

# ILLINOIS POWER AGENCY FALL 2023 INDEXED RENEWABLE ENERGY CREDIT RFP ILLUSTRATIVE PART 1 FORM

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Public Act 102-0662, the Climate and Equitable Jobs Act, was signed into law and became effective on September 15, 2021. In accordance with the Act, the Illinois Power Agency (“IPA”) filed its 2022 Long-Term Renewable Resources Procurement Plan (“2022 Long-Term Plan”) with the Illinois Commerce Commission (“ICC” or “Commission”)<sup>1</sup>. The Final Modified Plan upon Reopening dated May 9, 2023 is the current 2022 Long-Term Plan approved by the Commission. As approved by the ICC, the 2022 Long-Term Plan provides for a procurement of renewable energy credits (“RECs”) from new utility-scale wind projects, new utility-scale solar projects, and new brownfield site photovoltaic projects. The RECs procured in this procurement event must meet the definition of Renewable Energy Credit and Indexed Renewable Energy Credit as defined in Section 1-10 of the IPA Act.

Through this procurement event, the IPA will solicit twenty-year contracts for 5,600,000 RECs delivered annually from new utility-scale wind projects, 1,100,000 RECs delivered annually from new utility-scale solar projects, and 127,000 RECs delivered annually from new brownfield site photovoltaic projects for the portfolios of Ameren Illinois Company (“AIC”), Commonwealth Edison Company (“ComEd”), and MidAmerican Energy Company (“MEC”). Each of AIC, ComEd, and MEC is referred to as a “Company”.

The Part 1 Proposal consists of the online Part 1 Form and attachments that are uploaded to the application website (or sent to the Procurement Administrator via email). Before completing the Part 1 Form for the Indexed REC RFP, please review the RFP Rules and the Indexed Renewable Energy Credit Agreement (“Indexed REC Contract” or “REC Contract”) so that you understand the conditions under which the Indexed REC RFP will be conducted. These documents are available on the procurement website, [www.ipa-energyrfp.com](http://www.ipa-energyrfp.com).

By submitting a Part 1 Proposal in response to the Indexed REC RFP, you agree to all the terms and conditions of the Indexed REC RFP.

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<sup>1</sup> The IPA filed its 2022 Long-Term Plan with the Commission on March 21, 2022. The Commission’s decision on the 2022 Long-Term Plan is provided through its Order dated July 14, 2022. The IPA issued a final 2022 Long-Term Plan in accordance with this Commission’s Order on August 24, 2022. On December 2, 2022, the IPA petitioned the Commission to reopen the proceeding that approved the 2022 Long-Term Plan and filed a modified 2022 Long-Term Plan. The Commission’s decision on the modifications to the 2022 Long-Term Plan is provided through its Order on Reopening dated May 4, 2023. The current approved 2022 Long-Term Plan is the Final Modified Plan upon Reopening dated May 9, 2023. These documents are available on the Illinois Power Agency website here: <https://ipa.illinois.gov/energy-procurement/current-approved-plan.html>.

*Any information that you provide in this Part 1 Proposal is provided on a confidential basis to the Procurement Administrator and may be provided on a confidential basis to the Procurement Monitor, to the IPA, or to the Staff of the ICC. Any information provided to AIC, ComEd, or MEC will also be provided to the Procurement Monitor.*

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## INSTRUCTIONS FOR PROPOSAL

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Bidders use the online Part 1 Form and upload required documents to respond to the qualification standards of the RFP Rules. Bidders request an account to access the application website from the Procurement Administrator via email ([Illinois-RFP@nera.com](mailto:Illinois-RFP@nera.com)) or by submitting the [Qualification Registration Form](#) on the Qualification Forms page of the procurement website.

A Part 1 Proposal serves to present the qualification requirements for a single Project. To the extent that an entity or group of entities is intending to present several Projects, a different Part 1 Proposal must be presented for each such Project, with each Part 1 Proposal submitted using a unique online Part 1 Form.

The Procurement Administrator evaluates Bids submitted in accordance with this RFP for each Project that qualifies pursuant to a successful Part 1 Proposal and a Part 2 Proposal that fulfills all the requirements of the RFP Rules.

**Please complete all sections. If a section does not pertain to you, you will be required to check a box and move on to the next section.**

### I. Part 1 Proposal Submission

Bidders must:

- Complete the online Part 1 Form in its entirety;
- Submit any documents, including Inserts, required to support the Part 1 Form by email to [Illinois-RFP@nera.com](mailto:Illinois-RFP@nera.com) or by upload to the application website.

*All times are Central Prevailing Times (“CPT”) unless specifically noted.*

*The online Part 1 Form must be submitted no later than 12 PM (noon) CPT on October 31, 2023 (the Part 1 Date).*

**Some of the documents required to support the online Part 1 Form are “Inserts”. Each of these Inserts will be available as a separate form on the procurement website or from the Procurement Administrator.** A Bidder that is required to submit a particular Insert will complete the form and upload the form to the application website (or send the form by email). If the Insert requires a signature, such insert may be:

- Printed, signed, scanned, and uploaded to the online Part 1 Form;  
or
- Submitted with a digital signature and a document or information verifying the identity of the signatory. Electronic signatures (e.g., a picture of a signature by opposition to a digital signature entered through software such as that offered by DocuSign) are not acceptable.

**For illustrative purposes, the Inserts are shown throughout this Part 1 Form in blue boxes.** The format and exact content of the Inserts may differ from the illustrative Inserts provided through this Part 1 Form. **Fields for upload of other documents are designated by a paperclip.**

Inquiries may be directed to the Procurement Administrator through the “Ask a Question” page on the procurement website at [www.ipa-energyrfp.com](http://www.ipa-energyrfp.com).

**II. Part 1 Proposal Processing**

Information regarding the processing of the Proposal will be provided as a separate document to Bidders.

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## PART 1 FORM

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### 1. Basic Information

First Item: Name and Status of the Project

**THE BIDDER MUST PROVIDE A NAME FOR THE PROJECT THAT THE BIDDER WILL CONSISTENTLY USE THROUGHOUT THE PROPOSAL.** Once the Part 1 Proposal is complete, the name of the Project cannot be changed.

*Name of the Project*

*Is the Date of First Operation for the Project, as defined by the operating manuals of PJM EIS GATS or M-RETS, prior to December 15, 2022?*

Yes

No

Second Item: Identity and Contact Information for the Seller

The “Seller” is the entity that will sign the Indexed REC Contract for the Project if the Project is selected through this RFP and its Bid is approved by the Commission. **The Seller must be an entity that has been formed as of the Part 1 Date. PLEASE PROVIDE THE FOLLOWING INFORMATION FOR THE SELLER.**

*Legal Name of Seller*

*Street Address*

*City*

*State*

*Zip Code*

*Date at Which the Seller Was Formed*

*Website (of Seller, Seller's parent company, or Seller's affiliate named in the Part 1 Proposal)*

Third Item: Officer of the Seller

The Officer of the Seller must be an officer, a director, or an individual otherwise empowered to undertake contracts and bind the Seller. **THE OFFICER OF THE SELLER WHOSE CONTACT INFORMATION IS PROVIDED BELOW MUST MAKE ALL REPRESENTATIONS REQUIRED IN THE PART 1 PROPOSAL AND PART 2 PROPOSAL FOR THE PROJECT.**

The Officer of the Seller may make all representations required in the Part 1 and Part 2 Proposals at one time. **A BIDDER THAT AVAILS ITSELF OF THIS OPTION MAY SUBMIT THE P2 CERTIFICATIONS INSERT DURING THE**

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**PART 1 WINDOW FOR EARLY PROCESSING.** The P2 Certifications Insert is available on the procurement website.

It is expected that, if the Project is selected and the Bid approved by the Commission, the Officer of the Seller would sign the applicable supplier contracts. Should the Officer of the Seller not be available to sign for this purpose, each applicable Company will be advised of this fact. The Seller will name another individual to sign and the Seller will confirm that this individual is empowered to undertake contracts and bind the Seller.

**PLEASE PROVIDE THE CONTACT INFORMATION FOR THE OFFICER OF THE SELLER BELOW.**

<i>Given Name(s) of the Officer of the Seller</i>	<i>Last Name</i>	
<input type="text"/>	<input type="text"/>	
<i>Title</i>		
<input type="text"/>		
<i>Street Address</i>		
<input type="text"/>		
<input type="text"/>		
<i>City</i>	<i>State</i>	<i>Zip Code</i>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<i>Business Telephone No.</i>	<i>Mobile Telephone No.</i>	<i>Email Address</i>
<input type="text"/>	<input type="text"/>	<input type="text"/>

**Fourth Item: Identity and Contact Information for the Bidder**

The Bidder is the entity or entities submitting the Proposal. If the Bidder is presenting a Proposal for a single Project, the Bidder and the Seller must be the same entity.

***Is the Bidder presenting a Proposal for a single Project?***

- Yes**                       **No**

**If YES**, please proceed to the next item.

**If NO**, please provide the information required by this item.

A Bidder that is presenting Proposals for multiple Projects with different Sellers must be identified either as the parent company of all such affiliated entities or the Bidder must be identified by naming all such affiliated entities together (naming each entity and separating the names with commas).

***Are the Bidder and the Seller the same entity for the Project?***

- Yes**                       **No**

**If YES**, please proceed to the next item.

**If NO**, please provide the information required by this item.

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PLEASE PROVIDE THE FOLLOWING INFORMATION FOR THE BIDDER.

*Legal Name of Bidder*

*Street Address*

*City*

*State*

*Zip Code*

Fifth Item: Representatives

The Bidder must identify the individual or individuals responsible for submission of the Proposal and provide full contact information for each individual, including an address, business phone number, mobile phone number, and email address. These individuals, each a "Representative", must be authorized to act on behalf of the Bidder and on behalf of the Seller. The Procurement Administrator sends all correspondence related to the procurement event to the Representatives, including confidential information required to submit Bids on the Bid Date.

**THE BIDDER MUST IDENTIFY ONE (1) REPRESENTATIVE BY COMPLETING THE CONTACT INFORMATION FOR THE REPRESENTATIVE IN THE FIELDS BELOW.**

*Given Name(s) of Representative*

*Last Name of Representative*

*Title*

*Street Address*

*City*

*State*

*Zip Code*

*Business Telephone No.*

*Mobile Telephone No.*

*Email Address*

***Does the Bidder wish to name additional Representatives to be copied on all communications from the Procurement Administrator?***

Yes

No

**If NO**, please proceed to the next section.

**If YES**, please continue to the next question in this section.

**If the Bidder is presenting Proposals for multiple Projects with different Sellers, the Bidder must identify the same Representatives for all such Proposals.** Such Bidder is only required to submit the information regarding the Representatives once in a Part 1 Proposal for one of the Projects.

Has the Bidder already designated additional Representatives in a previously submitted Part 1 Proposal for another Project?

Yes

No

**If YES**, these additional Representatives serve for all Projects presented by the Bidder. Please proceed to the next section.

**If NO**, the Bidder may designate up to three (3) additional Representatives by fully completing the Representative Insert prepared for this purpose.

**PLEASE FULLY COMPLETE THE REPRESENTATIVE INSERT. THE REPRESENTATIVE INSERT MAY BE PROVIDED BY EMAIL OR BY UPLOAD TO THE APPLICATION WEBSITE. THE REPRESENTATIVE INSERT IS AVAILABLE ON THE PROCUREMENT WEBSITE.** The Representative Insert is also labelled INSERT #P1-1.

\_\_\_\_\_  
Name of Bidder

**REPRESENTATIVE INSERT (#P 1-1)**

The Bidder may name up to three (3) Representatives, **in addition to** the Representative whose contact information is provided directly in the online Part 1 Form, by providing the information requested below. If the Bidder is presenting Proposals for multiple Projects with different Sellers, the Bidder must identify the same Representatives for all such Proposals. Such Bidder is only required to submit the information regarding the Representatives once in a Part 1 Proposal for one of the Projects.

Contact Information for Representative

Given Name(s)

Last Name

Title

Street Address

City

State

Zip Code

Business Telephone No.

Mobile Telephone No.

Email Address

Contact Information for Representative

Given Name(s)

Last Name

Title

Street Address

City	State	Zip Code
<input type="text"/>	<input type="text"/>	<input type="text"/>
Business Telephone No.	Mobile Telephone No.	Email Address
<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>Contact Information for Representative</b>		
Given Name(s)	Last Name	
<input type="text"/>	<input type="text"/>	
Title		
<input type="text"/>		
Street Address		
<input type="text"/>		
<input type="text"/>		
City	State	Zip Code
<input type="text"/>	<input type="text"/>	<input type="text"/>
Business Telephone No.	Mobile Telephone No.	Email Address
<input type="text"/>	<input type="text"/>	<input type="text"/>

Sixth Item: Equity Eligible Contractor

**THIS ITEM IS NOT APPLICABLE IF THE DATE OF FIRST OPERATION FOR THE PROJECT WAS PRIOR TO DECEMBER 15, 2022. THE BIDDER CONFIRMED WHETHER THE DATE OF FIRST OPERATION FOR THE PROJECT WAS PRIOR TO DECEMBER 15, 2022 IN THE FIRST ITEM UNDER SECTION 1 OF THIS PART 1 FORM.**

An Equity Eligible Contractor means a business that is majority-owned by Equity Eligible Persons, or a non-profit or cooperative organization that is majority-governed by Equity Eligible Persons, or is a natural person that is an Equity Eligible Person offering personal services as an independent contractor. A Seller that is an Equity Eligible Contractor is deemed to have met the Minimum Equity Standard of 10% under the Indexed REC Contract.

**Is the Seller an Equity Eligible Contractor?**

- Yes       No

**If YES**, please proceed to the next question.

**If NO**, please proceed to the next section.

**Has the Bidder already submitted the information to qualify the Seller as an Equity Eligible Contractor in a previously submitted Proposal for a Project with the same Seller under this Fall 2023 Indexed REC RFP?**

- Yes       No

**If YES**, please proceed to the next section.

**If NO**, please proceed to the next question.

*Has the Seller been approved by the Illinois Power Agency as an Equity Eligible Contractor through the Adjustable Block Program?*

Yes  No

**If YES, PLEASE PROVIDE EVIDENCE THAT THE SELLER HAS BEEN APPROVED BY THE ILLINOIS POWER AGENCY AS AN EQUITY ELIGIBLE CONTRACTOR THROUGH THE ADJUSTABLE BLOCK PROGRAM BY UPLOAD BELOW OR BY EMAIL TO THE PROCUREMENT ADMINISTRATOR.**



**If NO,** please complete the remainder of this item in order to qualify the Seller as an Equity Eligible Contractor for purposes of the Indexed REC RFP.

**THE BIDDER MUST FULLY COMPLETE THE EQUITY ELIGIBLE CONTRACTOR INSERT. THE EQUITY ELIGIBLE CONTRACTOR INSERT MAY BE PROVIDED BY EMAIL OR BY UPLOAD TO THE APPLICATION WEBSITE. THE EQUITY ELIGIBLE CONTRACTOR INSERT IS AVAILABLE ON THE PROCUREMENT WEBSITE. The Equity Eligible Contractor Insert is also labelled INSERT #P1-2.**

\_\_\_\_\_  
*Name of Seller*

This Insert may be:

- *Printed, signed, scanned, and uploaded to the online Part 1 Form;*
- *Submitted with a digital signature and a document or information verifying the identity of the signatory.*

Electronic signatures (e.g., a picture of a signature by opposition to a digital signature entered through software such as that offered by DocuSign) are not acceptable.

### **EQUITY ELIGIBLE CONTRACTOR INSERT (#P 1-2)**

An Equity Eligible Contractor means a business that is majority-owned by Equity Eligible Persons, or a non-profit or cooperative organization that is majority-governed by Equity Eligible Persons, or is a natural person that is an Equity Eligible Person offering personal services as an independent contractor.

First Item: Business structure of the Seller

**PLEASE CHECK EITHER BOX A, B OR C BELOW TO INDICATE THE BUSINESS STRUCTURE OF THE SELLER AND PROVIDE THE ADDITIONAL REQUIRED INFORMATION.**

- A. The Seller is organized as a corporation, general partnership, limited liability partnership, limited liability company, or limited partnership that is majority-owned by Equity Eligible Persons.

The Seller must be majority-owned by Equity Eligible Persons. Please provide the names of the owners, partners or proprietors that are Equity Eligible Persons and indicate the percentage of the organization that is owned across these individuals in the box below.

- B. The Seller is a non-profit or cooperative organization that is majority-governed by Equity Eligible Persons.

The Seller must be majority-governed by Equity Eligible Persons. Please provide names of all of the board members and indicate which board members are Equity Eligible Persons in the box below.

- C. The Seller is a sole proprietor, owned by an Equity Eligible Person.

Please provide the name of the Equity Eligible Person in the box below.

Second Item: Certification

**The Officer of the Seller must make the following certification.**

I, \_\_\_\_\_ [enter the name of the Officer of the Seller], attest to understanding that this information will be used for state government purposes and that knowingly providing false or misleading information may result in denial of the Seller's qualified status as an Equity Eligible Contractor. I certify that the information provided in this insert is true and complete.

If you would like the Procurement Administrator and Illinois Power Agency to treat this attestation and the information herein as confidential, please check the box below.

- Please keep the information attested to above confidential and do not release it without my written permission.

\_\_\_\_\_  
Signature of Officer of the Seller

\_\_\_\_\_  
Date

The Bidder must provide evidence that the individuals named in the Equity Eligible Contractor Insert are in fact Equity Eligible Persons. In particular,

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- if the Seller is majority-owned by Equity Eligible Persons, an Equity Eligible Person Insert must be provided for each of the owners, partners or proprietors indicated in the Equity Eligible Contractor Insert.
- if the Seller is majority-governed by Equity Eligible Persons, an Equity Eligible Person Insert must be provided for each of the board members indicated as Equity Eligible Persons in the Equity Eligible Contractor Insert.
- if the Seller is a sole proprietor, owned by an Equity Eligible Person, an Equity Eligible Person Insert must be provided for the owner.

**PLEASE FULLY COMPLETE THE EQUITY ELIGIBLE PERSON INSERT FOR THE REQUIRED INDIVIDUALS. THE EQUITY ELIGIBLE PERSON INSERT MAY BE PROVIDED BY EMAIL OR BY UPLOAD TO THE APPLICATION WEBSITE (UPLOAD FIELDS PROVIDED BELOW). THE EQUITY ELIGIBLE PERSON INSERT IS AVAILABLE ON THE PROCUREMENT WEBSITE. The Equity Eligible Person Insert is also labelled INSERT #P1-3.**

\_\_\_\_\_  
*Name of Seller*

This Insert may be:

- *Printed, signed, scanned, and uploaded to the online Part 1 Form;*
- *Submitted with a digital signature and a document or information verifying the identity of the signatory.*

Electronic signatures (e.g., a picture of a signature by opposition to a digital signature entered through software such as that offered by DocuSign) are not acceptable.

**EQUITY ELIGIBLE PERSON INSERT (#P 1-3)**

**PLEASE COMPLETE A SEPARATE EQUITY ELIGIBLE PERSON INSERT FOR EACH EQUITY ELIGIBLE PERSON NAMED IN THE EQUITY ELIGIBLE CONTRACTOR INSERT.**

*First Item: Basic Information for the Equity Eligible Person*

**PLEASE PROVIDE THE NAME AND FULL CONTACT INFORMATION FOR THE EQUITY ELIGIBLE PERSON.**

*First Name*

*Last Name*

*Street Address*

*City*

*State*

*Zip Code*

*Business Telephone No.*

*Mobile Telephone No.*

*Email Address*

**PLEASE SELECT THE OPTION THAT BEST DESCRIBES THE EQUITY ELIGIBLE PERSON'S ASSOCIATION WITH THE EQUITY ELIGIBLE CONTRACTOR:**

- |  |                                       |
|--|---------------------------------------|
| <input type="checkbox"/> Sole Owner  | <input type="checkbox"/> Shareholder  |
| <input type="checkbox"/> Joint Owner or Partner                                | <input type="checkbox"/> Board member |
| <input type="checkbox"/> Independent contractor offering professional services |                                       |

Second Item: Qualification for Equity Eligible Person Status

**PLEASE INDICATE HOW THE INDIVIDUAL NAMED ABOVE QUALIFIES AS AN EQUITY ELIGIBLE PERSON BY CHECKING THE APPROPRIATE BOX BELOW AND COMPLETING THE SECTION NOTED IN RED THAT APPLIES.**

- A.** A person who graduated from or is a current or former participant in the Clean Jobs Workforce Network Program, the Clean Energy Contractor Incubator Program, the Illinois Climate Works Pre-apprenticeship Program, the Returning Residents Clean Jobs Training Program, the Clean Energy Primes Contractor Accelerator Program, or the solar training pipeline program and the multi-cultural jobs program created in paragraphs (a)(1) and (a)(3) of Section 16-108.12 of the Public Utilities Act.

**Please complete Section A on page 3 ONLY.**

- B.** A person who graduated from or is currently enrolled in the foster care system.

**Please complete Section B on page 4 ONLY.**

- C.** A person who was formerly incarcerated.

**Please complete Section C on page 5 ONLY.**

- D.** A person whose primary residence is in an Equity Investment Eligible Community as defined in Section 1-10 of the IPA Act.

Equity Investment Eligible Communities are defined as 1) R3 Areas as established pursuant to the Cannabis Regulation and Tax Act, and 2) Environmental Justice Communities as established through Illinois Solar for All Program. For maps and address lookup tools for these two areas, refer to the following websites:

<https://r3.illinois.gov/eligibility>

<https://www.illinoissfa.com/environmental-justice-communities/>

**Please complete Section D on page 6 ONLY.**

**Section A: Graduate of or Participant in Eligible Job Training/Workforce Development Program**

First Item: Required Documented Evidence

**PLEASE PROVIDE THE NAME OF THE PROGRAM FROM WHICH THE EQUITY ELIGIBLE PERSON GRADUATED OR IN WHICH THE EQUITY ELIGIBLE PERSON IS A CURRENT OR FORMER PARTICIPANT.**

*Name of program (for example, Clean Jobs Workforce Network Program, Clean Energy Contractor Incubator Program, Illinois Climate Works Pre-apprenticeship Program, Returning Residents Clean Jobs Training Program, or Clean Energy Primes Contractor Accelerator Program)*

*Location of Training Program (City & State)*

**THE BIDDER MUST PROVIDE DOCUMENTED EVIDENCE THAT THE EQUITY ELIGIBLE PERSON IS A GRADUATE FROM OR IS A CURRENT OR FORMER PARTICIPANT IN THE PROGRAM INDICATED UNDER THIS ITEM.** Acceptable evidence includes, but is not limited to, a graduation certificate or diploma from the program or a letter of acceptance into such program. **Please provide the required documented evidence by email to the Procurement Administrator or by upload to the online Part 1 Form.**

Second Item: Certification

**The Equity Eligible Person named in this insert must make the following certification:**

I, \_\_\_\_\_ [enter the name of the Equity Eligible Person], attest that I have graduated from or am a current or former participant in the Clean Jobs Workforce Network Program, the Clean Energy Contractor Incubator Program, the Illinois Climate Works Pre-apprenticeship Program, the Returning Residents Clean Jobs Training Program, the Clean Energy Primes Contractor Accelerator Program, or the solar pipeline training program and the multi-cultural jobs program created in paragraphs (a)(1) and (a)(3) of Section 16-108.12 of the Public Utilities Act. I certify that the information provided in this insert is true and complete.

I acknowledge that this certification will be used to determine whether the entity listed as the Seller on the first page of this document qualifies as an equity eligible contractor under Section 1-10 of the Illinois Power Agency Act (20 ILCS 3855/1-10) as amended by Public Act 102-0662. Under this provision, a business that is majority-owned by eligible persons, or a non-profit or cooperative organization that is majority-governed by eligible persons, or is a natural person that is an eligible person offering personal services as an independent contractor meets the definition of an Equity Eligible Contractor.

If you would like the Procurement Administrator and Illinois Power Agency to treat this attestation and the information herein as confidential, please check the box below.

Please keep the information attested to above confidential and do not release it without my written permission.

Signature of Equity Eligible Person

Date

### **Section B: Graduate of or Enrolled in the Foster Care System**

**The Equity Eligible Person named in this insert must make the following certification:**

I, \_\_\_\_\_ [enter the name of the Equity Eligible Person], am a graduate of or am currently enrolled in the foster care system, specifically, I am an individual who is currently or was formerly a youth in care of the IL Department of Children and Family Services, or the equivalent agency in another state. I certify that the information provided in this insert is true and complete.

I acknowledge that this certification will be used to determine whether the entity listed as the Seller on the first page of this document qualifies as an equity eligible contractor under Section 1-10 of the Illinois Power Agency Act (20 ILCS 3855/1-10) as amended by Public Act 102-0662. Under this provision, a business that is majority-owned by eligible persons, or a non-profit or cooperative organization that is majority-governed by eligible persons, or is a natural person that is an eligible person offering personal services as an independent contractor meets the definition of an Equity Eligible Contractor.

If you would like the Procurement Administrator and Illinois Power Agency to treat this attestation and the information herein as confidential, please check the box below.

Please keep the information attested to above confidential and do not release it without my written permission.

\_\_\_\_\_  
Signature of Equity Eligible Person

\_\_\_\_\_  
Date

### **Section C: Formerly Incarcerated**

**The Equity Eligible Person named in this insert must make the following certification:**

I, \_\_\_\_\_ [enter the name of the Equity Eligible Person], am an individual who (i) was sentenced to a term of imprisonment, not including juvenile detention, after the disposition of one or more misdemeanor or felony charges; and (ii) has completed their sentence. I certify that the information provided in this insert is true and complete.

I acknowledge that this certification will be used to determine whether the entity listed as the Seller on the first page of this document qualifies as an equity eligible contractor under Section 1-10 of the Illinois Power Agency Act (20 ILCS 3855/1-10) as amended by Public Act 102-0662. Under this provision, a business that is majority-owned by eligible persons, or a non-profit or cooperative organization that is

majority-governed by eligible persons, or is a natural person that is an eligible person offering personal services as an independent contractor meets the definition of an Equity Eligible Contractor.

If you would like the Procurement Administrator and Illinois Power Agency to treat this attestation and the information herein as confidential, please check the box below.

Please keep the information attested to above confidential and do not release it without my written permission.

\_\_\_\_\_  
Signature of Equity Eligible Person

\_\_\_\_\_  
Date

### **Section D: Primary Residence in an Equity Investment Eligible Community.**

#### First Item: Documented Evidence

**THE BIDDER MUST PROVIDE DOCUMENTED EVIDENCE THAT THE PRIMARY RESIDENCE OF THE EQUITY ELIGIBLE PERSON IS THE ADDRESS PROVIDED UNDER THE FIRST ITEM IN THIS SECTION.** Acceptable evidence includes, but is not limited to, a screenshot of a mailed utility bill with the Equity Eligible Person's name and address. **Please provide the required documented evidence by email to the Procurement Administrator or by upload to the online Part 1 Form.**

Please note that the qualification as an Equity Eligible Contractor based on residence in an Equity Investment Eligible Community requires residency in that community at the time of the submission of the Part 1 Proposal and is not required to be maintained thereafter.

#### Second Item: Certification

**The Equity Eligible Person named in this insert must make the following certification:**

I, \_\_\_\_\_ [enter the name of the Equity Eligible Person], attest that my primary residence is in an Equity Investment Eligible Community as defined in Section 1-10 of the IPA Act. I certify that the information provided in this insert is true and complete.

I acknowledge that this certification will be used to determine whether the entity listed as the Seller on the first page of this document qualifies as an equity eligible contractor under Section 1-10 of the Illinois Power Agency Act (20 ILCS 3855/1-10) as amended by Public Act 102-0662. Under this provision, a business that is majority-owned by eligible persons, or a non-profit or cooperative organization that is majority-governed by eligible persons, or is a natural person that is an eligible person offering personal services as an independent contractor meets the definition of an Equity Eligible Contractor.

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If you would like the Procurement Administrator and Illinois Power Agency to treat this attestation and the information herein as confidential, please check the box below.

Please keep the information attested to above confidential and do not release it without my written permission.

\_\_\_\_\_  
Signature of Equity Eligible Person

\_\_\_\_\_  
Date

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## 2. Project Information

### First Item: Category

**THE BIDDER MUST PROVIDE THE CATEGORY OF THE PROJECT, NAMELY WHETHER THE PROJECT IS A UTILITY-SCALE WIND PROJECT, UTILITY-SCALE SOLAR PROJECT, OR A BROWNFIELD SITE PHOTOVOLTAIC PROJECT.**

*Please specify the Category of the Project.*

- Utility-Scale Wind
- Utility-Scale Solar
- Brownfield Site Photovoltaic

### Second Item: Project Description

**THE BIDDER MUST PROVIDE THE SIZE OF THE PROJECT IN MW (AC RATING) ROUNDED TO TWO (2) DECIMALS.** For utility-scale wind projects and utility-scale solar projects, the size of the Project must be greater than 5,000 kW (AC rating). There is no minimum size requirement for brownfield site photovoltaic projects. Once the Part 1 Proposal is complete, the size of the Project cannot be changed for purposes of the Part 2 Proposal. For avoidance of doubt, the restriction to size changes is limited from the time the Part 1 Proposal is complete through the fourteen (14) business days of the Bid Date; and there is no prohibition to Project size changes during the term of the Indexed REC Contract.

*Size of the Project in MW (AC rating)*

**THE BIDDER MUST PROVIDE THE “DATE OF FIRST OPERATION” FOR THE PROJECT, AS DEFINED BY THE OPERATING MANUALS OF PJMEIS GATS OR M-RETS, OR THE EXPECTED DATE OF FIRST OPERATION.** If the Project is operational as of the submission of the Part 1 Proposal, the Date of First Operation of the Project must be provided and cannot have occurred on or before June 1, 2017. If the Project is not yet operational as of the submission of the Part 1 Proposal, the expected Date of First Operation must be consistent with the terms of the Indexed REC Contract.

*Date of First Operation (actual or expected)*

A Bidder must specify a full quantity in the Bid, which is an annual quantity of RECs that the Seller is offering to deliver under the terms of the Indexed REC Contract. The full quantity must not exceed the Maximum Bid Size, which is based on a capacity factor of 45% for a utility-scale wind project and a capacity factor of 30% for utility-scale solar and brownfield site photovoltaic projects, unless evidence to support a higher capacity factor is provided below.

A Bidder may provide evidence to support a higher capacity factor for the Project in the Part 1 Proposal.

**THE BIDDER MAY PROVIDE EVIDENCE TO SUPPORT A CAPACITY FACTOR FOR THE PROJECT THAT IS HIGHER THAN 45% FOR A UTILITY-SCALE WIND PROJECT AND HIGHER THAN 30% FOR UTILITY-SCALE SOLAR AND BROWNFIELD SITE PHOTOVOLTAIC PROJECTS.** As evidence, the Bidder must provide: (i) an estimate of energy production for the Project and (ii) any relevant design specifications that support the higher capacity factor.



Third Item: Project Labor Agreement

**Has construction for the Project begun as of submission of the Part 1 Proposal?**

Yes

No

**If NO**, please provide the P1 Project Labor Agreement Insert prepared for this purpose. **THE BIDDER PROVIDES THE P1 PROJECT LABOR AGREEMENT INSERT BY EMAIL OR BY UPLOAD TO THE APPLICATION WEBSITE. THE P1 PROJECT LABOR AGREEMENT INSERT IS AVAILABLE ON THE PROCUREMENT WEBSITE.** The P1 Project Labor Agreement Insert is also labelled INSERT #P1-4.

\_\_\_\_\_  
Name of Project

\_\_\_\_\_  
Name of Seller

This Insert may be:

- *Printed, signed, scanned, and uploaded to the online Part 1 Form;*  
*or*
- *Submitted with a digital signature and a document or information verifying the identity of the signatory.*

Electronic signatures (e.g., a picture of a signature by opposition to a digital signature entered through software such as that offered by DocuSign) are not acceptable.

**P1 PROJECT LABOR AGREEMENT INSERT (#P1-4)**

I, \_\_\_\_\_ [enter the name of the Officer of the Seller],

1. acknowledge the Project Labor Agreements Requirements provided in Section 6.3 of the Indexed REC Contract;
2. certify that the Project will be built by General Contractors that have entered into a Project Labor Agreement, as this term is defined in the Indexed REC Contract, prior to construction;
3. acknowledge that the Project Labor Agreement shall specify the terms and conditions as defined by the Project Labor Agreements Act and the IPA Act. Specifically, each Project Labor Agreement shall: (a) set forth effective, immediate, and mutually binding procedures for resolving jurisdictional labor disputes and grievances arising before the completion of work, (b) contain guarantees against strikes, lockouts, or similar actions, (c) ensure a reliable source of skilled and experienced labor, (d) contain provisions for minorities and women as defined under the Business Enterprise for Minorities, Women, and Persons with Disabilities Act, set forth goals for apprenticeship hours to be performed by minorities and women and set forth goals for total hours to be performed by underrepresented minorities and women, (e) permit the selection of the lowest qualified responsible bidder, without regard to union or non-union status at other construction sites, (f) bind all contractors and subcontractors on the public works project through the inclusion of appropriate bid specifications in all relevant bid documents, and (g) include such other terms as the parties deem appropriate; and

4. acknowledge that the Project Labor Agreement shall cover all terms and conditions of employment on a specific construction project and must include the following: (aa) provisions establishing the minimum hourly wage for each class of labor organization employee; (bb) provisions establishing the benefits and other compensation for each class of labor organization employee; (cc) provisions establishing that no strike or disputes will be engaged in by the labor organization employees; (dd) provisions establishing that no lockout or disputes will be engaged in by the General Contractor building the project; (ee) provisions for minorities and women, as defined under the Business Enterprise for Minorities, Women, and Persons with Disabilities Act, setting forth goals for apprenticeship hours to be performed by minorities and women and setting forth goals for total hours to be performed by underrepresented minorities and women; and (ff) the efforts that Seller will take or has taken to achieve such goals, including recruitment of minorities and women into apprenticeship roles. A labor organization and the General Contractor building the project shall have the authority to include other terms and conditions as they deem necessary.

\_\_\_\_\_  
Signature of Officer of the Seller

\_\_\_\_\_  
Date

**If YES**, please provide the following information.

***Did construction for the Project begin prior to September 15, 2021?***

Yes

No

**If YES**, please proceed to Section 3. The requirements under this item do not apply to a Project if construction began prior to September 15, 2021, the date that Public Act 102-0662 became effective.

**If NO**,

**THE BIDDER MUST PROVIDE EVIDENCE THAT THE PROJECT LABOR AGREEMENT(S) AND ANY AMENDMENTS THERETO FOR THE PROJECT HAVE BEEN FILED WITH THE DIRECTOR OF THE IPA BY EMAIL TO [IPA.PLA@ILLINOIS.GOV](mailto:IPA.PLA@ILLINOIS.GOV). SUCH EVIDENCE MAY BE PROVIDED BY UPLOAD BELOW OR BY EMAIL TO THE PROCUREMENT ADMINISTRATOR:**



Evidence that the IPA has determined that such Project Labor Agreement(s) and any amendments meet the requirements under the IPA Act and the Project Labor Agreements Act is due by the Part 2 Date. **If the IPA has already determined that such Project Labor Agreement(s) and any amendments meet the requirements, evidence of this determination may be provided by upload below or by email to the Procurement Administrator:**



### 3. Equity Commitments

THE REQUIREMENTS OF THIS SECTION ARE NOT APPLICABLE IF THE DATE OF FIRST OPERATION FOR THE PROJECT WAS PRIOR TO DECEMBER 15, 2022. **THE BIDDER CONFIRMED WHETHER THE DATE OF FIRST OPERATION FOR THE PROJECT WAS PRIOR TO DECEMBER 15, 2022 IN THE FIRST ITEM UNDER SECTION 1 OF THIS PART 1 FORM.**

First Item: Minimum Equity Standard

**THIS ITEM DOES NOT APPLY IF THE SELLER IS AN EQUITY ELIGIBLE CONTRACTOR. THE BIDDER INDICATED WHETHER THE SELLER IS AN EQUITY ELIGIBLE CONTRACTOR IN THE SIXTH ITEM UNDER SECTION 1 OF THIS PART 1 FORM.**

A Minimum Equity Standard (“MES”) of 10% will apply under the Indexed REC Contract to a Project selected through this RFP if the Date of First Operation is on or after December 15, 2022. At least 10% of the Project Workforce in each applicable delivery year shall be performed by Equity Eligible Persons or Equity Eligible Contractors, as these terms are defined in the Indexed REC Contract. The MES applies for each delivery year in which Construction Activities are carried out through the Date of First Operation. The reporting requirements related to the MES are detailed in Section 6.4 of the Indexed REC Contract.

**PLEASE PROVIDE THE P1 MINIMUM EQUITY STANDARD INSERT BY UPLOAD BELOW OR BY EMAIL TO THE PROCUREMENT ADMINISTRATOR. THE P1 MINIMUM EQUITY STANDARD INSERT IS AVAILABLE ON THE PROCUREMENT WEBSITE. The P1 Minimum Equity Standard Insert is also labelled INSERT #P1-5.**

\_\_\_\_\_  
*Name of Project*

\_\_\_\_\_  
*Name of Seller*

This Insert may be:

- *Printed, signed, scanned, and uploaded to the online Part 1 Form;*  
*or*
- *Submitted with a digital signature and a document or information verifying the identity of the signatory.*

Electronic signatures (e.g., a picture of a signature by opposition to a digital signature entered through software such as that offered by DocuSign) are not acceptable.

#### **P1 MINIMUM EQUITY STANDARD INSERT (#P1-5)**

I, \_\_\_\_\_ [enter the name of the Officer of the Seller],

1. acknowledge that if the Date of First Operation for a Project is on or after December 15, 2022, a Minimum Equity Standard of 10% applies to the Project Workforce for each delivery year in which Construction Activities are performed through the Date of First Operation; and
2. acknowledge the reporting requirements under Section 6.4 of the Indexed REC Contract.

\_\_\_\_\_  
Signature of Officer of the Seller

\_\_\_\_\_  
Date

Second Item: Equity Level Commitment

**THIS ITEM DOES NOT APPLY IF CONSTRUCTION ACTIVITIES FOR THE PROJECT HAVE BEGUN AS OF THE SUBMISSION OF THE PART 1 PROPOSAL.**

Under the Indexed REC Contract, “Construction Activities” means activities related to the Project that includes not only construction, but also any maintenance, repair, assembly, or disassembly work performed on equipment whether owned, leased, or rented and all construction work performed by Seller, including its contractors and subcontractors, relating to construction, maintenance, repair, assembly, or disassembly work in relation to the Project.

***Have Construction Activities begun for the Project as of the submission of the Part 1 Proposal?***

Yes  No

**If NO**, please see the next question.

**If YES**, please proceed to the next section.

If Construction Activities for the Project have not yet begun, the Seller may, but is not required to, commit to an Equity Level (%) greater than the MES of 10% in order to qualify for the bid evaluation price reduction described in paragraph I.2.11 of the RFP Rules. A Seller that makes a commitment greater than 10% under this item should be aware that:

- If the Project is selected and approved by the ICC, the Seller must meet the requirements in Section 2.5 of the Indexed REC Contract in addition to meeting the reporting requirements related to the MES under Section 6.4. Under Section 2.5, the Seller must provide to the Companies and the Illinois Power Agency information and documentation to verify the commitment has been met within thirty (30) days of the Date of First Operation;
- Regardless of whether construction of the Project spans multiple delivery years, then fulfillment of this commitment will be measured for the entirety of the period for which Construction Activities occurred up through the Date of First Operation and not for each delivery year separately; and
- If the Seller commits to an Equity Level (%) greater than the MES of 10% and if the Seller fails to demonstrate, and the IPA is unable to verify, that the Equity Level (%) for the Project is met, the Indexed REC Contract will be terminated, and the Company shall be entitled to payment by the Seller of the Collateral Requirement and 100% of the total payments Seller received from the Company.

***Is the Seller opting to commit to an Equity Level (%) greater than the Minimum Equity Standard of 10%?***

Yes  No

**If NO**, please proceed to the next section.

**If YES**, please provide the required information below.

**PLEASE PROVIDE THE EQUITY LEVEL (%) FOR THE PROJECT THAT IS GREATER THAN 10%.**

*Equity Level (%)*

**PLEASE PROVIDE THE P1 EQUITY LEVEL INSERT BY UPLOAD BELOW OR BY EMAIL TO THE PROCUREMENT ADMINISTRATOR. THE P1 EQUITY LEVEL INSERT IS AVAILABLE ON THE PROCUREMENT WEBSITE.** The P1 Equity Level Insert is also labelled INSERT #P1-6.

\_\_\_\_\_  
*Name of Project*

\_\_\_\_\_  
*Name of Seller*

This Insert may be:

- *Printed, signed, scanned, and uploaded to the online Part 1 Form;*  
*or*
- *Submitted with a digital signature and a document or information verifying the identity of the signatory.*

Electronic signatures (e.g., a picture of a signature by opposition to a digital signature entered through software such as that offered by DocuSign) are not acceptable.

### **P1 EQUITY LEVEL INSERT (#P1-6)**

I, \_\_\_\_\_ [enter the name of the Officer of the Seller],

1. certify that the percentage of the Project Workforce for the Project through the Date of First Operation that is comprised of Equity Eligible Persons or Equity Eligible Contractors will be at least the Equity Level (%) indicated in the Part 1 Proposal;
2. acknowledge the reporting requirements under Section 2.5(b) of the Indexed REC Contract;
3. acknowledge that if the Seller commits to an Equity Level (%) greater than the MES of 10% and if the Seller fails to demonstrate, and the IPA is unable to verify, that the Equity Level (%) for the Project as indicated in the Part 1 Proposal is met, the Indexed REC Contract will be terminated, and each Company shall be entitled to payment by the Seller in the amount of (i) the Collateral Requirement and (ii) 100% of the total payments Seller has received from each such Company.

\_\_\_\_\_  
Signature of Officer of the Seller

\_\_\_\_\_  
Date

**THE BIDDER MUST PROVIDE A NARRATIVE PLAN TO MEET THE EQUITY LEVEL (%) INCLUDING THE BULLETED INFORMATION BELOW.**

The narrative plan must include the following items:

- a narrative description of how the Seller will ensure that at least the Equity Level (%) will be met;

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- a statement of intent to comply with all necessary requirements set forth in Public Act 102-0662 relating to the Minimum Equity Standard and agreement to comply with certain obligations, including hiring a diverse project workforce and working with Equity Eligible Contractors, where applicable;
- the total 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 business enterprise, Woman-owned business enterprise, Disabled-owned business, Veteran-owned business, Small business, etc.), if applicable;
- the qualifying Equity Eligible Person category/categories the Seller seeks to hire, if known; and
- a communication plan for local outreach to increase the utilization of Equity Eligible Persons and Equity Eligible Contractors. The Procurement Administrator will provide a list of sample questions that might be answered as part of this communication plan for local outreach.

**PLEASE PROVIDE THE NARRATIVE PLAN BY UPLOAD BELOW OR BY EMAIL TO THE PROCUREMENT ADMINISTRATOR.**



**THE BIDDER MUST PROVIDE LETTER(S) OF INTENT OR EVIDENCE OF CURRENT EMPLOYMENT RELATED TO 50% TIMES THE EQUITY LEVEL (%) TIMES THE TOTAL PROJECTED NUMBER OF WORKERS IN THE PROJECT WORKFORCE 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.

**PLEASE PROVIDE LETTER(S) OF INTENT OR EVIDENCE OF CURRENT EMPLOYMENT BY UPLOAD BELOW OR BY EMAIL TO THE PROCUREMENT ADMINISTRATOR.**



#### 4. Requirements for Utility-Scale Wind and Utility-Scale Solar Projects

THE REQUIREMENTS OF THIS SECTION APPLY ONLY TO UTILITY-SCALE WIND AND UTILITY-SCALE SOLAR PROJECTS.

First Item: Location Information

THE BIDDER MUST PROVIDE A COMPLETE ADDRESS FOR THE PROJECT.

*Project Street Address*

--	--	--

*City*

--

*State*

--

*Zip Code*

--

**IF THE PROJECT IS LOCATED IN ILLINOIS**, please proceed to the next section.

**IF THE 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**, please provide the information required by this item by upload or by email to the Procurement Administrator.

PLEASE PROVIDE EVIDENCE THAT THE IPA HAS DETERMINED THAT THE PROJECT MEETS THE PUBLIC INTEREST CRITERIA OF THE ACT AND HAS BEEN PRE-APPROVED BY THE IPA TO BE ELIGIBLE FOR ILLINOIS RPS COMPLIANCE. Instructions for obtaining such approval are available from the Procurement Administrator.


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Second Item: Energy Transition Community Grant Area

*Is the Project Site located entirely within an area that was identified by the Illinois Department of Commerce & Economic Opportunity as eligible to receive a grant under the Energy Transition Community Grant Program (“Energy Transition Community Grant Area”)? A table with the eligible Energy Transition Community Grant Areas is provided in Appendix 16 to the RFP Rules.*

Yes

No

**If NO**, please proceed to the next item.

**If YES**, please complete this item.

THE BIDDER MUST PROVIDE THE NAME OF THE ENERGY TRANSITION COMMUNITY GRANT AREA.

*Name of Energy Transition Community Grant Area*

--

PLEASE PROVIDE THE ENERGY TRANSITION COMMUNITY GRANT INSERT BY UPLOAD BELOW OR BY EMAIL TO THE PROCUREMENT ADMINISTRATOR. THE ENERGY TRANSITION COMMUNITY GRANT INSERT IS

AVAILABLE ON THE PROCUREMENT WEBSITE. The Energy Transition Community Grant Insert is also labelled INSERT #P1-7.

\_\_\_\_\_  
*Name of Project*

\_\_\_\_\_  
*Name of Seller*

This Insert may be:

- *Printed, signed, scanned, and uploaded to the online Part 1 Form;*  
*or*
- *Submitted with a digital signature and a document or information verifying the identity of the signatory.*

Electronic signatures (e.g., a picture of a signature by opposition to a digital signature entered through software such as that offered by DocuSign) are not acceptable.

### **ENERGY TRANSITION COMMUNITY GRANT INSERT (#P 1-7)**

I, \_\_\_\_\_ [enter the name of the Officer of the Seller], certify that:

1. the Project will be located entirely within the boundary of the Energy Transition Community Grant Area named in the Part 1 Proposal.

\_\_\_\_\_  
Signature of Officer of the Seller

\_\_\_\_\_  
Date

#### Third Item: Project Site Map

**THE BIDDER MUST PROVIDE A MAP OF THE PROJECT SITE BY UPLOAD BELOW OR BY EMAIL TO THE PROCUREMENT ADMINISTRATOR:**



The map of the site must clearly show the site location. If the Project is located entirely within an Energy Transition Community Grant Area, the boundary of the Energy Transition Community Grant community must be provided in the map and the entirety of the Project site must be contained within that boundary. If it is not possible to provide the boundary of the Energy Transition Community Grant Area on the Project site map due to scale, a supplemental map may be required to show that the Project site is located entirely within the boundary of the Energy Transition Community Grant Area. The Procurement Administrator may request additional information regarding the Project site.

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If the Project is selected by the evaluation in this RFP and approved by the Commission, the map of the Project site provided by the Bidder in its Proposal will become part of the Indexed REC Contract. With each REC delivery, the Seller will be required to represent that at least 50% of the Project is located within the physical location identified in the Proposal.

ILLUSTRATIVE

## 5. Requirements for Brownfield Site Photovoltaic Projects

THE REQUIREMENTS OF THIS SECTION APPLY ONLY TO BROWNFIELD SITE PHOTOVOLTAIC PROJECTS.

### First Item: Location Information

PROJECTS MUST BE LOCATED IN ILLINOIS AND MUST BE ENTIRELY CONTAINED WITHIN THE BROWNFIELD SITE. THE BIDDER MUST PROVIDE A COMPLETE ADDRESS FOR THE PROJECT. IF THE PROJECT IS CO-LOCATED WITH ANOTHER FACILITY ON A GREENFIELD SITE, THE BIDDER MUST DISCLOSE THIS FACT.

Is the Project located in Illinois?

- Yes  No

Is the Project co-located with another facility on a greenfield site?

- Yes  No

Project Street Address


City

State

Zip Code

THE BIDDER MUST PROVIDE A MAP OF THE PROJECT SITE BY UPLOAD BELOW OR BY EMAIL TO THE PROCUREMENT ADMINISTRATOR:

The map of the site must clearly show the site location. The Procurement Administrator may request additional information regarding the Project site.

If the Project is selected by the evaluation in this RFP and approved by the Commission, the map of the Project site provided by the Bidder in its Proposal will become part of the Indexed REC Contract.

### Second Item: Project Site

THE BIDDER MUST INDICATE WHETHER THE PROJECT SITE (A) IS AN AREA THAT IS REGULATED BY ONE OF THE FOLLOWING ENTITIES UNDER THE FOLLOWING FOUR “PROGRAMS” (OPTIONS 1-4 BELOW) OR (B) IS 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 (OPTION 5 BELOW).

- 1) The United States Environmental Protection Agency under the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (“CERCLA”)
- 2) The United States Environmental Protection Agency (“U.S. EPA”) under the Corrective Action Program of the federal Resource Conservation and Recovery Act, as amended (“RCRA”)
- 3) The Illinois Environmental Protection Agency (“IEPA”) under the Illinois Solid Waste Program
- 4) The Illinois Environmental Protection Agency under the Illinois Site Remediation Program (“SRP”)

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- 5) The Project site is 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.

**If (1) – (4)**, please proceed to the next (third) item.

**If (5)**, please proceed to the fifth item.

Third Item: Supporting Documentation for Projects Regulated by one of the Programs

**THE BIDDER MUST SUBMIT SUFFICIENT DOCUMENTATION, DATED NO EARLIER THAN 25 YEARS PRIOR TO THE BID DATE, TO DEMONSTRATE THAT THE PROJECT SITE IS REGULATED BY THE PROGRAM NAMED IN THE IMMEDIATELY PREVIOUS ITEM.**

**Sufficient documentation means:**

CERCLA	a site assessment, remedy decision, cleanup plan, or similar document
RCRA	a demonstration of the U.S. EPA requiring corrective action such as a permit application, administrative order, court order, or equivalent document
IEPA Solid Waste Program	a solid waste permit under 35 Ill. Adm. Code subchapter i, a construction or operating permit under 35 Ill. Adm. Code subchapter j, or an initial operating permit application submitted to the IEPA required by 35 Ill. Adm. Code subchapter j
IEPA Site Remediation Program	a Site Investigation Report, or a Remedial Action Plan, or a Remedial Action Completion Report, or a No Further Remediation Letter

**THE BIDDER MUST PROVIDE ONE OF THE APPLICABLE DOCUMENTS LISTED ABOVE BY UPLOAD BELOW OR BY EMAIL TO THE PROCUREMENT ADMINISTRATOR:**



The Procurement Administrator may consider other forms of documentation provided by the Bidder to demonstrate regulation under the above Programs if appropriate.

Fourth Item: Additional Documentation for Projects Regulated by the IEPA SRP

**THE REQUIREMENTS OF THIS ITEM APPLY ONLY TO SITES REGULATED BY THE IEPA SITE REMEDIATION PROGRAM (“IEPA SRP”).**

**THE BIDDER MUST DEMONSTRATE ACTUAL BLIGHT OR CONTAMINATION OF THE SITE BY FULLY COMPLETING THE IEPA SRP INSERT. THE IEPA SRP INSERT MAY BE PROVIDED BY EMAIL OR BY UPLOAD TO THE APPLICATION WEBSITE. THE IEPA SRP INSERT IS AVAILABLE ON THE PROCUREMENT WEBSITE. The IEPA SRP Insert is also labelled INSERT #P1-8.**

\_\_\_\_\_  
*Name of Project*

This Insert may be:

- *Printed, signed, scanned, and uploaded to the online Part 1 Form;*  
*or*
- *Submitted with a digital signature and a document or information verifying the identity of the signatory.*

Electronic signatures (e.g., a picture of a signature by opposition to a digital signature entered through software such as that offered by DocuSign) are not acceptable.

### **IEPA SRP INSERT (#P 1-8)**

**For Project sites regulated by the IEPA Site Remediation Program, the Bidder must demonstrate actual blight or contamination of the site.** Please indicate below which additional documentation the Bidder is providing for this purpose.

- (A) proof that the Project site is also regulated by another Program referenced in Section 1-10 of the IPA Act (if documentation from another Program could not be submitted instead of the documentation from the IEPA Site Remediation Program because it was dated before a date 25 years prior to the Bid Date)
- (B) demonstration of contamination at the Project site and determination of the need for remediation activities through a site assessment from the U.S. EPA Targeted Brownfields Assessment
- (C) additional documents from the IEPA Site Remediation Program

*If the Bidder elected (A) or (B) above, the Insert is complete and the Bidder is not required to respond to any of the questions below.*

*If the Bidder elected (C) above, please provide the documents and information required below. Please respond to all items and questions below.*

#### First Item: Remedial Action Plan

**Please provide a Remedial Action Plan issued by the IEPA Site Remediation Program for the Project site by email to the Procurement Administrator or by upload to the Justification of Omissions Section of the online Part 1 Form.** Such document must demonstrate that concentrations of contaminants at the Project site exceeded the remediation objectives established for the Project site and require remediation activities.

#### Second Item: Remedial Action Completion Report

**Has the IEPA Site Remediation Program issued a Remedial Action Completion Report for the Project site?**

- Yes                       No

#### **If YES:**

**Please provide the Remedial Action Completion Report issued by the IEPA Site Remediation Program for the Project site by email to the Procurement Administrator or by upload to the Justification of Omissions Section of the online Part 1 Form.** Such document must state that remediation was indeed conducted at the Project site and it must be dated later than the Remedial Action Plan.

**If NO**, please sign the following certification.

I, \_\_\_\_\_ [enter the name of representative of the Bidder] certify that the Remedial Action Completion Report has not been issued by the IEPA Site Remediation Program for the Project site.

\_\_\_\_\_  
Signature of representative of the Bidder

\_\_\_\_\_  
Date

**Third Item: No Further Remediation Letter**

***Has the IEPA Site Remediation Program issued a No Further Remediation Letter for the Project site?***

Yes

No

**If YES:**

**Please provide the No Further Remediation Letter issued by the IEPA Site Remediation Program for the Project site by email to the Procurement Administrator or by upload to the Justification of Omissions Section of the online Part 1 Form.** Such document must cover the entirety of the Project site.

**If NO**, please sign the following certification.

I, \_\_\_\_\_ [enter the name of representative of the Bidder] certify that a No Further Remediation Letter has not been issued by the IEPA Site Remediation Program for the Project site.

\_\_\_\_\_  
Signature of representative of the Bidder

\_\_\_\_\_  
Date

**Fifth Item: Supporting Documentation for Projects Located at the Site of a Permanently Closed Coal Mine**

**THE REQUIREMENTS OF THIS ITEM APPLY ONLY TO SITES 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.**

The Bidder must make a certification regarding the coal mine at which the Project is located and submit supporting documentation to demonstrate that the Project site has both completed all clean-up and remediation obligations under the federal Surface Mining and Reclamation Act of 1977 and all applicable Illinois rules and any other clean-up, remediation, or ongoing monitoring to safeguard the health and well-being of the people of the State of Illinois, as well as demonstrated compliance with all applicable federal and State environmental rules and regulations, including, but not limited, to 35 Ill. Adm. Code Part 845 and any rules for historic fill of coal combustion residuals, including any rules finalized in Subdocket A of Illinois Pollution Control Board docket R2020-019.

**THE BIDDER SUBMITS THIS INFORMATION BY FULLY COMPLETING THE COAL MINE INSERT PREPARED FOR THIS PURPOSE. THE BIDDER PROVIDES THE COAL MINE INSERT BY EMAIL OR BY UPLOAD TO THE APPLICATION WEBSITE. THE COAL MINE INSERT IS AVAILABLE ON THE PROCUREMENT WEBSITE. The Coal Mine Insert is also labelled INSERT #P1-9.**

\_\_\_\_\_  
*Name of Project*

This Insert may be:

- *Printed, signed, scanned, and uploaded to the online Part 1 Form;*  
*or*
- *Submitted with a digital signature and a document or information verifying the identity of the signatory.*

Electronic signatures (e.g., a picture of a signature by opposition to a digital signature entered through software such as that offered by DocuSign) are not acceptable.

### **COAL MINE INSERT (#P 1-9)**

I, \_\_\_\_\_ [enter the name of the representative of the Bidder], certify that:

1. as of the submission of the Part 1 Proposal, the coal mine at which the Project is located has permanently ceased coal production, permanently halted any re-mining operations, and is no longer accepting any coal combustion residues.

\_\_\_\_\_  
Signature of representative of the Bidder

\_\_\_\_\_  
Date

**The Bidder must also submit sufficient documentation to demonstrate that the Project site has both completed all clean-up and remediation obligations under the federal Surface Mining and Reclamation Act of 1977 and all applicable Illinois rules and any other clean-up, remediation, or ongoing monitoring to safeguard the health and well-being of the people of the State of Illinois, as well as demonstrated compliance with all applicable federal and State environmental rules and regulations, including, but not limited, to 35 Ill. Adm. Code Part 845 and any rules for historic fill of coal combustion residuals, including any rules finalized in Subdocket A of Illinois Pollution Control Board docket R2020-019.**

Sufficient documentation means **all of:**

- (i) 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;
- (ii) a copy of the Department of Natural Resources decision approving the permit(s); and
- (iii) 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. The permit(s) must cover the Project site, which may be a portion of the coal mine.

The Procurement Administrator may consider other forms of supporting documentation provided by the Bidder if appropriate.

**THE BIDDER MUST PROVIDE THE COAL MINE INSERT AND REQUIRED SUPPORTING DOCUMENTATION BY UPLOAD BELOW OR BY EMAIL TO THE PROCUREMENT ADMINISTRATOR:**



Sixth Item: Status of Remediation

**PLEASE DESCRIBE THE STATUS OF REMEDIATION OF THE PROJECT SITE IN THE FIELD BELOW.**

ILLUSTRATIVE

## 6. Additional Project Information

### First Item: Project Maturity

To demonstrate adequate project maturity, a Bidder must provide, if available for the Project, one of the following:

- (i) the Queue/OASIS ID from PJM and a copy of the completed System Impact Study from PJM for the Project; or
- (ii) the Project Number from MISO and a copy of the Preliminary System Impact Study under Definitive Planning Phase 1 (“DPP 1”) under the DPP-2020-Cycle 1 or a later study cycle; or
- (iii) the Project Number from MISO and a copy of the fully executed interconnection agreement for the Project; or
- (iv) a fully executed interconnection agreement with a utility for the Project.



**Are any of the documents i) – iv), or a document that shows that the Project is further in the interconnection process, available for the Project?**

Yes  No

**If NO**, please proceed to the next item.

**If YES**, please provide all information required by this item.

**THE BIDDER MUST PROVIDE ONE OF THE DOCUMENTS LISTED ABOVE BY UPLOAD BELOW OR BY EMAIL TO THE PROCUREMENT ADMINISTRATOR:**

**THE BIDDER MUST PROVIDE THE FOLLOWING ADDITIONAL INFORMATION FOR THE PROJECT IF INTERCONNECTING WITH PJM OR MISO:**

*Queue/OASIS ID from PJM or Project Number from MISO*

### Second Item: Project Maturity (through site control)

If none of the documents required by the previous item is available for the Project, then the Bidder must: (i) describe the stage of development of the Project applicable to the point of interconnection (including providing the name of the regional transmission organization or utility with which the Project plans to interconnect; e.g., PJM, Ameren, etc.) and to the size of the Project; and (ii) demonstrate control for a portion of the Project site as described in the RFP Rules.

**THE SIZE OF THE PROJECT DETERMINES THE AREA FOR WHICH SITE CONTROL MUST BE DEMONSTRATED IN THE PART 1 PROPOSAL.** An Owner is an individual or entity that has ownership over the entirety or over a portion of the Project site. The area for which site control is demonstrated must be at least \_\_\_\_ acres (40 acres times the Project size for a utility-scale wind Project, 4 acres times the Project size for a utility-scale solar Project, and at least 3 acres times the Project size for a brownfield site photovoltaic Project). Documentation for this purpose must be one of the following:

- (i) document showing that the Bidder (Seller or an affiliate of Seller) owns the Project site;

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- (ii) an executed lease agreement or easement between the Bidder (Seller or an affiliate of the Seller) and the Owner or Owners; or
- (iii) an executed option, between the Bidder (Seller or an affiliate of Seller) and the Owner or Owners, with a unilateral right to lease or purchase the Project site; or
- (iv) a memorandum of understanding between the Owner or Owners and the Bidder (Seller or an affiliate of Seller) regarding a lease, easement, exclusive option, or sale of the Project site; or
- (v) a letter of intent executed by the Owner or Owners stating the intention to deal exclusively with the Bidder (Seller or an affiliate of Seller) to enter into an agreement for a lease, an easement, an exclusive option, or the sale of the Project site; or
- (vi) other document demonstrating a right to develop the Project on the site.

If the Bidder submits a document under (vi), the Procurement Administrator may require additional information. Any such document must be valid through a date no earlier than December 19, 2023, which is the date at which the Indexed REC Contracts execution formalities are expected to be completed. The Procurement Administrator may require clarification or additional documentation if a document submitted to demonstrate site control expires prior to that date. The specific financial terms of the agreement with an Owner may be redacted.

**PLEASE UPLOAD DOCUMENTATION DEMONSTRATING EXCLUSIVE CONTROL FOR THE REQUIRED AREA OR SUBMIT SUCH DOCUMENTATION BY EMAIL TO THE PROCUREMENT ADMINISTRATOR:**

**IF THE DOCUMENTATION PROVIDED NAMES AN AFFILIATE OF THE SELLER PLEASE CHECK THIS BOX:**

**Additional Documentation for Area Controlled by Owner**

If the documentation demonstrating site control includes the number of acres controlled by an Owner then no additional documentation is required for that Owner. Otherwise, (if the number of acres controlled by an Owner is not included in the documentation provided to show site control), the Bidder must provide additional documentation from which the Procurement Administrator can verify the number of acres controlled by such Owner. Such additional documentation includes:

- (i) tax records;
- (ii) memorandums of agreement filed with the county that provide acreage in the description of the property;
- (iii) publicly available maps sufficiently detailed to allow for verification of the number of acres controlled by each Owner;
- (iv) a document signed by the Owner or an email from the Owner that states the number of acres controlled by such Owner; or
- (v) other corroborating documents regarding the number of acres controlled by such Owner.

**PLEASE PROVIDE ADDITIONAL DOCUMENTATION FOR THE NUMBER OF ACRES CONTROLLED BY THE OWNER AS NEEDED BY EMAIL OR BY UPLOAD TO THE APPLICATION WEBSITE.**

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Additional information may be required by the Procurement Administrator depending on the results of the evaluation of the documents provided.

**PLEASE DESCRIBE THE STAGE OF DEVELOPMENT OF THE PROJECT APPLICABLE TO THE POINT OF INTERCONNECTION AND TO THE SIZE OF THE PROJECT.** Indicate specific milestones in the development of the Project that have been reached to date. Provide the name of the regional transmission organization or utility with which the Project plans to interconnect; e.g., PJM, Ameren, etc.

ILLUSTRATIVE

## 7. Representations

**The Officer of the Seller must make the representations required by the RFP Rules.**

First Item: Representations about the Project

The Officer of the Seller must make certain representations applicable to the Project.

**THE BIDDER SUBMITS THESE CERTIFICATIONS BY FULLY COMPLETING THE P1 PROJECT CERTIFICATIONS INSERT PREPARED FOR THIS PURPOSE. THE BIDDER PROVIDES THE P1 PROJECT CERTIFICATIONS INSERT BY EMAIL OR BY UPLOAD TO THE APPLICATION WEBSITE. THE P1 PROJECT CERTIFICATIONS INSERT IS AVAILABLE ON THE PROCUREMENT WEBSITE.** The P1 Project Certifications Insert is also labelled INSERT #P1-10.

\_\_\_\_\_  
*Name of Project*

\_\_\_\_\_  
*Name of Seller*

This Insert may be:

- *Printed, signed, scanned, and uploaded to the online Part 1 Form;*
- or*
- *Submitted with a digital signature and a document or information verifying the identity of the signatory.*

Electronic signatures (e.g., a picture of a signature by opposition to a digital signature entered through software such as that offered by DocuSign) are not acceptable.

### **P1 PROJECT CERTIFICATIONS INSERT (#P1-10)**

I, \_\_\_\_\_ [enter the name of the Officer of the Seller], certify that:

1. the Project is a “utility-scale wind project” or a “utility-scale solar project” or a “brownfield site photovoltaic project” as these terms are defined in the IPA Act and the Seller has made all investigations it deems necessary to make this determination;
2. the Project is not a repowered facility;
3. the Date of First Operation of the Project, as this term is defined by PJM EIS GATS or M-RETS, did not occur on or before June 1, 2017;
4. the Project has reached the appropriate development milestones to fully expect that the Project will deliver its first REC to each Company by a date consistent with the terms of the Indexed REC Contract;
5. the Project has or will have a single revenue quality meter that satisfies the requirements of the applicable regional transmission organization, transmission provider, or distribution company and that measures or will measure its generation output;
6. the Project is or will be registered in PJM EIS GATS or M-RETS and the Seller will deliver RECs to the Companies by delivering such RECs through a standing order for the Project to each Company’s PJM EIS GATS or M-RETS account in an unretired state;

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7. the Project is not and will not be a generating unit whose costs are being recovered through rates regulated by Illinois or any other state or states; and
8. the information provided in the Proposal regarding the Project, including the description of the Project site, is true, up-to-date, and accurate to the best of my knowledge and belief.

\_\_\_\_\_  
Signature of Officer of the Seller

\_\_\_\_\_  
Date

If any information provided in the Part 1 Proposal changes or any previous certification fails to remain valid, it is the sole responsibility of the Bidder and Seller to notify the Procurement Administrator. Repowered facilities, even those with entirely new components, are not eligible for participation in this RFP.

Second Item: Representations about the Seller for Solar and Brownfield Projects

For utility-scale solar projects and brownfield site photovoltaic projects, the Officer of the Seller must make certain representations applicable to the Seller and the Bidder.

**THE BIDDER SUBMITS THESE CERTIFICATIONS BY FULLY COMPLETING THE P1 SELLER (SOLAR AND BROWNFIELD) CERTIFICATIONS INSERT PREPARED FOR THIS PURPOSE. THE BIDDER PROVIDES THE P1 SELLER (SOLAR AND BROWNFIELD) CERTIFICATIONS INSERT BY EMAIL OR BY UPLOAD TO THE APPLICATION WEBSITE. THE P1 SELLER (SOLAR AND BROWNFIELD) CERTIFICATIONS INSERT IS AVAILABLE ON THE PROCUREMENT WEBSITE.** The P1 Seller (Solar and Brownfield) Certifications Insert is also labelled INSERT #P1-11.

If the Seller knows that specific information in the Part 1 Proposal may change prior to the decision of the Illinois Commerce Commission on the results of this procurement event, these facts must be disclosed to the Procurement Administrator.

\_\_\_\_\_  
*Name of Project*

\_\_\_\_\_  
*Name of Seller*

This Insert may be:

- *Printed, signed, scanned, and uploaded to the online Part 1 Form;*
- or*
- *Submitted with a digital signature and a document or information verifying the identity of the signatory.*

Electronic signatures (e.g., a picture of a signature by opposition to a digital signature entered through software such as that offered by DocuSign) are not acceptable.

**P1 SELLER (SOLAR AND BROWNFIELD) CERTIFICATIONS INSERT (#P1-11)**

I, \_\_\_\_\_ [enter the name of the Officer of the Seller], certify that:

1. the Seller as identified in the Proposal is the entity that will sign the Indexed REC Contracts with the Companies if the Project is selected through the RFP and the Bid is approved by the Illinois Commerce Commission;
2. the Seller understands and accepts the terms of the Indexed REC Contract and accepts the fact that the number of Indexed REC Contracts and the counterparties under such Indexed REC Contracts will be assigned to the Seller by the Procurement Administrator;
3. the Seller, including its contractors and subcontractors, rendering services under the Indexed REC Contract will comply with the requirements of 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;
4. for a utility-scale solar project and brownfield site photovoltaic project, the Seller acknowledges that a Collateral Requirement equal to \$10 times the annual quantity from the Project is required during the term of the Indexed REC Contract and that such Collateral Requirement may be increased if the Project does not deliver a first REC to a Company by May 31, 2028;
5. the Part 1 Proposal will remain in full force and effect until fourteen (14) business days after the anticipated date of the Commission decision on the procurement event;
6. if, for any reason and due to any circumstance, any information provided in the Part 1 Proposal for a Project changes or any previous certification fails to remain valid before that date, the Bidder or Seller will notify the Procurement Administrator of such change as soon as practicable, and failing to do so may result in disqualification of the Project;
7. the submission of the Part 1 Proposal constitutes the Bidder's and the Seller's acceptance of all the terms and conditions of these RFP Rules, regardless of the outcome of the RFP or the outcome of such Proposal;
8. the Officer of the Seller has no knowledge of the Bidder being part of a bidding agreement, a bidding consortium, or any other type of agreement with another Bidder related to bidding in this RFP;
9. all information provided in the Part 1 Proposal is true and accurate to the best of the Officer's knowledge and belief;
10. the Seller is not in violation of the Displaced Energy Workers Bill of Rights as provided under Section 10-25 of the Energy Community Reinvestment Act (20 ILCS 735/) at the time of the submission of the Part 1 Proposal; and
11. the Bidder is not in violation of the Displaced Energy Workers Bill of Rights as provided under Section 10-25 of the Energy Community Reinvestment Act (20 ILCS 735/) at the time of the submission of the Part 1 Proposal.

\_\_\_\_\_  
Signature of Officer of the Seller

\_\_\_\_\_  
Date

I, \_\_\_\_\_ [enter the name of the Officer of the Seller], certify that the Seller owns the Project and fully expects to own the Project at the time of execution of the Indexed REC Contracts.

\_\_\_\_\_  
Signature of Officer of the Seller

\_\_\_\_\_  
Date

**IF A SELLER KNOWS THAT SPECIFIC INFORMATION IN THE PART 1 PROPOSAL MAY CHANGE PRIOR TO THE DECISION OF THE ILLINOIS COMMERCE COMMISSION ON THE RESULTS OF THIS PROCUREMENT EVENT, THE SELLER MUST DISCLOSE THIS FACT IN THE SPACE PROVIDED BELOW.**

**IF A SELLER CANNOT CERTIFY THAT IT OWNS THE PROJECT AND THAT IT WILL OWN THE PROJECT AT THE TIME OF EXECUTION OF THE INDEXED REC CONTRACTS, THE SELLER MUST DISCLOSE THIS FACT IN THE SPACE PROVIDED BELOW.** A Seller that does not own the Project but has full title to the RECs produced by the Project will be required to provide documentation that shows this to be the case. If a change in ownership of the Project is anticipated or possible, the Bidder must advise the Procurement Administrator. The entity named in the Part 1 Proposal as the Seller cannot be changed once the Part 1 Proposal is evaluated to be complete and such entity must be the entity that signs the Indexed REC Contracts if the Project is selected through the RFP and the Bid is approved by the Illinois Commerce Commission.

If the Officer of the Seller cannot make the last representation, number 11, on behalf of the Bidder, then a representative of the Bidder must make this representation separately below.

I, \_\_\_\_\_ [enter the name of the representative of the Bidder], certify that:

11. the Bidder is not in violation of the Displaced Energy Workers Bill of Rights as provided under Section 10-25 of the Energy Community Reinvestment Act (20 ILCS 735/) at the time of the submission of the Part 1 Proposal.

\_\_\_\_\_  
Signature of representative of the Bidder

\_\_\_\_\_  
Date

A Bidder found to be acting in concert with another Bidder will be disqualified by the Procurement Administrator.

*Third Item: Representations about the Seller for Wind Projects*

For utility-scale wind projects, the Officer of the Seller must make certain representations applicable to the Seller and the Bidder.

**THE BIDDER SUBMITS THESE CERTIFICATIONS BY FULLY COMPLETING THE P1 SELLER (WIND) CERTIFICATIONS INSERT PREPARED FOR THIS PURPOSE. THE BIDDER PROVIDES THE P1 SELLER (WIND) CERTIFICATIONS INSERT BY EMAIL OR BY UPLOAD TO THE APPLICATION WEBSITE. THE P1 SELLER (WIND) CERTIFICATIONS INSERT IS AVAILABLE ON THE PROCUREMENT WEBSITE. The P1 Seller (Wind) Certifications Insert is also labelled INSERT #P1-12.**

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If the Seller knows that specific information in the Part 1 Proposal may change prior to the decision of the Illinois Commerce Commission on the results of this procurement event, these facts must be disclosed to the Procurement Administrator.

\_\_\_\_\_  
*Name of Project*

\_\_\_\_\_  
*Name of Seller*

This Insert may be:

- *Printed, signed, scanned, and uploaded to the online Part 1 Form;*  
*or*
- *Submitted with a digital signature and a document or information verifying the identity of the signatory.*

Electronic signatures (e.g., a picture of a signature by opposition to a digital signature entered through software such as that offered by DocuSign) are not acceptable.

**P1 SELLER (WIND) CERTIFICATIONS INSERT (#P 1-12)**

I, \_\_\_\_\_ [enter the name of the Officer of the Seller], certify that:

1. the Seller as identified in the Proposal is the entity that will sign the Indexed REC Contracts with the Companies if the Project is selected through the RFP and the Bid is approved by the Illinois Commerce Commission;
2. the Seller understands and accepts the terms of the Indexed REC Contract and accepts the fact that the number of Indexed REC Contracts and the counterparties under such Indexed REC Contracts will be assigned to the Seller by the Procurement Administrator;
3. the Seller, including its contractors and subcontractors, rendering services under the Indexed REC Contract will comply with the requirements of 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;
4. for a utility-scale wind project, the Seller acknowledges that a Collateral Requirement equal to \$4 times the annual quantity from the Project is required during the term of the Indexed REC Contract and that such Collateral Requirement may be increased if the Project does not deliver a first REC to a Company by May 31, 2028;
5. the Part 1 Proposal will remain in full force and effect until fourteen (14) business days after the anticipated date of the Commission decision on the procurement event;
6. if, for any reason and due to any circumstance, any information provided in the Part 1 Proposal for a Project changes or any previous certification fails to remain valid before that date, the Bidder or Seller will notify the Procurement Administrator of such change as soon as practicable, and failing to do so may result in disqualification of the Project;
7. the submission of the Part 1 Proposal constitutes the Bidder's and the Seller's acceptance of all the terms and conditions of these RFP Rules, regardless of the outcome of the RFP or the outcome of such Proposal;
8. the Officer of the Seller has no knowledge of the Bidder being part of a bidding agreement, a bidding consortium, or any other type of agreement with another Bidder related to bidding in this RFP;

- 9. all information provided in the Part 1 Proposal is true and accurate to the best of the Officer's knowledge and belief;
- 10. the Seller is not in violation of the Displaced Energy Workers Bill of Rights as provided under Section 10-25 of the Energy Community Reinvestment Act (20 ILCS 735/) at the time of the submission of the Part 1 Proposal; and
- 11. the Bidder is not in violation of the Displaced Energy Workers Bill of Rights as provided under Section 10-25 of the Energy Community Reinvestment Act (20 ILCS 735/) at the time of the submission of the Part 1 Proposal.

\_\_\_\_\_  
Signature of Officer of the Seller

\_\_\_\_\_  
Date

I, \_\_\_\_\_ [enter the name of the Officer of the Seller], certify that the Seller owns the Project and fully expects to own the Project at the time of execution of the Indexed REC Contracts.

\_\_\_\_\_  
Signature of Officer of the Seller

\_\_\_\_\_  
Date

**IF A SELLER KNOWS THAT SPECIFIC INFORMATION IN THE PART 1 PROPOSAL MAY CHANGE PRIOR TO THE DECISION OF THE ILLINOIS COMMERCE COMMISSION ON THE RESULTS OF THIS PROCUREMENT EVENT, THE SELLER MUST DISCLOSE THIS FACT IN THE SPACE PROVIDED BELOW.**

**IF A SELLER CANNOT CERTIFY THAT IT OWNS THE PROJECT AND THAT IT WILL OWN THE PROJECT AT THE TIME OF EXECUTION OF THE INDEXED REC CONTRACTS, THE SELLER MUST DISCLOSE THIS FACT IN THE SPACE PROVIDED BELOW.** A Seller that does not own the Project but has full title to the RECs produced by the Project will be required to provide documentation that shows this to be the case. If a change in ownership of the Project is anticipated or possible, the Bidder must advise the Procurement Administrator. The entity named in the Part 1 Proposal as the Seller cannot be changed once the Part 1 Proposal is evaluated to be complete and such entity must be the entity that signs the Indexed REC Contracts if the Project is selected through the RFP and the Bid is approved by the Illinois Commerce Commission.

If the Officer of the Seller cannot make the last representation, number 11, on behalf of the Bidder, then a representative of the Bidder must make this representation separately below.

I, \_\_\_\_\_ [enter the name of the representative of the Bidder], certify that:

- 11. the Bidder is not in violation of the Displaced Energy Workers Bill of Rights as provided under Section 10-25 of the Energy Community Reinvestment Act (20 ILCS 735/) at the time of the submission of the Part 1 Proposal.

\_\_\_\_\_  
Signature of representative of the Bidder

\_\_\_\_\_  
Date

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A Bidder found to be acting in concert with another Bidder will be disqualified by the Procurement Administrator.

*Fourth Item: Additional Utility-Scale Solar Representation*

For utility-scale solar projects, the Officer of the Seller must make an additional representation applicable to the Project.

**THE BIDDER SUBMITS THIS CERTIFICATION BY FULLY COMPLETING THE P1 UTILITY-SCALE SOLAR ADDITIONAL CERTIFICATIONS INSERT PREPARED FOR THIS PURPOSE. THE BIDDER PROVIDES THE P1 UTILITY-SCALE SOLAR ADDITIONAL CERTIFICATION INSERT BY EMAIL OR BY UPLOAD TO THE APPLICATION WEBSITE. THE P1 UTILITY-SCALE SOLAR ADDITIONAL CERTIFICATION INSERT IS AVAILABLE ON THE PROCUREMENT WEBSITE.** The P1 Utility-Scale Solar Additional Certification Insert is also labelled INSERT #P1-13.

\_\_\_\_\_  
*Name of Project*

\_\_\_\_\_  
*Name of Seller*

This Insert may be:

- *Printed, signed, scanned, and uploaded to the online Part 1 Form;*
- *Submitted with a digital signature and a document or information verifying the identity of the signatory.*

Electronic signatures (e.g., a picture of a signature by opposition to a digital signature entered through software such as that offered by DocuSign) are not acceptable.

**P1 UTILITY-SCALE SOLAR ADDITIONAL CERTIFICATION INSERT (#P1-13)**

I, \_\_\_\_\_ [enter the name of the Officer of the Seller], certify that:

1. the Project has been installed or will be installed by Qualified Persons in compliance with the requirements of Section 16-128A of the Public Utilities Act and any rules or regulations adopted thereunder.

\_\_\_\_\_  
Signature of Officer of the Seller

\_\_\_\_\_  
Date

*Fifth Item: Additional Brownfield Representation*

For brownfield site photovoltaic projects, the Officer of the Seller must make additional representations applicable to the Project.

THE BIDDER SUBMITS THESE CERTIFICATIONS BY FULLY COMPLETING THE P1 BROWNFIELD ADDITIONAL CERTIFICATIONS INSERT PREPARED FOR THIS PURPOSE. THE BIDDER PROVIDES THE P1 BROWNFIELD ADDITIONAL CERTIFICATIONS INSERT BY EMAIL OR BY UPLOAD TO THE APPLICATION WEBSITE. THE P1 BROWNFIELD ADDITIONAL CERTIFICATIONS INSERT IS AVAILABLE ON THE PROCUREMENT WEBSITE. The P1 Brownfield Additional Certifications Insert is also labelled INSERT #P1-14.

\_\_\_\_\_  
*Name of Project*

\_\_\_\_\_  
*Name of Seller*

This Insert may be:

- *Printed, signed, scanned, and uploaded to the online Part 1 Form;*  
*or*
- *Submitted with a digital signature and a document or information verifying the identity of the signatory.*

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### **P 1 BROWNFIELD ADDITIONAL CERTIFICATIONS INSERT (#P 1-14)**

I, \_\_\_\_\_ [enter the name of the Officer of the Seller], certify that:

1. the Project is in Illinois and is entirely located within the physical location identified in the description of the Project site;
2. the Project is not a community renewable generation project as required by the IPA Act; and
3. the Project has been installed or will be installed by Qualified Persons in compliance with the requirements of Section 16-128A of the Public Utilities Act and any rules or regulations adopted thereunder.

\_\_\_\_\_  
Signature of Officer of the Seller

\_\_\_\_\_  
Date

## 8. Financial Information

If the Bidder is presenting multiple Projects with the same Seller, the Bidder is only required to submit the information required by this section once.

*Has the Bidder already submitted the financial information for this Seller in a previously submitted Proposal for a Project with the same Seller?*

Yes  No

**If YES**, please proceed to the next section.

**If NO**, please complete the remainder of this section.

First Item: Credit Ratings for Seller

*Is the Seller's senior long-term debt rated by S&P Global Ratings ("S&P"), Moody's Investors Service ("Moody's"), or Fitch Ratings ("Fitch") – in other words, is the Seller rated by one of the major rating agencies?*

Yes  No

**If NO**, please proceed to the next item.

**If YES**, please complete this item.

**PLEASE PROVIDE ALL AVAILABLE RATINGS FROM S&P, MOODY'S, AND FITCH FOR THE SELLER AND SPECIFY THE TYPE OF RATING.**

1. *Is the Seller rated by S&P?*

yes  no

**If yes**, please provide:

- The Seller's rating \_\_\_
- The type of rating \_\_\_

2. *Is the Seller rated by Moody's?*

yes  no

**If yes**, please provide:

- The Seller's rating \_\_\_
- The type of rating \_\_\_

3. *Is the Seller rated by Fitch?*

yes  no

**If yes**, please provide:

- The Seller's rating \_\_\_
- The type of rating \_\_\_

Second Item: Credit Ratings for Guarantor

*Does the Seller intend on relying on the financial standing of a Guarantor during the supply period?*

Yes  No

**If NO**, please proceed to the next item.

**If YES**, please complete this item.

PLEASE NAME THE GUARANTOR ON WHOSE FINANCIAL STANDING THE SELLER IS EXPECTING TO RELY.

*Is the Guarantor’s senior long-term debt rated by S&P Global Ratings (“S&P”), Moody’s Investors Service (“Moody’s”), or Fitch Ratings (“Fitch”) – in other words, is the Guarantor rated by one of the major rating agencies?*

Yes  No

**If NO**, please proceed to the next item.

**If YES**, please complete this item.

PLEASE PROVIDE ALL AVAILABLE RATINGS FROM S&P, MOODY’S, AND FITCH FOR THE GUARANTOR AND SPECIFY THE TYPE OF RATING.

1. *Is the Guarantor rated by S&P?*

yes  no

**If yes**, please provide:

- The Guarantor’s rating \_\_\_
- The type of rating \_\_\_

2. *Is the Guarantor rated by Moody’s?*

yes  no

**If yes**, please provide:

- The Guarantor’s rating \_\_\_
- The type of rating \_\_\_

3. *Is the Guarantor rated by Fitch?*

yes  no

**If yes**, please provide:

- The Guarantor’s rating \_\_\_
- The type of rating \_\_\_

Third Item: Agency Agreement

An Agency Agreement is a specific relationship whereby a first party, the “principal”, agrees that certain defined actions by a second party, the “agent”, can bind the principal. A Bidder that submits a Proposal for a Seller operating under an Agency Agreement will be subject to additional requirements in the Part 1 Proposal.

*Is the Seller operating under an Agency Agreement?*

Yes  No

**If NO**, please proceed to next section.

**If YES**, please see below.

THE REQUIREMENTS FOR A SELLER OPERATING UNDER AN AGENCY AGREEMENT WILL BE PROVIDED TO THE BIDDER IN A SEPARATE NOTICE.

## 9. Bid Participation Fee

If a Bidder is presenting Proposals for multiple Projects, the Bidder is only required to submit the information required by this section once, in a Part 1 Proposal for one of the Projects.

*Has the Bidder already completed this section in the earliest submitted Proposal for another Project under this Indexed REC RFP?*

Yes  No

**If YES**, please proceed to the next section.

**If NO**, please follow these instructions.

**A BIDDER THAT DID NOT PAY A BID PARTICIPATION FEE PURSUANT TO ITS PARTICIPATION IN A PRIOR 2023 PROCUREMENT EVENT HELD ON BEHALF OF THE IPA MUST PAY ONCE A BID PARTICIPATION FEE OF \$500.**

*Did the Bidder participate in a prior 2023 procurement event and pay the Bid Participation Fee?*

Yes  No

**If YES**, please proceed to the next section.

**If NO**, please follow these instructions.

A Bidder is required to pay a non-refundable Bid Participation Fee of \$500. A Bidder that submits Proposals for multiple Projects is only required to pay a single Bid Participation Fee.

A Bidder that has paid the Bid Participation Fee will not be reimbursed, even if all Projects presented by the Bidder fail to meet the requirements of the Part 1 Proposal or the Part 2 Proposal or if the Bidder decides not to continue its participation in the RFP.

Bidders must pay the Bid Participation Fee to the IPA as a condition of all Projects presented by the Bidder fulfilling the requirements of the Part 1 Proposal. The Procurement Administrator will issue instructions for the payment of the Bid Participation Fee prior to the opening of the Part 1 Window that will include the available methods of payment. Instructions for submission of the Bid Participation Fee are available from the Procurement Administrator upon request.

**THE BID PARTICIPATION FEE IS DUE BY THE PART 1 DATE AND THE BIDDER MUST PROVIDE EVIDENCE OF COMPLIANCE WITH THIS REQUIREMENT WITH THE PART 1 PROPOSAL.** Such evidence must show that payment has been made in accordance with the instructions issued by the Procurement Administrator.

**PLEASE UPLOAD THE EVIDENCE OF PAYMENT OF THE BID PARTICIPATION FEE BELOW OR EMAIL SUCH EVIDENCE TO THE PROCUREMENT ADMINISTRATOR:**



Notwithstanding whether or not a Bidder has provided evidence of payment with a Part 1 Proposal, for the Bidder to be eligible to present its Projects further in this RFP, the Procurement Administrator must be able to get confirmation from the IPA that the IPA has received payment of the Bid Participation Fee from the Bidder.

## 10. Option to Provide Comments on Credit Instruments

If the Bidder is presenting Proposals for multiple Projects, the Bidder may only submit the materials for this section once.

*Has the Bidder already provided comments to the letters of credit under this Indexed REC RFP?*

Yes

No

**If YES**, please proceed to the next section.

**If NO**, please follow these instructions.

### First Item: Post-Bid Letter of Credit

The Indexed REC Contract includes, as Exhibit E, a standard Irrevocable Standby Letter of Credit for a Company that may be used to post security under the terms of the Indexed REC Contract. This letter of credit is referred to as the “Post-Bid Letter of Credit”. There are two (2) options for the Post-Bid Letter of Credit as well as more than one sample for the Letter of Full Transfer.

A Bidder may, in the Part 1 Proposal, provide comments on or propose modifications to the Post-Bid Letter of Credit drawn for the benefit of a Company. Any one of a Bidder’s comments or proposed modifications to the Post-Bid Letter of Credit may result in an addition to the list of modifications to the Post-Bid Letter of Credit approved by the Company for use by all Bidders on an optional basis.

**THE BIDDER PROVIDES COMMENTS AND PROPOSES MODIFICATIONS EXCLUSIVELY BY SUBMITTING A REDLINE OF THE POST-BID LETTER OF CREDIT IN MICROSOFT WORD FORMAT.** This document is provided by email or by upload to the application website.



A Bidder presenting Proposals for multiple Projects may only submit a single document with all of its comments and proposed modifications for each Post-Bid Letter of Credit option.

Second Item: Pre-Bid Letters of Credit

A Bidder submits financial guarantees for its Project(s) by providing either cash or a letter of credit to each of the Companies in the Part 2 Proposal. If the Issuing Bank will be submitting a Pre-Bid Letter of Credit for a Company by electronic means, the Standard Pre-Bid Letter of Credit – Electronic Version must be used for that Company (“Electronic Version”). If the Issuing Bank will be submitting a Pre-Bid Letter of Credit for a Company by overnight delivery service, the Standard Pre-Bid Letter of Credit – Hardcopy Version must be used for that Company (“Hardcopy Version”).

The Standard Pre-Bid Letters of Credit are provided as appendices to the RFP Rules. The Electronic Version and Hardcopy Version for a Company contain different terms to accommodate transmission and presentation of documents either by electronic means or overnight delivery service. A Bidder may include any modifications to the Standard Pre-Bid Letter of Credit acceptable to that Company, applicable specifically to either the Electronic Version or Hardcopy Version, and posted to the procurement website. Each of the Electronic Version and Hardcopy Versions of the Pre-Bid Letters of Credit have been posted in separate zip files.

A Bidder may, in the Part 1 Proposal, provide comments on or propose modifications to each Pre-Bid Letter of Credit drawn for the benefit of a Company. Any one of a Bidder’s comments or proposed modifications to a Pre-Bid Letter of Credit may result in an addition to the list of modifications to a Pre-Bid Letter of Credit approved by the Company for use by all Bidders on an optional basis.

**THE BIDDER PROVIDES COMMENTS AND PROPOSES MODIFICATIONS EXCLUSIVELY BY SUBMITTING A REDLINE OF A PRE-BID LETTER OF CREDIT IN MICROSOFT WORD FORMAT.** This document is provided by email or by upload to the application website.

**Proposed Modifications to the Pre-Bid Letter of Credit for AIC – Electronic Version**



**Proposed Modifications to the Pre-Bid Letter of Credit for ComEd – Electronic Version**



**Proposed Modifications to the Pre-Bid Letter of Credit for MEC – Electronic Version**



**Proposed Modifications to the Pre-Bid Letter of Credit for AIC – Hardcopy Version**



**Proposed Modifications to the Pre-Bid Letter of Credit for ComEd – Hardcopy Version**



**Proposed Modifications to the Pre-Bid Letter of Credit for MEC – Hardcopy Version**



A Bidder presenting Proposals for multiple Projects may only submit a single document with all of its comments and proposed modifications for each of the Pre-Bid Letter of Credit – Electronic Version and the Pre-Bid Letter of Credit – Hardcopy Version.

### 11. Justification of Omissions

**IF YOU ARE UNABLE TO PROVIDE ANY OF THE DOCUMENTS OR INFORMATION REQUIRED IN THE PART 1 PROPOSAL, PLEASE JUSTIFY FULLY ANY OMISSIONS IN THE SPACE PROVIDED BELOW. IF YOU WANT TO PROVIDE ADDITIONAL INFORMATION, PLEASE DO SO BELOW.**

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**IF YOU WANT TO PROVIDE ADDITIONAL DOCUMENTS, INCLUDING THE P2 CERTIFICATIONS INSERT, PLEASE PROVIDE THESE BY EMAIL OR BY UPLOAD TO THE APPLICATION WEBSITE (BELOW).**