

ILLINOIS POWER AGENCY
Indexed REC RFP

Stakeholder Request for Feedback

Background

Public Act 102-0662 (the “Climate and Equitable Jobs Act”) was signed into law and became effective on September 15, 2021 (the “Act”). As mandated by new Section 1-75(c)(1)(G)(iii) of the Illinois Power Agency Act, a first procurement event was held on May 6, 2022 to procure Indexed Renewable Energy Credits (“RECs”) through 20-year delivery contracts. Additionally, the IPA developed a revision to its Long-Term Renewable Resources Procurement Plan and filed this plan with the Illinois Commerce Commission (“ICC” or “Commission”) on March 21, 2022. The Commission released a Final Order approving the 2022 Long-Term Plan with modifications on July 14, 2022. The IPA issued a final 2022 Long-Term Renewable Resources Procurement Plan (“2022 Long-Term Plan”) in accordance with the Commission’s Order on August 24, 2022.

As approved by the ICC, the 2022 Long-Term Plan provides for a procurement of RECs from new utility-scale wind projects (projects over 5 MW), new utility-scale solar projects (projects over 5 MW), and new brownfield site photovoltaic projects this Fall 2022. The quantities to be procured are 1,750,000 RECs delivered annually from new utility-scale wind projects, 1,000,000 RECs delivered annually from new utility-scale solar projects, and 65,000 RECs delivered annually from new brownfield site photovoltaic projects. The calendar for the Fall 2022 Indexed REC RFP is available on the procurement website [here](#).

On August 02, 2022, the Procurement Administrator and the IPA held a stakeholder workshop to discuss barriers that may have limited successful participation in the Spring 2022 Indexed REC RFP and process improvements to facilitate participation in future procurements. The stakeholder workshop presentation and stakeholder workshop recording, as well as responses to the July 2022 request for stakeholder feedback, are posted [here](#). On August 12, 2022, the Procurement Administrator released a First Draft Indexed REC Contract and Draft Preliminary Proposal Requirements for stakeholder feedback and the comments received are available on the procurement website [here](#).

Invitation to Comment

On September 9, 2022, the Procurement Administrator posted the Second Draft Indexed REC Contract and the Draft Indexed REC RFP Rules including appendices for the Fall 2022 Indexed REC RFP.

The Procurement Administrator invites stakeholder feedback on any aspect of these documents and also seeks feedback on Topics 1-2 below. Topics 1-2 are listed in Appendix A, accompanied by specific questions on which feedback is sought. Commenters need not respond to every question (some may not be applicable) and commenters should not feel limited by these questions in providing feedback. To aid in

Fall 2022 Procurement Events (Indexed REC RFP)
9 SEP 2022

stakeholder review, the Procurement Administrator also posted a redline between the First and Second Draft Indexed REC Contracts and a summary of the Proposal Requirements in Appendix B starting on page 6. Comments are welcome from both participants of past procurement events for RECs, as well as from other interested parties.

The timeline and process for interested parties to provide comments is as follows:

- Please submit an attachment with your comments on the Second Draft Indexed REC Contract and/or the Draft Indexed REC RFP Rules by email to the Procurement Administrator at: Illinois-RFP@nera.com
- Please provide telephone and e-mail contact information in the event that the Procurement Administrator seeks clarification regarding your comments.
- If providing feedback on the Second Draft Indexed REC Contract, please submit your comments with track changes in Microsoft Word. We strongly encourage you to provide explanatory notes either in a separate document or highlighted in tracked changes.
- If providing feedback on the Draft Indexed REC RFP Rules that is not in regards to Topic 1 below, please include a reference to the paragraph of the Draft Indexed REC RFP Rules, the relevant appendix to the Draft Indexed REC RFP Rules and/or a reference to the left-hand column of the respective table in Appendix B.

The deadline to provide written comments is on Friday, September 23, 2022 and should be sent to Illinois-RFP@nera.com.

In general, responses will be made public and published on the Procurement Administrator's website (www.ipa-energyrfp.com). However, should a commenter seek to designate any portion of its response as confidential, that commenter should provide both public and redacted versions. Independent of that designation, if the IPA or the Procurement Administrator determines that a response contains confidential information that should not be disclosed in connection with a competitive procurement event, it reserves the right to provide its own redactions.

Some elements of the Indexed REC RFP are prescribed by Public Act 102-0662 and the 2022 Long-Term Plan and cannot be changed.

Please direct all questions to the Procurement Administrator at: Illinois-RFP@nera.com

Appendix A

TOPIC 1: Minimum Equity Standard Proposal Requirements

The Seller will be required to acknowledge that for a Project that is not operational as of the Trade Date of the Indexed REC Contract, a Minimum Equity Standard of 10% applies to the Project Workforce for each delivery year in which Construction Activities are carried out through the Date of First Operation. **This means that 10% of the Project Workforce must be comprised of Equity Eligible Persons for each such Delivery Year.** As defined in the Act, “Equity Eligible Persons” (or “EEP”) means persons who would most benefit from equitable investments by the State designed to combat discrimination, specifically:

- (a) persons who graduate from or are current or former participants in the Clean Jobs Workforce Network Program, the Clean Energy Contractor Incubator Program, the Illinois Climate Works Pre-apprenticeship Program, Returning Residents Clean Jobs Training Program, or the Clean Energy Primes Contractor Accelerator Program, and the solar training pipeline and multi-cultural jobs program created in paragraphs (a)(1) and (a)(3) of Section 16-108.12 of the Public Utilities Act;
- (b) persons who are graduates of or currently enrolled in the foster care system;
- (c) persons who were formerly incarcerated; and
- (d) persons whose primary residence is in an Equity Investment Eligible Community as defined in Section 1-10 of the IPA Act.

Optional! If Construction Activities have not yet started, the Seller **may, but is not required to,** commit to an Equity Level (%) greater than the 10% Minimum Equity Standard for this Fall 2022 Indexed REC RFP in order to qualify for the bid evaluation price reduction described in paragraph 2.18 of the Draft Preliminary Proposal Requirements.

One of the requirements to qualify for the bid evaluation price reduction is for the Bidder to provide documented evidence related to a portion of the EEPs that would be part of the Project Workforce during the delivery years in which Construction Activities are performed up to the point of the Date of First Operation. Such documented evidence includes:

- Letter(s) of intent to negotiate or contract with contractor(s) or subcontractor(s) that currently employ EEP(s) that would be part of the Project Workforce
- Evidence that the Bidder or Seller currently employs EEPs that would be part of the Project Workforce

The Procurement Administrator posted a draft version of the minimum requirements related to this documented evidence as Appendix 14 to the RFP Rules [here](#).

Questions:

1. Please provide any feedback you may have on the draft minimum requirements provided in Appendix 14.
2. Is requiring documented evidence related to **50%** of the Equity Level (%) commitment an appropriate level at the time of submission of the Part 1 Proposal (prior to submitting the bid)? If not, what percentage is more appropriate? For example, if the Equity Level (%) stated in the Part 1 Proposal is 20% and the projected number of workers in the Project Workforce during this time period is 100 workers, then documentation related to 10 EEPs is required ($100 * 20\% * 50\%$).
3. Given that the strike price for a Project that submits an Equity Level (%) greater than 10% will be reduced for purposes of bid ranking, assurances must be provided that the Bidder will meet this commitment. Is there other evidence that could be provided during the Proposal process that would provide assurance that the Bidder will meet the Equity Level (%)?

TOPIC 2: Delivery Obligations under the Indexed REC Contract

During the stakeholder workshop held on August 02, 2022 (please see the stakeholder workshop presentation and stakeholder workshop recording posted [here](#)), the Procurement Administrator explained key considerations associated with delivery obligations under the Indexed REC Contract. These considerations include but are not limited to:

- ensuring bid quantities are committed obligations;
- allowing for flexibility to optimize and to address shortfalls;
- avoiding optionality and allowing indexed REC mechanism to function; and
- allowing for payments to be settled over a 20-year term

In the prior REC Contract, in the event that Seller fails to Deliver the Delivery Year Requirement for a Delivery Year (such Delivery Year shall be deemed a “Shortfall Year”), Seller must represent that no RECs from the Project issued by PJM-EIS GATS or M-RETS were willfully withheld or sold or otherwise transferred to another party. This essentially gave the utility-counterparty the first rights to the RECs from the Project.

In the Second Draft Indexed REC Contract posted September 9, 2022, the aforementioned representation has been removed. The proposed RFP now allows for Seller to name an RFP Project Percentage in the RFP process, which shall be used to establish the Standing Order. The RECs that are not transferred based on the RFP Project Percentage shall be the property of Seller and can be sold to other off-takers. Consistent with the principles discussed in the stakeholder workshop and indicated above, Seller may not change the RFP Project Percentage during the term of the REC Contract and will

Fall 2022 Procurement Events (Indexed REC RFP)
9 SEP 2022

still be required to deliver sufficient REC quantities to meet the delivery obligations under the REC Contract.

Question:

1. Should there be limits placed on the RFP Project Percentage? For example, should there be a requirement that the RFP Project Percentage cannot be less than 30%?

Appendix B

1. Draft Part 1 and Part 2 Proposal Requirements

1.1. Utility-Scale Wind Projects and Utility-Scale Solar Projects

The table below provides a list of requirements that are anticipated at this time for the Part 1 and Part 2 Proposals for utility-scale wind Projects and utility-scale solar Projects. The list of requirements for brownfield site photovoltaic Projects is provided in the following section. **This list is in draft form and is preliminary.**

Draft Part 1 Proposal Requirements for Each Utility-Scale Wind Project and Each Utility-Scale Solar Project	
Identification of the Parties	<ul style="list-style-type: none"> • Name of party submitting the Proposal (“Bidder”) and contact information for 1-4 individuals (“Representatives”). • Name of party who would be signing the Indexed REC Contract (“Seller”) and contact information for an officer of the Seller. • Bidder and Seller may be the same or different. • Indicate whether the Seller is an Equity Eligible Contractor and provide evidence of such (only applicable is the Project has not operational as of the submission of the Part 1 Proposal).
Project Information	<ul style="list-style-type: none"> • <u>Type of Project</u>: utility-scale wind Project or utility-scale solar Project • <u>Size</u>: in MW, AC rating. Only Projects with a nameplate capacity greater than 5,000 kW (AC rating) are eligible to participate. • <u>Commercial Operations Date</u>: Date at which the Project commenced or is expected to commence operations <ul style="list-style-type: none"> ○ Projects that started operations prior to June 1, 2017 are not eligible. • <u>Project Labor Agreement</u>: <ul style="list-style-type: none"> ○ If construction activities began prior to September 15, 2021, these requirements do not apply. ○ If construction has not yet begun, Seller certifies that the Project will be built by general contractors that entered into a project labor agreement prior to construction and acknowledges the requirements under the contract. ○ If construction has begun (but not prior to September 15, 2021), Bidder must provide evidence that the project labor agreement and any amendments thereto for the Project has been filed with the Director of the IPA (evidence that the IPA has determined such

	<p>documentation meets the requirements is due with the Part 2 Proposal but may be provided with the Part 1 Proposal if already available).</p> <ul style="list-style-type: none">• <u>Minimum Equity Standard (“MES”):</u><ul style="list-style-type: none">○ If the Project has already reached the Date of First Operation, MES requirements do not apply.○ If the Seller qualifies as an Equity Eligible Contractor, as this term is defined in the Indexed REC Contract, the MES standard of 10% is deemed to have been met.○ Otherwise, the Seller must acknowledge that for a Project that is not operational as of the Trade Date of the Indexed REC Contract, a Minimum Equity Standard of 10% applies to the Project Workforce during each delivery year when Construction Activities are performed through the Date of First Operation. The Bidder must acknowledge the reporting requirements under the Indexed REC Contract.○ If Construction Activities have not yet started, the Seller may commit to an Equity Level (%) greater than 10% in order to qualify for the bid evaluation price reduction described in paragraph Error! Reference source not found. of the Indexed REC RFP Rules. In order to qualify, the Bidder must:<ol style="list-style-type: none">1. State the Equity Level (%) for the Project (% greater than 10%). The Equity Level (%) will be included in the Form of Product Order in the Indexed REC Contract under Additional Commitments pursuant to Section 2.5.2. Make certifications and acknowledgements related to this commitment and the requirements that would apply in Section 2.5 of the Indexed REC Contract. These certifications are provided in paragraph IV.3.2 of the Indexed REC RFP Rules.3. Provide a narrative plan including:<ul style="list-style-type: none">• a description of how Seller will meet the Minimum Equity Standard and a statement of intent to comply with equity accountability standards and to hire a diverse project workforce including Equity Eligible Persons and Equity Eligible Contractors;• projected number of workers related to Construction Activities up to the point of the Date of First Operation;• plans for the use of Equity Eligible Contractors, if applicable; Seller classification (i.e., Minority-owned, Woman-owned, Disabled-owned, Veteran-owned, Small Business, etc.), if applicable; and
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	<ul style="list-style-type: none">• communication plan for local outreach to increase the utilization of Equity Eligible Persons and Equity Eligible Contractors <p>4. Provide letter(s) of intent or evidence of current employment related to 50% times the Equity Level (%) provided in the Part 1 Proposal times the projected number of workers during delivery years for which Construction Activities will be performed up to the point of the Date of First Operation provided in the narrative plan. Any letter of intent or evidence of current employment must meet the minimum requirements provided in Appendix 14 to the RFP Rules.</p> <ul style="list-style-type: none">• <u>Location and Site Description</u>: map of Project site and address. For a selected Project, the map and address are incorporated in the Indexed REC Contract.<ul style="list-style-type: none">○ All Projects in Illinois are eligible.○ If a Project is located in a state adjacent to Illinois and has been pre-approved by the IPA to be eligible for Illinois RPS compliance based on public interest criteria, the Bidder must provide evidence of this determination.<ol style="list-style-type: none">1. Chapter 4 of the 2022 Long-Term Plan describes the eligibility criteria and methodology for determining eligibility to meet the public interest criteria in the Act.2. The evaluation spreadsheet to be completed and submitted to the IPA is available on the IPA's website, under the header Adjacent State Facility Eligibility. The file updated on August 15, 2022 must be used for this Fall 2022 Indexed REC RFP.• <u>Interconnection point</u>: PJM, MISO, or utility• <u>Project Maturity</u>:<ul style="list-style-type: none">○ PJM interconnection:<ol style="list-style-type: none">1. The Project has completed the System Impact Study; or2. Site control for an area of at least 40 acres times the Project size in MW (AC rating) for a utility-scale wind Project or an area of at least 4 acres times the Project size in MW (AC rating) for a utility-scale solar Project.○ MISO interconnection:<p>If the Project is in the DPP-2020-Cycle 1 or a later study cycle:</p><ol style="list-style-type: none">1. The Project has completed Definitive Planning Phase 1 ("DPP 1"); or2. Site control for an area of at least 40 acres times the Project size in MW (AC rating) for a utility-scale wind Project or an area of at least 4 acres times the Project size in MW (AC rating) for a utility-scale solar Project.
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Fall 2022 Procurement Events (Indexed REC RFP)
9 SEP 2022

	<p>If the Project is in a study cycle prior to DPP-2020-Cycle 1:</p> <ol style="list-style-type: none"> 3. The Project has a fully executed interconnection agreement; or 4. Site control for an area of at least 40 acres times the Project size in MW (AC rating) for a utility-scale wind Project or an area of at least 4 acres times the Project size in MW (AC rating) for a utility-scale solar Project. <ul style="list-style-type: none"> ○ Interconnection with a utility: <ol style="list-style-type: none"> 1. The Project has a fully executed interconnection agreement; or 2. Site control for an area of at least 40 acres times the Project size in MW (AC rating) for a utility-scale wind Project or an area of at least 4 acres times the Project size in MW (AC rating) for a utility-scale solar Project. ○ If documents are provided to show site control, then the following are required: <ol style="list-style-type: none"> 1. Supporting documentation of agreement with land owners (e.g. signed lease agreement, proof of land ownership, memorandum of understanding with land owner, letter of intent to lease the land, etc.); 2. If this supporting documentation of agreement does not include the number of acres controlled by the land owner, corroborating documentation to verify the number of acres is required; 3. Description of milestones that have been reached in Project development (e.g. interconnection application submitted, point of interconnection validated, etc.); and 4. Additional information may be required depending on results of the evaluation. <ul style="list-style-type: none"> ● <u>Other requirement</u>: Cost of Project is not being recovered through regulated rates by the state of Illinois or any other state
<p>Seller Information</p>	<ul style="list-style-type: none"> ● Legal name and address of the Seller ● Seller must be formed as of the Part 1 Date ● Credit ratings, if available, for Seller or guarantor of Seller
<p>Certifications by Seller</p>	<ul style="list-style-type: none"> ● All information provided about the Project is true ● Agree to the terms of the Indexed REC Contract ● Agree that there will be no substitution of Project and that site will remain substantially as described in the Proposal ● The Project is not a repowered facility ● For a utility-scale solar Project, the Project was or will be installed by qualified persons in compliance with the requirements of Section 16-128A of the Act and any rules or regulations adopted thereunder. ● Seller, including its contractors and subcontractors, rendering services under the Indexed REC Contract will comply with the requirements of the

	<p>Prevailing Wage Act, including but not limited to, all wage requirements and notice and record keeping duties, or if the Project is not located in Illinois, the Seller will demonstrate, at minimum, wage parity with the prevailing wage requirements in Illinois as required under the Indexed REC Contract</p>																								
<p>Draft Part 2 Proposal Requirements for Each Project</p>																									
<p>Quantity and Bid Assurance Collateral</p>	<ul style="list-style-type: none"> • Indicate intended, non-binding, bid quantity for the Project on an annual basis • Provide bid assurance collateral in the form of cash or a Pre-Bid Letter of Credit to each Company. Bid assurance collateral is a function of the Project size and the Project Percentage (%), rounded up to the nearest \$1,000, and is subject to a ceiling: <p>Table 1. Bid Assurance Collateral for Utility-Scale Wind.</p> <table border="1" data-bbox="516 758 1086 961"> <thead> <tr> <th>Company</th> <th>Amount</th> <th>Ceiling</th> </tr> </thead> <tbody> <tr> <td>AIC</td> <td>\$1,600/MW</td> <td>\$1,900,000</td> </tr> <tr> <td>ComEd</td> <td>\$4,000/MW</td> <td>\$4,750,000</td> </tr> <tr> <td>MEC</td> <td>\$400/MW</td> <td>\$350,000</td> </tr> </tbody> </table> <p>Table 2. Bid Assurance Collateral for Utility-Scale Solar.</p> <table border="1" data-bbox="516 1079 1086 1283"> <thead> <tr> <th>Company</th> <th>Amount</th> <th>Ceiling</th> </tr> </thead> <tbody> <tr> <td>AIC</td> <td>\$5,500/MW</td> <td>\$2,700,000</td> </tr> <tr> <td>ComEd</td> <td>\$13,000/MW</td> <td>\$6,800,000</td> </tr> <tr> <td>MEC</td> <td>\$1,000/MW</td> <td>\$500,000</td> </tr> </tbody> </table> <ul style="list-style-type: none"> • If submitting cash, acknowledge the conditions under which the Company can draw upon the cash and provide draft instructions for the return of cash. 	Company	Amount	Ceiling	AIC	\$1,600/MW	\$1,900,000	ComEd	\$4,000/MW	\$4,750,000	MEC	\$400/MW	\$350,000	Company	Amount	Ceiling	AIC	\$5,500/MW	\$2,700,000	ComEd	\$13,000/MW	\$6,800,000	MEC	\$1,000/MW	\$500,000
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<p>Certifications by Seller</p>	<ul style="list-style-type: none"> • Bidding independently • Commit to bids remaining valid until fourteen (14) days after Bid Date • Agree to sign Indexed REC Contract within the required timeframe if Project is selected and bid is approved by the Commission 																								
<p>Additional Information</p>	<ul style="list-style-type: none"> • <u>Project Labor Agreement</u>: If applicable, provide evidence that the IPA has determined that the Project Labor Agreement(s) and any amendments thereto meet the requirements under the IPA Act and the Project Labor Agreements Act. • May, but is not required to, provide information needed to populate the Indexed REC Contract 																								

Fall 2022 Procurement Events (Indexed REC RFP)
9 SEP 2022

Bid	<ul style="list-style-type: none"> • A bid for the Project includes: <ul style="list-style-type: none"> ○ A Strike price (\$/MWh); ○ A full quantity (an annual quantity of RECs that the Project will deliver annually under the terms of the Indexed REC Contract); and ○ A minimum quantity (the annual minimum quantity of RECs that the participant is willing to accept as a partial award). • The annual full quantity of RECs is subject to a maximum, calculated as the multiplicative product of (a) the Project size in MW (AC rating), (b) either: a capacity factor of 45.0% for a utility-scale wind Project, or 30% for a utility-scale solar Project, (c) the Project Percentage (%), and (d) 8,760 hours. <ul style="list-style-type: none"> ○ A higher capacity factor may be used to calculate the maximum annual full quantity of RECs for a Project if the Bidder submits acceptable supporting documentation with the Part 1 Proposal.
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1.2. Brownfield Site Photovoltaic Projects

The table below provides a list of requirements that are anticipated at this time for the Part 1 and Part 2 Proposals for brownfield site photovoltaic Projects. **This list is in draft form and is preliminary.**

Draft Part 1 Proposal Requirements for Each Brownfield Site Photovoltaic Project	
Identification of the Parties	<ul style="list-style-type: none"> • Name of party submitting the Proposal (“Bidder”) and contact information for 1-4 individuals (“Representatives”). • Name of party who would be signing the Indexed REC Contract (“Seller”) and contact information for an officer of the Seller. • Bidder and Seller may be the same or different. • Indicate whether the Seller is an Equity Eligible Contractor and provide evidence of such (only applicable if the Project has not operational as of the submission of the Part 1 Proposal).
Project Information	<ul style="list-style-type: none"> • <u>Type of Project</u>: brownfield site photovoltaic Project • <u>Size</u>: in MW, AC rating. <ul style="list-style-type: none"> ○ There is no minimum or maximum size requirement for brownfield site photovoltaic Projects.

	<ul style="list-style-type: none">• <u>Commercial Operations Date</u>: Date at which the Project commenced or is expected to commence operations<ul style="list-style-type: none">○ Projects that started operations prior to June 1, 2017 are not eligible.• <u>Project Labor Agreement</u>:<ul style="list-style-type: none">○ If construction activities began prior to September 15, 2021, these requirements do not apply.○ If construction has not yet begun, Seller certifies that the Project will be built by general contractors that entered into a project labor agreement prior to construction and acknowledges the requirements under the contract.○ If construction has begun (but not prior to September 15, 2021), Bidder must provide evidence that the project labor agreement and any amendments thereto for the Project has been filed with the Director of the IPA (evidence that the IPA has determined such documentation meets the requirements is due with the Part 2 Proposal but may be provided with the Part 1 Proposal if already available).• <u>Minimum Equity Standard (“MES”)</u>:<ul style="list-style-type: none">○ If the Project has already reached the Date of First Operation, MES requirements do not apply.○ If the Seller qualifies as an Equity Eligible Contractor, as this term is defined in the Indexed REC Contract, the MES standard of 10% is deemed to have been met.○ Otherwise, the Seller must acknowledge that for a Project that is not operational as of the Trade Date of the Indexed REC Contract, a Minimum Equity Standard of 10% applies to the Project Workforce during each delivery year when Construction Activities are performed through the Date of First Operation. The Bidder must acknowledge the reporting requirements under the Indexed REC Contract.○ If Construction Activities have not yet started, the Seller may commit to an Equity Level (%) greater than 10% in order to qualify for the bid evaluation price reduction described in paragraph Error! Reference source not found. of the Indexed REC RFP Rules. In order to qualify, the Bidder must:<ol style="list-style-type: none">1. State the Equity Level (%) for the Project (% greater than 10%). The Equity Level (%) will be included in the Form of Product Order in the Indexed REC Contract under Additional Commitments pursuant to Section 2.5.2. Make certifications and acknowledgements related to this commitment and the requirements that would apply in Section 2.5 of the Indexed REC Contract.
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	<p>These certifications are provided in paragraph IV.3.2 of the Indexed REC RFP Rules.</p> <ol style="list-style-type: none">3. Provide a narrative plan including:<ul style="list-style-type: none">• a description of how Seller will meet the Minimum Equity Standard and a statement of intent to comply with equity accountability standards and to hire a diverse project workforce including Equity Eligible Persons and Equity Eligible Contractors;• projected number of workers related to Construction Activities up to the point of the Date of First Operation;• plans for the use of Equity Eligible Contractors, if applicable; Seller classification (i.e., Minority-owned, Woman-owned, Disabled-owned, Veteran-owned, Small Business, etc.), if applicable; and• communication plan for local outreach to increase the utilization of Equity Eligible Persons and Equity Eligible Contractors4. Provide letter(s) of intent or evidence of current employment related to 50% times the Equity Level (%) provided in the Part 1 Proposal times the projected number of workers during delivery years for which Construction Activities will be performed up to the point of the Date of First Operation provided in the narrative plan. Any letter of intent or evidence of current employment must meet the minimum requirements provided in Appendix 14 to the RFP Rules. <ul style="list-style-type: none">• Brownfield Definition: Either:<ul style="list-style-type: none">○ Projects that meet the requirements under (1) of the definition of Brownfield site photovoltaic project in the Act and are interconnected to an electric utility, a municipal utility, a public utility, or an electric cooperative as defined by the Act and are regulated under a program listed (A) – (D)<ol style="list-style-type: none">1. Provide documentation that demonstrates the site is regulated under a program listed (A) – (D); and, if regulated under the IEPA’s Site Remediation Program, additional requirements to show actual blight or contamination prior to remediation2. Describe milestones in the development of the Project that have been reached to date including the status of remediation of the project site
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	<ul style="list-style-type: none"> ○ Projects that meet the requirements under (2) of the definition of Brownfield site photovoltaic project in the Act and are located at the site of a coal mine that has permanently ceased coal production, permanently halted any re-mining operations and is no longer accepting any coal combustion residues <ol style="list-style-type: none"> 1. Provide sufficient documentation to demonstrate that the Project site meets the definition. Sufficient documentation means all of: (1) a copy of the permit(s) for coal mining operation/operations including a copy of the reclamation plan approved by the Department of Natural Resources; (2) a copy of the Department of Natural Resources decision approving the permit(s); and (3) documented confirmation that reclamation Phases I, II, and III have been completed for the project site by providing evidence that the entirety of the performance bond for the project site has been released. Sufficient evidence of performance bond release at the completion of Phase III includes, but is not limited to, a screenshot from the Illinois Mine Permits map showing the Phase 3 Status is “Released” or other documentation, if appropriate. 2. The documentation must cover the project site and does not need to cover the entirety of the site of the coal mine. ● <u>Location and Site Description</u>: map of Project site and address. For a selected Project, the map and address are incorporated in the Indexed REC Contract. <ul style="list-style-type: none"> ○ A brownfield site photovoltaic project must be located in the state of Illinois. ● <u>Interconnection point</u>: PJM, MISO, or utility ● <u>Project Maturity</u>: <ul style="list-style-type: none"> ○ PJM interconnection: <ol style="list-style-type: none"> 1. The Project has completed the System Impact Study; or 2. Site control for an area of at least 3 acres times the Project size in MW (AC rating). ○ MISO interconnection: <p>If the Project is in the DPP-2020-Cycle 1 or a later study cycle:</p> <ol style="list-style-type: none"> 1. The Project has completed Definitive Planning Phase 1 (“DPP 1”); or 2. Site control for an area of at least 3 acres times the Project size in MW (AC rating). <p>If the Project is in a study cycle prior to DPP-2020-Cycle 1:</p> <ol style="list-style-type: none"> 3. The Project has a fully executed interconnection agreement; or 4. Site control for an area of at least 3 acres times the Project size in MW (AC rating).
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Fall 2022 Procurement Events (Indexed REC RFP)
9 SEP 2022

	<ul style="list-style-type: none"> ○ Interconnection with a utility: <ol style="list-style-type: none"> 1. The Project has a fully executed interconnection agreement; or 2. Site control for an area of at least 3 acres times the Project size in MW (AC rating). ○ If documents are provided to show site control, then the following are required: <ol style="list-style-type: none"> 1. Supporting documentation of agreement with land owners (e.g. signed lease agreement, proof of land ownership, memorandum of understanding with land owner, letter of intent to lease the land, etc.); 2. If this supporting documentation of agreement does not include the number of acres controlled by the land owner, corroborating documentation to verify the number of acres is required; 3. Description of milestones that have been reached in Project development (e.g. interconnection application submitted, point of interconnection validated, etc.); and 4. Additional information may be required depending on results of the evaluation. ● <u>Other requirements:</u> <ul style="list-style-type: none"> ○ Cost of Project is not being recovered through regulated rates by the state of Illinois or any other state. ○ Project may not be a community renewable generation project as defined in the Act. ○ Project must be entirely contained within the Brownfield site. <ol style="list-style-type: none"> 1. Project may be co-located with a facility on a greenfield site. This fact must be disclosed. The facility on the greenfield site may qualify as a separate utility-scale solar Project.
Seller Information	<ul style="list-style-type: none"> ● Legal name and address of the Seller ● Seller must be formed as of the Part 1 Date ● Credit ratings, if available, for Seller or guarantor of Seller
Certifications by Seller	<ul style="list-style-type: none"> ● All information with respect to the Project is true ● Agree to the terms of the Indexed REC Contract ● Agree that there will be no substitution of Project and that site will remain substantially as described in Proposal ● The Project is not a repowered facility ● Project was or will be installed by qualified persons in compliance with the requirements of Section 16-128A of the Act and any rules or regulations adopted thereunder. ● Seller, including its contractors and subcontractors, rendering services under the Indexed REC Contract will comply with the requirements of

	<p>the Prevailing Wage Act, including but not limited to, all wage requirements and notice and record keeping duties, or if the Project is not located in Illinois, the Seller will demonstrate, at minimum, wage parity with the prevailing wage requirements in Illinois as required under the Indexed REC Contract</p>												
<p>Draft Part 2 Proposal Requirements for Each Project</p>													
<p>Quantity and Bid Assurance Collateral</p>	<ul style="list-style-type: none"> • Indicate intended, non-binding, bid quantity for the Project on an annual basis • Provide bid assurance collateral in the form of cash or a Pre-Bid Letter of Credit to each Company. Bid assurance collateral is a function of the Project size and the Project Percentage (%), rounded up to the nearest \$1,000, and is subject to a ceiling: <p>Table 2. Bid Assurance Collateral for Brownfield Site Photovoltaic Projects.</p> <table border="1" data-bbox="526 827 1096 1029"> <thead> <tr> <th>Company</th> <th>Amount</th> <th>Ceiling</th> </tr> </thead> <tbody> <tr> <td>AIC</td> <td>\$5,500/MW</td> <td>\$175,000</td> </tr> <tr> <td>ComEd</td> <td>\$13,000/MW</td> <td>\$450,000</td> </tr> <tr> <td>MEC</td> <td>\$1,000/MW</td> <td>\$25,000</td> </tr> </tbody> </table> <ul style="list-style-type: none"> • If submitting cash, acknowledge the conditions under which the Company can draw upon the cash and provide draft instructions for the return of cash. 	Company	Amount	Ceiling	AIC	\$5,500/MW	\$175,000	ComEd	\$13,000/MW	\$450,000	MEC	\$1,000/MW	\$25,000
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<p>Certifications by Seller</p>	<ul style="list-style-type: none"> • Bidding independently • Commit to bids remaining valid until fourteen (14) days after Bid Date • Agree to sign Indexed REC Contract within the required timeframe if Project is selected and bid is approved by the Commission 												
<p>Additional Information</p>	<ul style="list-style-type: none"> • <u>Project Labor Agreement</u>: If applicable, provide evidence that the IPA has determined that the Project Labor Agreement(s) and any amendments thereto meet the requirements under the IPA Act and the Project Labor Agreements Act. • May, but is not required to, provide information needed to complete the Indexed REC Contract 												
<p>Bid</p>	<ul style="list-style-type: none"> • A bid for the Project includes: <ul style="list-style-type: none"> ○ A Strike price (\$/MWh); ○ A full quantity (an annual quantity of RECs that the Project will deliver annually under the terms of the Indexed REC Contract); and 												

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	<ul style="list-style-type: none">○ A minimum quantity (the annual minimum quantity of RECs that the participant is willing to accept as a partial award).● The annual full quantity of Indexed RECs is subject to a maximum, calculated as the multiplicative product of (a) the Project size in MW (AC rating), (b) a capacity factor of 30%, (c) the Project Percentage (%), and (d) 8,760 hours.○ A higher capacity factor may be used to calculate the maximum annual full quantity of RECs for a Project if the Bidder submits acceptable supporting documentation with the Part 1 Proposal.
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