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Name of Bidder

# ILLINOIS POWER AGENCY 2017/18 Procurement Events ZERO EMISSION CREDITS RFP PROPOSAL FORM

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Pursuant to Illinois Public Act 99-0906, the Illinois Power Agency (“IPA”) filed a Zero Emission Standard Procurement Plan (“ZES Procurement Plan”) with the Illinois Commerce Commission (“ICC”). The ZES Procurement Plan specifies the design and implementation parameters for a procurement of ZECs for 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 Proposal consists of the Proposal Form and supporting documents, including Attachments, that are sent to the Procurement Administrator via email or Secure File Transfer. Before completing the Proposal Form for the ZEC RFP, please review the RFP Rules so that you understand the conditions under which the ZEC RFP will be conducted. These documents are available on the procurement website, [www.ipa-energyrfp.com](http://www.ipa-energyrfp.com).

By submitting a Proposal in response to the ZEC RFP, you agree to all the terms and conditions of the ZEC RFP.

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*Any information that you provide in this 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 Illinois Commerce Commission (“ICC”). Any information provided to AIC, ComEd, or MEC will also be provided to the Procurement Monitor.*

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Name of Bidder

## **INSTRUCTIONS FOR PROPOSAL**

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Bidders submit this Proposal Form and all documents required herein to respond to the qualification standards of the RFP Rules.

The Procurement Administrator evaluates Bid Forms submitted in accordance with this ZEC RFP for each Bidder that fulfills all the requirements of the Proposal.

### **Please complete all sections.**

#### **I. Proposal Submission**

Bidders must:

- Submit the completed Proposal Form and all documents, including Attachments, required to support the Proposal Form by email to [Illinois-RFP@nera.com](mailto:Illinois-RFP@nera.com); and
- Manually insert the name of the Bidder **on every page** of the Proposal Form.

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

*The Proposal Form must be submitted no later than 12 PM (noon) CPT on December 12, 2017 (the Proposal Due Date).*

Bidders may also request to submit the Proposal Form and required documents to the Procurement Administrator via Secure File Transfer (“SFT”). Bidders that request to submit information or documents via SFT will be invited to use the system and will receive additional instruction for accessing the system and submitting files.

**Some of the documents required to support the Proposal Form are “Attachments”. The Contract Attachment (Attachment #1) and the Acceptance Attachment (Attachment #2) will be provided to Bidders by email by the Procurement Administrator.** A Bidder that is required to submit a particular Attachment will complete the Attachment and send the Attachment by email or SFT. If the Attachment requires a signature, a Bidder will sign the completed Attachment, will scan the completed Attachment, and send the scanned Attachment by email or SFT.

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).

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*Name of Bidder*

## **II. Proposal Processing**

### Notifications

Any notification or other written communication from the Procurement Administrator to a Bidder will be sent to the email addresses provided for the Representatives. Any such notification or communication will be deemed received by the Bidder at the time of delivery or transmission, provided that when delivery or transmission occurs after 6 PM on a business day or occurs on a day that is not a business day, receipt will be deemed to occur at 9 AM on the following business day. Any email from the Bidder to the Procurement Administrator should be addressed to [Illinois-RFP@nera.com](mailto:Illinois-RFP@nera.com) to ensure a prompt reply.

### Acknowledgment of Receipt

The exclusive method of responding to the Proposal requirements is the use of the Proposal Form together with the use of Attachments available as separate forms on the procurement website or from the Procurement Administrator. The Bid Participation Fee must be paid to the IPA according to the instructions provided for this purpose. Documents (supporting documents and Attachments) must be sent to the Procurement Administrator via email or SFT.

### Timing of Proposal Review

If a Bidder is submitting comments to the Pre-Bid Letter of Credit for a Company, such comments must be received by December 05, 2017. A Bidder must submit the Proposal Form, the executed original Pre-Bid Letter of Credit for each Company, and Attachment #1 by 12 PM (noon) on December 12, 2017. A Bidder must submit the Acceptance Attachment (Attachment #2) by 12 PM (noon) on January 04, 2018.

If a Proposal is received on any business day during the Proposal Window, the Procurement Administrator acknowledges receipt on the business day the materials are received. The Procurement Administrator also sends the results of an initial review. If a Proposal is received before 12 PM (noon) on any business day during the Proposal Window, the Procurement Administrator sends the initial review by 6 PM on the same business day. If a Proposal is received after 12 PM (noon) on any business day during the Proposal Window, the Procurement Administrator sends the initial review by 12 PM (noon) of the next business day. The initial review either states that the Proposal is complete and is being considered, or the initial review lists items of the Proposal that are incomplete or require clarification.

### Deficiencies

If the Proposal is incomplete or requires clarification, the Procurement Administrator sends a deficiency notice to the Bidder. If the Bidder receives a first deficiency notice from the Procurement Administrator regarding any item of the Proposal, the Bidder has until 12 PM (noon) on the Proposal Due Date, or until 6 PM on the second business day following the business day during which a first deficiency notice is sent to the Bidder, whichever comes later, to respond.

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

If the Bidder responds to a deficiency notice within the time allowed but the response does not correct all deficiencies, the Bidder will, to the extent feasible, receive a further deficiency notice from the Procurement Administrator with additional time to respond. Such additional time to respond to a further deficiency notice will be no longer than (and may be shorter than) the time allowed under a first deficiency notice. If the Bidder does not correct or adequately explain the deficiency within the time allowed, the Proposal will be rejected. In no case will the time allowed to correct or adequately explain the deficiency extend beyond noon on the Bid Date. If the Proposal is complete, the Procurement Administrator sends a notice that the Proposal is complete and is being considered.

Late Proposals

No late Proposals will be accepted under any circumstances.

Illustrative

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*Name of Bidder*

## PROPOSAL FORM

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### 1. Contact Information

#### First Item: Identity and Address for the Bidder

The Bidder is the entity submitting the Proposal and the entity that would be the signatory to the ZEC Contract if the Proposal is successful.

**PLEASE PROVIDE THE FOLLOWING INFORMATION FOR THE BIDDER.**

*Legal Name of Bidder*

*Street Address*

  

*City*

*State*

*Zip Code*

#### Second Item: Officer of the Bidder

The Officer of the Bidder must be an officer, a director or an individual otherwise empowered to undertake contracts and bind the Bidder. **THE OFFICER OF THE BIDDER WHOSE CONTACT INFORMATION IS PROVIDED BELOW MUST MAKE ALL REPRESENTATIONS REQUIRED IN THE PROPOSAL.**

It is expected that, if a Bidder has Zero Emission Facilities selected through the ZEC RFP and approved by the Commission, the Officer of the Bidder would sign the applicable supplier contract. Should the Officer of the Bidder not be available to sign for this purpose, the Bidder will advise each Company of this fact. The Bidder will name another individual to sign and the Bidder will confirm that this individual is empowered to undertake contracts and bind the Bidder.

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

*Given Name(s) of the Officer of the Bidder*

*Last Name*

*Mr/Mrs/Ms/Dr/(other)*

*Title*

*Street Address*

  

*City*

*State*

*Zip Code*

*Telephone No.*

*Alternate Telephone No. (if available)*

*Email Address*

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

Third 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 address, phone number(s), and email address. These individuals, each a "Representative", must be authorized to act on behalf of the Bidder. The Procurement Administrator sends all correspondence related to the procurement event to the Representatives, including information required to submit the Bid Form 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	Mr/Mrs/Ms/Dr/(other)
<input type="text"/>	<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"/>
Telephone No.	Alternate Telephone No. (if available)	Email Address
<input type="text"/>	<input type="text"/>	<input type="text"/>

**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 fourth item.

**If YES**, the Bidder may designate up to three (3) additional Representatives by completing the fields below.

Contact Information for Additional Representative

Given Name(s)	Last Name	Mr/Mrs/Ms/Dr/(other)
<input type="text"/>	<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"/>
Telephone No.	Alternate Telephone No. (if available)	Email Address
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

Contact Information for Additional Representative

Given Name (s)	Last Name	Mr/Mrs/Ms/Dr/(other)
<input type="text"/>	<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"/>
Telephone No.	Alternate Telephone No. (if available)	Email Address
<input type="text"/>	<input type="text"/>	<input type="text"/>

Contact Information for Additional Representative

Given Name (s)	Last Name	Mr/Mrs/Ms/Dr/(other)
<input type="text"/>	<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"/>
Telephone No.	Alternate Telephone No. (if available)	Email Address
<input type="text"/>	<input type="text"/>	<input type="text"/>

Fourth Item: Zero Emission Facilities

The Bidder must provide the unit name and delivery node for each Zero Emission Facility presented as part of the Proposal. For a multi-reactor site, each generating unit is considered a separate Zero Emission Facility.

**PLEASE PROVIDE THE UNIT NAME AND DELIVERY NODE FOR EACH ZERO EMISSION FACILITY IN THE BOX BELOW.**

Unit Name(s) and Delivery Nodes(s)

<input type="text"/>
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\_\_\_\_\_  
*Name of Bidder*

*Fifth Item: Agency Agreement*

A Bidder that operates under an Agency Agreement may be subject to additional requirements.

***Is the Bidder operating under an Agency Agreement?***

**Yes**

**No**

**If YES, THE REQUIREMENTS FOR A BIDDER OPERATING UNDER AN AGENCY AGREEMENT WILL BE PROVIDED TO THE BIDDER IN A SEPARATE NOTICE.**

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

Illustrative

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

## 2. Bid Participation Fee

**A BIDDER THAT DID NOT PAY A BID PARTICIPATION FEE PURSUANT TO ITS PARTICIPATION IN A PRIOR 2017 PROCUREMENT EVENT MUST PAY A NON-REFUNDABLE PARTICIPATION FEE OF \$500.**

*Did the Bidder participate in a prior 2017 procurement event (the Spring or Fall 2017 Block Energy/Standard Products RFP, the Fall 2017 Capacity RFP, the Spring or Fall 2017 Utility DG RFP, or the Fall 2017 Wind and Solar RFP)?*

Yes  No

**If YES**, please name the procurement \_\_\_\_\_ and 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 has paid the Bid Participation Fee will not be reimbursed, even if all Zero Emission Facilities presented by the Bidder fail to meet the requirements of the Proposal or if the Bidder decides not to continue its participation in the ZEC RFP.

Bidders must pay the Bid Participation Fee to the IPA as a condition of the Bidder fulfilling the requirements of the Proposal. A Bidder can pay the Bid Participation Fee: (i) by e-check through <https://www.epayillinois.com>; or (ii) by check payable to "Illinois Power Agency". Instructions for submission of the Bid Participation Fee are available from the Procurement Administrator upon request.

**THE BID PARTICIPATION FEE IS DUE BY THE PROPOSAL DUE DATE AND THE BIDDER MUST PROVIDE EVIDENCE OF COMPLIANCE WITH THIS REQUIREMENT WITH ITS PROPOSAL.** Such evidence includes a photocopy of the check, a confirmation page from the e-check website, or a receipt from the IPA.

**PLEASE PROVIDE THE EVIDENCE OF PAYMENT OF THE BID PARTICIPATION FEE BY EMAIL OR BY SECURE FILE TRANSFER TO THE PROCUREMENT ADMINISTRATOR.**

**Notwithstanding whether a Bidder has provided such evidence, the Proposal remains deficient until the Procurement Administrator is able to get confirmation from the IPA that the IPA has received payment of the Bid Participation Fee from the Bidder.**

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

### 3. Representations

**The Officer of the Bidder must make the representations required by the RFP Rules and the signature must be notarized or attested with the corporate seal.** A Bidder that tries to unduly influence in any way the evaluation process may be disqualified by the Procurement Administrator.

I \_\_\_\_\_ [name of Officer of the Bidder] certify that:

1. The Bidder as identified in the Proposal is the entity that will sign the ZEC Contract for a given Zero Emission Facility with each of the Companies if the Zero Emission Facility is selected through the ZEC RFP and approved by the Illinois Commerce Commission;
2. Each facility presented in the Proposal is a Zero Emission Facility as defined in the Act;
3. All information related to each Zero Emission Facility presented in the Proposal and in the Bidder Eligibility Form submitted to the IPA, as such information may have been amended or supplemented in response to a request for information by the IPA, is or remains accurate and up-to-date;
4. The Bidder accepts all the terms and conditions of the RFP Rules, regardless of the outcome of the ZEC RFP or the outcome of the Proposal;
5. All information provided in the Proposal is true and accurate to the best of the Officer's knowledge and belief;
6. If, for any reason and due to any circumstance, any information provided in the Proposal changes or any previous certification fails to remain valid before the Bid Date, the Bidder will notify the Procurement Administrator of such change as soon as practicable, and failing to do so may result in disqualification of the Bidder.

\_\_\_\_\_  
Signature of Officer of the Bidder

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature and Seal from Notary Public

\_\_\_\_\_  
Date

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

**The Officer of the Bidder must make the representations required by the RFP Rules and the signature must be notarized or attested with the corporate seal.**

I \_\_\_\_\_ [name of Officer of the Bidder] certify that:

1. The Bidder has taken all necessary care to uphold the confidentiality of its Proposal in its communications with a financial institution for the purpose of arranging payment of the collateral, or in its communications with advisors, if any; and
2. With the exceptions of communications with a financial institution for the purpose of arranging payment of the collateral, or advisors (if any), the Bidder has not disclosed, and will otherwise not disclose, publicly or to any other party any information relating to its Proposal, which could have an effect on whether another party submits a Proposal for this procurement event, or on the contents of such Proposal that another Bidder would be willing to submit. This certification must hold until the ICC has rendered its decision on the results of the procurement event.

\_\_\_\_\_  
Signature of Officer of the Bidder

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature and Seal from Notary Public

\_\_\_\_\_  
Date

If a Bidder cannot make the certifications above, a Bidder must fully justify its inability to do so below.

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

#### 4. Credit Instruments (Including the Pre-Bid Letter of Credit)

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

Are you submitting comments or requesting modifications to the Post-Bid Letter of Credit for a Company?  
 yes  no

The ZEC Contract includes, as Exhibit C, a standard Irrevocable Standby Letter of Credit for a Company that may be used to post security under the terms of the ZEC Contract. This letter of credit is referred to as the “Post-Bid Letter of Credit” for a Company.

A Bidder that has not already provided comments to a Post-Bid Letter of Credit for a Company during the comment process for the ZEC Contract may, in its Proposal, provide comments on or propose modifications to the Post-Bid Letter of Credit for 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 FOR A COMPANY IN MICROSOFT WORD FORMAT.** This document is provided by email to the Procurement Administrator.

A Bidder may only submit a single document with all of its comments and proposed modifications for each Post-Bid Letter of Credit. A document that is not substantially in the form of the standard letter of credit for a Company will not be evaluated.

##### Second Item: Form of Guaranty

Are you submitting comments or requesting modifications to the Form of Guaranty for a Company?  
 yes  no

The ZEC Contract includes, in Exhibit B, a standard Form of Guaranty drawn for the benefit of each Company.

A Bidder that has not already provided comments to a Form of Guaranty for a Company during the comment process for the ZEC Contract may, in its Proposal, provide comments on or propose modifications to the Form of Guaranty for a Company. Any one of a Bidder’s comments or proposed modifications to the Form of Guaranty may result in an addition to the list of modifications to the Form of Guaranty 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 FORM OF GUARANTY FOR A COMPANY IN MICROSOFT WORD FORMAT.** This document is provided by email to the Procurement Administrator.

A Bidder may only submit a single document with all of its comments and proposed modifications for each Form of Guaranty. A document that is not substantially in the form of the standard letter of credit for a Company will not be evaluated.

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

Third Item: Pre-Bid Letter of Credit

A Bidder must provide an executed Pre-Bid Letter of Credit to each Company, drawn for the account of the Bidder. Regardless of the number of Zero Emission Facilities presented in the Proposal, the required amounts of the Pre-Bid Letter of Credit for each Company is as follows: \$400,000 for ComEd; \$150,000 for AIC; and \$50,000 for MEC.

A Bidder must either use the Standard Pre-Bid Letter of Credit for that Company as provided in an appendix to the RFP Rules or the Bidder must submit a Pre-Bid Letter of Credit that incorporates only those modifications to the Standard Pre-Bid Letter of Credit approved by that Company and posted to the procurement website. The original of the executed Pre-Bid Letter of Credit must be sent via overnight delivery service to each Company according to the instructions provided by the Procurement Administrator.

*At the time this Proposal Form is submitted, has a Pre-Bid Letter of Credit already been sent to each of the Companies?*

Yes

No

**PLEASE PROVIDE ANY SPECIAL INSTRUCTIONS FOR RETURNING THE PRE-BID LETTERS OF CREDIT BELOW.**

Special Instructions for returning the Pre-Bid Letters of Credit (*optional*)

Fourth Item: Comments on the Pre-Bid Letters of Credit

Are you submitting comments or requesting modifications to the Pre-Bid Letter of Credit for a Company?

yes

no

A Bidder may, in its Proposal, provide comments on or propose modifications to the Standard Pre-Bid Letter of Credit for a Company. Any one of a Bidder's comments or proposed modifications may result in an addition to the list of modifications to the Standard 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 THE STANDARD PRE-BID LETTER OF CREDIT FOR A COMPANY IN MICROSOFT WORD FORMAT. This document is provided by email to the Procurement Administrator **BY 12 PM (NOON) ON DECEMBER 05, 2017.****

A Bidder may only submit a single document with all of its comments and proposed modifications for the Standard Pre-Bid Letter of Credit for each Company. A document that is not substantially in the form of the Standard Pre-Bid Letter of Credit for a Company will not be evaluated.

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

## **5. Information to Prepare the ZEC Contracts**

### **First Item: Information to Prepare the ZEC Contracts**

A Bidder is required to provide information to the Procurement Administrator so that each of the Companies can prepare the ZEC Contracts should the Bidder have a Zero Emission Facility selected through this ZEC RFP and approved by the Commission. A Bidder that intends to use a Guarantor is also asked to provide all information necessary for ComEd to prepare the Guaranty. The ZEC Contract is prepared by each of the Companies after the Procurement Administrator notifies the Bidder that the Zero Emission Facility has been selected through the ZEC RFP.

**THE BIDDER SUBMITS ALL INFORMATION NECESSARY FOR THE PREPARATION OF THE ZEC CONTRACTS BY FULLY COMPLETING THE CONTRACT ATTACHMENT PREPARED FOR THIS PURPOSE. THE BIDDER PROVIDES THE CONTRACT ATTACHMENT IN MICROSOFT WORD FORMAT BY EMAIL. THE CONTRACT ATTACHMENT IS AVAILABLE ON THE PROCUREMENT WEBSITE. The Contract Attachment is also labeled Attachment #1.**

### **Second Item: Acceptance of the terms of the ZEC Contracts**

Once the ZEC Contract has been issued in final form and the Procurement Administrator has announced the posting of such documents to the procurement website, a Bidder must, at that time, accept the terms of such ZEC Contract as a condition of further participation in the procurement event.

**AT THAT TIME, PROCUREMENT ADMINISTRATOR WILL SEND TO EACH BIDDER AN ACCEPTANCE ATTACHMENT AND THE OFFICER OF THE BIDDER MUST USE THIS ATTACHMENT TO ACCEPT THE TERMS OF THE ZEC CONTRACT. THE ACCEPTANCE ATTACHMENT IS LABELED ATTACHMENT #2. A BIDDER PROVIDES THE ACCEPTANCE ATTACHMENT BY EMAIL OR BY SECURE FILE TRANSFER BY 12 PM (NOON) ON JANUARY 04, 2017.**

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

## 6. Justification of Omissions

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



**IF YOU WANT TO PROVIDE ADDITIONAL DOCUMENTS PLEASE PROVIDE THESE BY EMAIL.**