



November 18, 2025

Jonathan Womer, Chief Purchasing Officer  
State of Rhode Island, Division of Purchases  
One Capitol Hill, 2<sup>nd</sup> Floor  
Providence, RI 02908  
*via email to Jonathan.Womer@doa.ri.gov*

Dear Director Womer,

This letter is regarding Rhode Island's recent solicitation, RFQ25005145, *OER Phase 2 Energy Efficiency Administrator*, which was listed as canceled/retracted on November 5, 2025. This procurement was the second phase of a legislatively-mandated procurement for the Rhode Island Office of Energy Resources (hereafter, "OER.") Pursuant to § 39-2-1.2(o), (hereafter, the "statute,") OER was required to "evaluate proposals and determine whether energy efficiency administration and implementation by the electric and gas distribution company or a third party is likely to achieve the most net benefits for electric and gas customers in Rhode Island." After Phase 1 of the procurement concluded in December of 2024 with a Technical Evaluation, OER issued a determination that two bidders, namely VEIC and The Narragansett Electric Company d/b/a Rhode Island Energy (hereafter, "RIE"), were invited to the next phase of the solicitation process, which was posted on February 7, 2025, with an end date of March 14, 2025.

While the proposals submitted by VEIC and RIE for Phase 2 were posted in Ocean State Procures on March 25, 2025, no procurement determination form was included, and the solicitation was listed as "under evaluation" through October 2025 without any further update available. On November 5, 2025, the solicitation was updated as canceled "per agency evaluation committee recommendation," but without any documentation of the recommendation or explanation of the basis for OER's decision. Pursuant to § 37-2-52 of the Rhode Island General Laws, VEIC hereby exercises its right to protest this purchasing decision. The basis for VEIC's protest is that OER failed to properly consider and weigh the benefits of a third-party administrator model, as required by the statute.

Specifically, VEIC asserts that on the basis of the two proposals received by OER for this procurement, VEIC's proposal would have delivered \$40M more in lifetime benefits to Rhode Island residents, and for every dollar spent, VEIC's proposal would have delivered three times more

energy saved than RIE's proposed program. Given that the only documentation available establishes that a third-party model, as proposed by VEIC, would result in significantly higher net benefits for Rhode Island residents, OER has not fulfilled its statutory obligation.

Additionally, the unique nature of this solicitation – namely that one of the two bidders invited to respond is the incumbent who does not require an award or contract to offer the program for which OER is evaluating proposals – effectively means that any cancellation or withdrawal of the solicitation at this phase is functionally equivalent to an award in favor of RIE. However, by virtue of its characterization as a cancellation, rather than an award, no documentation or basis for the determination is provided. This effectively contradicts the principles of transparency and good faith that are required of OER and the Division of Purchasing. VEIC respectfully requests review of this solicitation, including a request for the basis of the decision to cancel the procurement, which is effectively a determination that the third-party administrator model would not achieve the most net benefits for electric and gas customers in Rhode Island, as set forth in the statute.

In addition to the concerns raised above regarding transparency, VEIC requests review of this procurement given the lack of clarity on how the decision to continue with the incumbent was made. In an email sent to me on November 5, 2025, Chris Kearns, Acting Commissioner at OER, wrote, "The Office of Energy Resources made the determination that we will not be advancing with a new third-party administrator at this time and Purchasing canceled the RFP based on that decision." The Acting Commissioner's statement makes no mention of the deliberations of the Technical Review Committee, which was described in the Bid Evaluation Team Detailed Report released on December 18, 2024 that provided the scoring results for bidders in Phase 1 of this solicitation. This discrepancy raises questions about whether the Technical Review Committee was engaged in Phase 2, and whether or how their recommendation was part of the decision-making process.

Sincerely,

Rebecca Foster  
CEO  
VEIC

cc: Max Righter, Max.Righter@purchasing.ri.gov