint resolution procedures adopted by the New York Public Service Commission (NYPSC).

The Complaint Resolution Plan is provided as Appendix 12-3 of this Application. The Plan provides additional details regarding addressing and resolving public complaints throughout Project construction and operation.

#### **12(e) Stakeholder Communication**

The public shall be notified at least 14 days prior to commencement of construction activities as follows:

- Provide notice by mail to host and adjacent landowners within 2,500 feet of the final layout, and persons who reside on such properties (if different from the landowner);
- Provide notice by mail to owners and operators of water wells within 2,500 feet of the final layout;
- Provide notice to the Towns of Massena, Brasher, and Norfolk as well as St. Lawrence County officials and emergency personnel;
- Publish notices in the Daily Courier-Observer, North Country This Week, and the Watertown Daily Times for dissemination;
- Provide notice for display in public places, such as the Town of Massena Town Hall, the Town of Massena Post Office, the Massena Public Library, the Town of Brasher Town Hall, the Town of Brasher Post Office, the Town of Norfolk Town Hall, the Town of Norfolk Post Office, the Norfolk Hepburn Library, the Project website, the Project construction trailers/offices; and,
- File notice with the Secretary for posting on the NYSDPS Document and Matter Management (DMM) website.

The public will not be notified of tree-clearing activities related to testing and surveying, such as geotechnical drilling and meteorological testing.

The notices listed above shall contain the following information:

- A brief description of the Project;
- A map of the Project Area;
- The anticipated construction schedule and transportation routes;

- The name, mailing address, local or toll-free telephone number, and email address of the Project Development Manager and Construction Manager;
- The procedure and contact information for registering a complaint; and,
- Contact information for the Secretary to the Board and/or the Commission.

The Town Board and Planning Board of each respective town shall be notified prior to construction of all areas where information regarding the Project, construction activities, and Project contact information have been posted.