

APPENDIX 3 – ILLUSTRATIVE PROPOSAL

SOLAR POWER PURCHASE AGREEMENT

REQUEST FOR PROPOSALS

PECO Energy Company (“Company” or “PECO”) is soliciting Proposals for long-term renewable energy, capacity, and associated solar photovoltaic alternative energy credits (“SPAECs”) from new Tier I solar Alternative Energy Systems under Pennsylvania’s Alternative Energy Portfolio Standards Act, 73 P.S. §§ 1648.1 et seq. (“AEPS” or “AEPS Act”) (each, a “Project”) through this Request for Proposals (“RFP”).

A Proposal may only be submitted for a Project that received confirmation from the Independent Evaluator that the Project is pre-qualified. No substitution of Projects is allowed once Pre-Qualification has closed. Any Proposals received for a Project that has not been pre-qualified will be deemed ineligible and will be excluded from further consideration.

Before completing this Proposal, please review the Request for Proposals (“RFP”) and the Power Purchase Agreement (“PPA”), so that you understand the conditions under which the RFP will be conducted. These documents are posted on the RFP website at <https://peco-solarrfp.com>.

By submitting a Pre-Qualification Application in response to this RFP, you agreed to all terms and conditions of this RFP. By submitting this Proposal, you are affirming that you agree to all terms and conditions of this RFP.

Any information provided in this Proposal is provided on a confidential basis to the Independent Evaluator. Summaries of this information may be communicated to PECO or to Staff of the Pennsylvania Public Utility Commission (“PA PUC”).

INSTRUCTIONS FOR PROPOSAL

The Proposal consists of: (i) materials required in this Proposal Form; and 2) the Bid Form (Appendix 4). All materials are due by the Proposal Due Date. The Bidder may revise its Bid Form until the Independent Evaluator has provided notice to Bidders of the evaluation of their Proposals. At that point, Bids for Projects for which a complete and compliant Proposal was submitted are evaluated and the Bidder may no longer revise its Bid.

The Independent Evaluator confirms receipt of materials for the Proposal. Bidders that do not receive a receipt confirmation within a business day should contact the Independent Evaluator at PECO-SolarRFP@nera.com.

While evaluating Proposal Forms, the Independent Evaluator may request additional information. All requests will be made in writing. The Bidder will be required to respond to the request by the deadline provided with such request or the Independent Evaluator may choose to stop evaluating the Bidder's Proposal.

A Bidder will receive a notice from the Independent Evaluator stating whether the Bid Form will be evaluated. The Bid Form will be evaluated if the remainder of the Proposal is complete and compliant with the requirements of this RFP.

1. Basic Project Information

A BIDDER MAY MAKE CHANGES TO INFORMATION PROVIDED IN THE PRE-QUALIFICATION APPLICATION UNDER ITEMS 2-4 BELOW. ADDITIONAL INFORMATION RELATED TO THE ANTICIPATED OUTPUT OF THE PROJECT IS REQUIRED BY ITEM 5.

First Item: Project Name and Project Entities

Name of Project

[pre-populated from the Pre-Qualification Application, cannot be changed]

Seller Name

[pre-populated from the Pre-Qualification Application, cannot be changed]

Bidder Name

[pre-populated from the Pre-Qualification Application, cannot be changed]

Second Item: Project Location

PLEASE MAKE ANY REQUIRED CHANGES BELOW TO THE LOCATION PROVIDED IN THE PRE-QUALIFICATION APPLICATION. Please note that a full site map and a diagram of the Facility are required below by Section 3. Coordinates may be provided for the Project street address. The city, state, county, and zip code are required even if coordinates are provided instead of the Project street address.

Project Street Address

[pre-populated]

[pre-populated]

City

[pre-populated]

State

[pre-populated]

Zip Code

[pre-populated]

County

[pre-populated]

Third Item: Planned In-Service Date

PLEASE MAKE ANY REQUIRED CHANGES BELOW TO THE PLANNED IN-SERVICE DATE PROVIDED IN THE PRE-QUALIFICATION APPLICATION. The planned in-service date is the date at which the Project is expected to achieve commercial operation as this term is defined in the PPA. The planned in-service date is used in the evaluation of Proposals. Please note that the Guaranteed Initial Delivery Date is required below by Section 3. The Guaranteed Initial Delivery Date must be no later than May 31, 2029. The planned in-service date may be different from the Guaranteed Initial Delivery Date.

Planned in-service date for the Project

[pre-populated from the Pre-Qualification Application]

Fourth Item: Net Capability and Output of the Project

PLEASE MAKE ANY REQUIRED CHANGES BELOW TO THE NAMEPLATE CAPACITY OF THE PROJECT OR TO THE SHARE OF THE PROJECT BEING OFFERED. Please note that the net capability of the Project is the product of the nameplate capacity and the Share.

Nameplate Capacity (MW)

[pre-populated from the Pre-Qualification Application]

Share (%)



[pre-populated from the Pre-Qualification Application]

Fifth Item: Anticipated Project Output

PLEASE PROVIDE:

- **THE EXPECTED MONTHLY OUTPUT IN MWh OF THE PROJECT FOR THE FIRST FIVE (5) YEARS OF OPERATION; AND**
- **THE EXPECTED P50 AND P90 CAPACITY FACTORS.**

Such information must be provided in Microsoft Excel format. Please upload the file below.

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2. Project Development Plan

First Item: Interconnection Process Status

PLEASE CONFIRM THE STATUS OF THE PROJECT WITHIN PJM'S INTERCONNECTION PROCESS BY CHOOSING A SINGLE OPTION BELOW, WHICH CORRESPONDS TO THE LATEST STEP THAT THE PROJECT HAS COMPLETED. THE OPTION THAT IS APPROPRIATE FOR THE PROJECT WILL DETERMINE THE INFORMATION THAT THE BIDDER IS REQUIRED TO PROVIDE REGARDING THE PROJECT DEVELOPMENT PLAN.

- The Project has an executed Interconnection Agreement with PJM.
- The Project has received the Phase 3 System Impact Study.
- The Project has received the Phase 1 System Impact Study.
- A Completed Application for interconnection of the Project has been submitted, but PJM has not yet reviewed the application.
- An Application for interconnection of the Project has not yet been submitted to PJM.

CASE A: THE PROJECT HAS AN EXECUTED INTERCONNECTION AGREEMENT WITH PJM


PLEASE PROVIDE THE INFORMATION REQUIRED BY THE ITEMS BELOW.

Second Item: PJM Documents

PLEASE UPLOAD BELOW A COPY OF THE EXECUTED INTERCONNECTION AGREEMENT WITH PJM.

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PLEASE UPLOAD BELOW A COPY OF THE MEMORANDUM OF UNDERSTANDING ("MOU") FOR ACQUISITION OF MAJOR EQUIPMENT AS PROVIDED TO PJM (OR PROVIDE THE MOST RECENT VERSION IF THERE HAS BEEN AN UPDATE).


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Third Item: Overview of Project Financing

PLEASE DESCRIBE THE FINANCING ARRANGEMENTS THAT HAVE BEEN SECURED OR THAT ARE EXPECTED TO BE SECURED BY USING THE BOX BELOW OR BY UPLOADING A DOCUMENT IN MICROSOFT WORD OR IN PDF. **Please include the following information:**

- An overview of the sources of funds; and

- The level of commitment from debt, equity, and other investors.

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Fourth Item: Letters of Intent or Other Contractual Documents

FOR THE SOURCES OF FUNDS DESCRIBED ABOVE, PLEASE PROVIDE ALL AVAILABLE LETTERS OF INTENT OR OTHER CONTRACTUAL DOCUMENTS THAT PROVIDE EVIDENCE OF FUNDING.

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Fifth Item: Environmental Liabilities

PLEASE PROVIDE A DESCRIPTION OF IDENTIFIED ENVIRONMENTAL LIABILITIES, IF ANY, (E.G., POTENTIAL SITE REMEDIATION REQUIREMENTS, PENDING FUTURE REGULATORY REQUIREMENTS, ETC.) FOR THE PROJECT SITE. THE BIDDER MUST HAVE TAKEN SUCH LIABILITIES INTO CONSIDERATION IN SETTING ITS PLANNED IN-SERVICE DATE.

CASE B: THE PROJECT HAS RECEIVED THE PHASE 3 SYSTEM IMPACT STUDY

PLEASE PROVIDE THE INFORMATION REQUIRED BY THE ITEMS BELOW.



Second Item: Acquisition of Major Equipment and Construction Plan

This item requires you to describe progress attained in the acquisition of major equipment for the Project.

PLEASE EXPLAIN BELOW THE STEPS ALREADY UNDERTAKEN TO ACQUIRE MAJOR EQUIPMENT FOR THE PROJECT.

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IF YOU HAVE A MEMORANDUM OF UNDERSTANDING (“MOU”) OR OTHER CONTRACTUAL DOCUMENT FOR ACQUISITION OF MAJOR EQUIPMENT RELATED TO THE PROJECT, PLEASE PROVIDE THE DOCUMENT(S) BELOW.

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IF YOU HAVE AN EPC CONTRACT RELATED TO THE PROJECT, PLEASE PROVIDE THE DOCUMENT(S) BELOW.


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Third Item: Overview of Project Financing

PLEASE DESCRIBE THE FINANCING ARRANGEMENTS THAT HAVE BEEN SECURED OR THAT ARE EXPECTED TO BE SECURED BY USING THE BOX BELOW OR BY UPLOADING A DOCUMENT IN MICROSOFT WORD OR IN PDF. Please include the following information:

- An overview of the sources of funds; and
- The level of commitment from debt, equity, and other investors.

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Fourth Item: Letters of Intent or Other Contractual Documents

FOR THE SOURCES OF FUNDS DESCRIBED ABOVE, PLEASE PROVIDE ALL AVAILABLE LETTERS OF INTENT OR OTHER CONTRACTUAL DOCUMENTS THAT PROVIDE EVIDENCE OF FUNDING.

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Fifth Item: Permitting Status

Section 3 requires that you provide Exhibit B to the PPA, which lists all major permits with the expected milestone date for each permit. **PLEASE CONFIRM BELOW ANY LOCAL COUNTY AND STATE PERMITS ALREADY OBTAINED FOR THE PROJECT.**

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Sixth Item: Environmental Liabilities

PLEASE PROVIDE A DESCRIPTION OF IDENTIFIED ENVIRONMENTAL LIABILITIES, IF ANY, (E.G., POTENTIAL SITE REMEDIATION REQUIREMENTS, PENDING FUTURE REGULATORY REQUIREMENTS, ETC.) FOR THE PROJECT SITE. THE BIDDER MUST HAVE TAKEN SUCH LIABILITIES INTO CONSIDERATION IN SETTING ITS PLANNED IN-SERVICE DATE.

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CASE C: THE PROJECT HAS RECEIVED THE PHASE 1 SYSTEM IMPACT STUDY

PLEASE PROVIDE THE INFORMATION REQUIRED BY THE ITEMS BELOW.



Second Item: Acquisition of Major Equipment and Construction Plan

This item requires you to describe progress attained in the acquisition of major equipment for the Project.



PLEASE EXPLAIN BELOW THE STEPS ALREADY UNDERTAKEN TO ACQUIRE MAJOR EQUIPMENT FOR THE PROJECT.

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IF YOU HAVE A MEMORANDUM OF UNDERSTANDING (“MOU”) OR OTHER CONTRACTUAL DOCUMENT FOR ACQUISITION OF MAJOR EQUIPMENT RELATED TO THE PROJECT, PLEASE PROVIDE THE DOCUMENT(S) BELOW.

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IF YOU HAVE AN EPC CONTRACT RELATED TO THE PROJECT, PLEASE PROVIDE THE DOCUMENT(S) BELOW.


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Third Item: Overview of Project Financing

PLEASE DESCRIBE THE FINANCING ARRANGEMENTS THAT HAVE BEEN SECURED OR THAT ARE EXPECTED TO BE SECURED BY USING THE BOX BELOW OR BY UPLOADING A DOCUMENT IN MICROSOFT WORD OR IN PDF. Please include the following information:

- An overview of the sources of funds; and
- The level of commitment from debt, equity, and other investors.



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Do you have letters of intent or other contractual documents that provide evidence of funding?

- Yes** **No**

IF YES, PLEASE PROVIDE THE DOCUMENT(S) BELOW.

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IF NO, PLEASE PROCEED TO THE NEXT ITEM.

Fourth Item: Permitting Status

Section 3 requires that you provide Exhibit B to the PPA, which lists all major permits with the expected milestone date for each permit.

Have any of the permits listed in Exhibit B been obtained?

- Yes** **No**

IF YES, PLEASE CONFIRM BELOW ANY LOCAL COUNTY AND STATE PERMITS ALREADY OBTAINED FOR THE PROJECT.

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IF NO, PLEASE DESCRIBE ANY OBSTACLES, IF ANY, THAT ARE EXPECTED IN OBTAINING LOCAL COUNTY AND STATE PERMITS FOR THE PROJECT.

Fifth Item: Environmental Liabilities

PLEASE PROVIDE A DESCRIPTION OF IDENTIFIED ENVIRONMENTAL LIABILITIES, IF ANY, (E.G., POTENTIAL SITE REMEDIATION REQUIREMENTS, PENDING FUTURE REGULATORY REQUIREMENTS, ETC.) FOR THE PROJECT SITE. THE BIDDER MUST HAVE TAKEN SUCH LIABILITIES INTO CONSIDERATION IN SETTING ITS PLANNED IN-SERVICE DATE.

CASE D: A COMPLETED APPLICATION FOR INTERCONNECTION OF THE PROJECT HAS BEEN SUBMITTED, BUT PJM HAS NOT YET REVIEWED THE APPLICATION



PLEASE PROVIDE THE INFORMATION REQUIRED BY THE ITEMS BELOW.

Second Item: Acquisition of Major Equipment and Construction Plan



This item requires you to describe progress attained in the acquisition of major equipment for the Project.

PLEASE EXPLAIN BELOW THE STEPS ALREADY UNDERTAKEN TO ACQUIRE MAJOR EQUIPMENT FOR THE PROJECT.

IF YOU HAVE A MEMORANDUM OF UNDERSTANDING (“MOU”) OR OTHER CONTRACTUAL DOCUMENT FOR ACQUISITION OF MAJOR EQUIPMENT RELATED TO THE PROJECT, PLEASE PROVIDE THE DOCUMENT(S) BELOW.

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IF YOU HAVE AN EPC CONTRACT RELATED TO THE PROJECT, PLEASE PROVIDE THE DOCUMENT(S) BELOW.

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Third Item: Overview of Project Financing

PLEASE DESCRIBE THE FINANCING ARRANGEMENTS THAT HAVE BEEN SECURED OR THAT ARE EXPECTED TO BE SECURED BY USING THE BOX BELOW OR BY UPLOADING A DOCUMENT IN MICROSOFT WORD OR IN PDF. Please include the following information:



- An overview of the sources of funds; and
- The level of commitment from debt, equity, and other investors.

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Do you have letters of intent or other contractual documents that provide evidence of funding?

- Yes** **No**

IF YES, PLEASE PROVIDE THE DOCUMENT(S) BELOW.

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IF NO, PLEASE PROCEED TO THE NEXT ITEM.

Fourth Item: Permitting Status

Section 3 requires that you provide Exhibit B to the PPA, which lists all major permits with the expected milestone date for each permit.

Have any of the permits listed in Exhibit B been obtained?

Yes No

IF YES, PLEASE CONFIRM BELOW ANY LOCAL COUNTY AND STATE PERMITS ALREADY OBTAINED FOR THE PROJECT.

IF NO, PLEASE DESCRIBE ANY HURDLES THAT ARE EXPECTED IN OBTAINING LOCAL COUNTY AND STATE PERMITS FOR THE PROJECT.

Fifth Item: Environmental Liabilities

PLEASE PROVIDE A DESCRIPTION OF IDENTIFIED ENVIRONMENTAL LIABILITIES, IF ANY, (E.G., POTENTIAL SITE REMEDIATION REQUIREMENTS, PENDING FUTURE REGULATORY REQUIREMENTS, ETC.) FOR THE PROJECT SITE. THE BIDDER MUST HAVE TAKEN SUCH LIABILITIES INTO CONSIDERATION IN SETTING ITS PLANNED IN-SERVICE DATE.

CASE E: APPLICATION NOT SUBMITTED

PLEASE PROVIDE THE INFORMATION REQUIRED BY THE ITEMS BELOW.



Second Item: Acquisition of Major Equipment and Construction Plan

This item requires you to describe progress attained in the acquisition of major equipment for the Project.



PLEASE EXPLAIN BELOW THE STEPS ALREADY UNDERTAKEN TO ACQUIRE MAJOR EQUIPMENT FOR THE PROJECT.

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IF YOU HAVE A MEMORANDUM OF UNDERSTANDING (“MOU”) OR OTHER CONTRACTUAL DOCUMENT FOR ACQUISITION OF MAJOR EQUIPMENT RELATED TO THE PROJECT, PLEASE PROVIDE THE DOCUMENT(S) BELOW.

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IF YOU HAVE AN EPC CONTRACT RELATED TO THE PROJECT, PLEASE PROVIDE THE DOCUMENT(S) BELOW.


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Third Item: Overview of Project Financing

PLEASE DESCRIBE THE FINANCING ARRANGEMENTS THAT HAVE BEEN SECURED OR THAT ARE EXPECTED TO BE SECURED BY USING THE BOX BELOW OR BY UPLOADING A DOCUMENT IN MICROSOFT WORD OR IN PDF. Please include the following information:

- An overview of the sources of funds; and
- The level of commitment from debt, equity, and other investors.



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Do you have letters of intent or other contractual documents that provide evidence of funding?

Yes No

IF YES, PLEASE PROVIDE THE DOCUMENT(S) BELOW.

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IF NO, PLEASE PROCEED TO THE NEXT ITEM.

Fourth Item: Permitting Status

Section 3 requires that you provide Exhibit B to the PPA, which lists all major permits with the expected milestone date for each permit.

Have any of the permits listed in Exhibit B been obtained?

Yes No

IF YES, PLEASE CONFIRM BELOW ANY LOCAL COUNTY AND STATE PERMITS ALREADY OBTAINED FOR THE PROJECT.

IF NO, PLEASE DESCRIBE ANY HURDLES THAT ARE EXPECTED IN OBTAINING LOCAL COUNTY AND STATE PERMITS FOR THE PROJECT.

Fifth Item: Site Control

PLEASE PROVIDE ALL DOCUMENTATION AVAILABLE TO SHOW CONTROL OF THE PROJECT SITE. ACCEPTABLE DOCUMENTATION INCLUDES: (i) a document showing that the Bidder (Seller or an affiliate of Seller) owns the Project site; or (ii) an executed lease agreement or easement between the Bidder (Seller or an affiliate of Seller) and the landowner(s); or (iii) an executed option, between the Bidder (Seller or an affiliate of Seller) and the landowner(s), with a unilateral right to lease or purchase the Project site; or (iv) a memorandum of understanding between the landowner(s) 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 landowner(s) 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.

The Independent Evaluator may require additional documentation from you.

3. Information to Populate the PPA

This section requires you to provide information to populate the Exhibits to the PPA.


First item: Guaranteed Initial Delivery Date

PLEASE PROVIDE THE GUARANTEED INITIAL DELIVERY DATE. This date would be used to populate Exhibit D. The Guaranteed Initial Delivery Date must be no later than May 31, 2029.


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Second item: Description of Facilities

PLEASE PROVIDE A FULL SITE MAP INDICATING THE LOCATION AND LAYOUT OF THE PROJECT EQUIPMENT AND OTHER SITE DETAILS. This map would become part of Exhibit A.

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PLEASE PROVIDE A DIAGRAM SHOWING THE POINT OF INTERCONNECTION, METERING DEVICES, AND OTHER EQUIPMENT INSTALLED AT THE PROJECT SITE. This diagram would become part of Exhibit A.

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PLEASE PROVIDE A DESCRIPTION OF PROJECT GENERATING UNITS AND RELATED FACILITIES. This description would be used to populate Exhibit A.



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PLEASE PROVIDE A DESCRIPTION OF INTERCONNECTION FACILITIES. This description would be used to populate Exhibit A.

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Third item: Additional Exhibits

PLEASE COMPLETE AND UPLOAD EXHIBIT B AND EXHIBIT H. The templates for Exhibit B and Exhibit H are available on the RFP Website.

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4. Representations

THE OFFICER OF THE SELLER MUST MAKE SPECIFIC ACKNOWLEDGMENTS AND CERTIFICATIONS BY COMPLETING THE SELLER CERTIFICATIONS INSERT. Please refer to the Insert for the acceptable methods to complete and submit this Insert.

Name of Seller

SELLER CERTIFICATIONS INSERT

This Insert may be completed as follows:

- Submitted with a **digital signature** (using commercially available software such as DocuSign) with an accompanying document or information verifying the identity of the signatory;
- OR:**
- Submitted with a **scanned wet or electronic signature** (such as an image of a signature) AND sent by email to the Independent Evaluator at PECO-SolarRFP@nera.com by the signatory or with the signatory on copy.

I, _____, the Officer of the Seller, certify that:

1. The Seller understands and accepts the terms of the Power Purchase Agreement.
2. Exhibit B to the Power Purchase Agreement, included as part of this Proposal, provides a milestone schedule, including a list of milestones for major permits. The list of major permits provided in this Exhibit B is complete. I expect that the Project will have all permits necessary by the planned in-service date and I do not expect any of the permits to cause a delay in the planned in-service date.
3. For the Share of the Project offered in the Proposal, there are no contractual obligations or any other circumstances that could prevent delivery to PECO of all products to which PECO has a right under the Power Purchase Agreement, including energy, SPAECs, and transfer of auction specific unforced capacity.
4. Exhibit C to the Power Purchase Agreement describes the Availability Requirement and Availability Damages calculation related to the Facility Guaranty. The Seller acknowledges that there is a Facility Guaranty under the Power Purchase Agreement and will be required to guarantee that the Project will maintain the Availability Percentage

required under Exhibit C, and shall pay Availability Damages, if any are due pursuant to Exhibit C.

5. Before the Pennsylvania Public Utility Commission has rendered its decision on the results of this RFP, the Seller has not disclosed and will not disclose information relating to the Proposal for the Project, publicly or to a party that is not directly involved in the development of the Project or the submission of the Proposal. Parties involved in the development of the Project or the submission of the Proposal include, but are not limited to, financial institutions involved in the financing of the Project or payment of the bid assurance collateral, advisors retained to assist with the Proposal contents, or regulatory agencies to which the Bidder or the Seller has disclosure requirements.
6. The submission of the Proposal constitutes the Seller's acceptance of all the terms and conditions of the RFP, regardless of the outcome of the RFP or the outcome of such Proposal.

Signature

Date

THE REPRESENTATIVE OF THE BIDDER MUST MAKE SPECIFIC ACKNOWLEDGMENTS AND CERTIFICATIONS BY COMPLETING THE BIDDER CERTIFICATIONS INSERT. Please refer to the Insert for the acceptable methods to complete and submit this Insert.

Name of Bidder

 **BIDDER CERTIFICATIONS INSERT**

This Insert may be completed as follows:

- Submitted with a **digital signature** (using commercially available software such as DocuSign) with an accompanying document or information verifying the identity of the signatory;

OR:

- Submitted with a **scanned wet or electronic signature** (such as an image of a signature) AND sent by email to the Independent Evaluator at PECO-SolarRFP@nera.com by the signatory or with the signatory on copy.

I, _____, the Representative of the Bidder, certify that:

1. The Proposal will remain in full force and effect until DDMMYYYY (*three (3) months following the Proposal Due Date*).
2. The information provided in the Proposal is true, up-to-date, and accurate to the best of my knowledge and belief. If, for any reason or due to any circumstance, any information provided in the Proposal changes or any certification fails to remain valid at any point prior to DDMMYYYY (*three (3) months following the Proposal Due Date*), the Bidder has a responsibility to notify the Independent Evaluator of such changes as soon as practicable.
3. The Project has not commenced the delivery of electricity to any entity and its construction has not been completed as of the Proposal Due Date.
4. The Project has or will have a single revenue quality electricity generation meter that satisfies the requirements of PJM and that will measure its generation output.
5. I fully expect that the Project will have begun commercial operations (as this term is defined in the Power Purchase Agreement) by the planned in-service date provided in the Proposal. As of the date of submission of the Proposal, the Project has reached the appropriate development milestones to achieve the planned in-service date stated in the Proposal, which cannot be later than May 31, 2029.
6. Exhibit B to the PPA, included as part of this Proposal, provides a milestone schedule, including a list of milestones for major permits. The list of major permits provided in this Exhibit B is complete. I expect that the Project will have all permits necessary to meet the planned in-service date and I do not expect any of the permits to cause a delay in the planned in-service date.
7. Exhibit C to the Power Purchase Agreement describes the Availability Requirement and Availability Damages calculation related to the Facility Guaranty. The Seller acknowledges that there is a Facility Guaranty under the Power Purchase Agreement and will be required to guarantee that the Project will maintain the Availability Percentage required under Exhibit C, and shall pay Availability Damages, if any are due pursuant to Exhibit C.
8. The submission of the Proposal constitutes the Bidder's acceptance of all the terms and conditions of the RFP, regardless of the outcome of the RFP or the outcome of such Proposal.
9. Before the Pennsylvania Public Utility Commission has rendered its decision on the results of this RFP, the Bidder has not disclosed and will not disclose information relating to the Proposal for the Project, publicly or to a party that is not directly involved in the development of the Project or the submission of the Proposal. Parties involved in the development of the Project or the submission of the Proposal include, but are not limited

to, financial institutions involved in the financing of the Project or payment of the bid assurance collateral, advisors retained to assist with the Proposal contents, or regulatory agencies to which the Bidder or Seller has disclosure requirements.

- 10. The Bidder is not part of a bidding agreement, a bidding consortium, or any other type of agreement related to bidding in this RFP with another entity that is an actual or prospective Bidder in this RFP.

Signature

Date

ILLUSTRATIVE

5. Supplier Diversity and Local Workforce

Exelon Corporation, PECO's parent company, maintains a [Supplier Diversity Program](#) webpage containing information on the company's commitment to diversity and inclusion. Bidders should identify any and all key contributors to the Project that qualify as a diverse supplier, such as a certified women-owned business, a minority-owned business and/or other business with recognized diversity classifications. Bidders should also confirm whether the Project be developed in whole or in part using a workforce local to PECO's territory.

First item: Diverse Supplier

Does the Seller or Bidder qualify as a diverse supplier?

Yes No

Does a key contributor to the Project qualify as a diverse supplier?

Yes No

If NO, please proceed to the next item.

If YES to either question, please provide the information requested by this item.

PLEASE PROVIDE THE NAMES OF QUALIFYING KEY CONTRIBUTORS.

PLEASE BRIEFLY DESCRIBE THE ROLE OF EACH QUALIFYING CONTRIBUTOR TO THE DEVELOPMENT OF THE PROJECT.

IF AVAILABLE, THE BIDDER SHOULD PROVIDE A CERTIFICATE OR OTHER DOCUMENTATION FROM A THIRD-PARTY DIVERSE CERTIFYING AGENCY FOR EACH ENTITY IDENTIFIED (BIDDER, SELLER AND/OR KEY CONTRIBUTOR). Qualifying third-party Diverse Certifying Agencies include, but are not limited to, the National Minority Supplier Development Council, the Women's Business Enterprise National Council, the National Gay and Lesbian Chamber of Commerce, and the National Veteran Business Development Council.



Is a certificate or other documentation available for the Seller, Bidder, and/or key contributor from a third-party Diverse Certifying Agency?

Yes No

If NO, please proceed to the next question.

If YES, please provide the information requested by this item.

Bidders that provide information for diverse suppliers that are certified by a Diverse Certifying Agency agree that PECO may request the Seller to provide monthly reporting of spend on such diverse suppliers should the Project be selected through the RFP.

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IF AVAILABLE, THE BIDDER SHOULD PROVIDE ANY ADDITIONAL DOCUMENTED ASSURANCES RELATED TO THE ROLE OF EACH KEY CONTRIBUTOR IN THE PROJECT DEVELOPMENT, such as a contract, letter of intent, or memorandum of understanding between the Bidder or Seller and the key contributor.

Is documentation, such as a contract, letter of intent or memorandum of understanding between the Bidder or Seller and the key contributor available?

Yes No

If NO, please proceed to the next item.

If YES, please upload the documentation available.

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Second item: Local Workforce

Will the Project be located within PECO's territory?

- Yes No

If NO, please proceed to the next Section.

If YES, please proceed to the next question.

Will the Project be developed in whole or in part using a local workforce? Workforce may include employees, contractors, and subcontractors, and both project installation workforce and workforce in administrative, sales, marketing, technical roles, etc. where those workers' duties are directly related to the Project.

- Yes No

If NO, please proceed to the next Section.

If YES, please provide the information requested by this item.

PLEASE DESCRIBE THE GENERAL MAKE UP (EMPLOYEES, CONTRACTORS, ETC) AND JOB DUTIES (INSTALLATION, ADMINISTRATIVE, ETC) OF THE LOCAL WORKFORCE AND HOW THEY ARE DIRECTLY REQUIRED BY OR SUBSTANTIALLY RELATED TO THE DEVELOPMENT, CONSTRUCTION, AND OPERATION OF THE PROJECT.

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IF AVAILABLE, THE BIDDER SHOULD PROVIDE ANY DOCUMENTED ASSURANCES RELATED TO USE OF A LOCAL WORKFORCE, such as a contract, letter of intent, or memorandum of understanding.

Is documentation, such as a contract, letter of intent or memorandum of understanding available?

- Yes No

If NO, please proceed to the next item.

If YES, please provide the information requested by this item.

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6. Bid Assurance Collateral

Bidders will be required to post bid assurance collateral in an amount of \$20,000/MW in the form of cash or a Pre-Bid Letter of Credit. If a portion of a larger Project is proposed, the portion of the Project should be multiplied by \$20,000/MW for purposes of determining the required amount of bid assurance collateral. Bid assurance collateral for Bidders that have winning Proposal(s) will be returned shortly after all contract execution formalities have been completed. Bid assurance collateral for Bidders that do not have winning Proposal(s) will be returned shortly after the Commission has issued a decision on the results of the RFP.

First Item: Election of Cash or Letter of Credit as Bid Assurance Collateral

PLEASE INDICATE WHETHER YOU ARE PROVIDING CASH OR A PRE-BID LETTER OF CREDIT AS BID ASSURANCE COLLATERAL.

Cash Pre-Bid Letter of Credit

IF CASH:

Second Item: Requirements for Cash as Bid Assurance Collateral

Have you already submitted the required documents for the submission of cash as bid assurance collateral in a previously submitted Proposal Form for another Project in the Solar RFP?

Yes No

IF YES, PLEASE PROCEED TO THE NEXT ITEM.

IF NO, PLEASE PROVIDE THE FOLLOWING INFORMATION.

THE REPRESENTATIVE OF THE BIDDER MUST MAKE SPECIFIC CERTIFICATIONS BY COMPLETING THE CASH CERTIFICATIONS INSERT. Please refer to the Insert for the acceptable methods to complete and submit this Insert.

Name of Bidder

CASH CERTIFICATIONS INSERT

This Insert may be completed as follows:

- Submitted with a **digital signature** (using commercially available software such as DocuSign) with an accompanying document or information verifying the identity of the signatory;

OR:

- Submitted with a **scanned wet or electronic signature** (such as an image of a signature) AND sent by email to the Independent Evaluator at PECO-SolarRFP@nera.com by the signatory or with the signatory on copy.

I, _____, the Representative of the Bidder, acknowledge that PECO Energy Company may draw upon the cash submitted as bid assurance collateral if:

1. the Bidder or Seller has made a material omission or misrepresentation in its Pre-Qualification Application or its Proposal submitted for a Project in connection with the RFP; or
2. the Bidder or Seller has disclosed information relating to its Proposal publicly or to any other party that is not directly involved in the development of the Project or the submission of the Proposal before the Commission has rendered its decision on the results of the RFP; or
3. the Bidder has a winning Proposal with a bid price approved by the Commission and the Seller for the Project has failed to execute the Power Purchase Agreement or has failed to meet the creditworthiness requirements within the timeframe required.

Furthermore, I acknowledge that no interest will be paid for cash submitted as bid assurance collateral to PECO Energy Company and that PECO Energy Company may co-mingle any cash submitted with other funds.


Signature

Date

PLEASE PROVIDE THE NAME OF THE ENTITY OR ENTITIES TO WHICH YOU WOULD LIKE CASH SUBMITTED AS BID ASSURANCE COLLATERAL TO BE RETURNED.

Name of entity (or entities)

FOR EACH ENTITY TO WHICH YOU WOULD LIKE CASH TO BE RETURNED, PLEASE PROVIDE (I) SUCH ENTITY'S FORM W-9, AND (II) A DRAFT REQUEST, ON SUCH ENTITY'S LETTERHEAD, FOR THE RETURN OF CASH, BY UPLOAD TO THE SPACE BELOW. A sample request for return of cash is posted on the PECO Solar RFP website. The request is a "draft" in that it may leave all amounts blank and may be unsigned; however, such request should otherwise be in the exact format that the Bidder intends to use for return of bid assurance collateral, including being on the appropriate entity's letterhead.

	W-9
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Draft request for return of cash

IF PRE-BID LETTER OF CREDIT:

Second Item: Requirements for a Pre-Bid Letter of Credit as Bid Assurance Collateral

A Bidder providing a Pre-Bid Letter of Credit as bid assurance collateral must either use the Standard Form of the Pre-Bid Letter of Credit posted to the PECO Solar RFP website, or the Bidder must submit a Pre-Bid Letter of Credit that incorporates only those modifications to the Standard Form approved by PECO and posted to the RFP website.

Instructions for submission of a Pre-Bid Letter of Credit were provided to all Bidders with the Notification of Pre-Qualification. **A Pre-Bid Letter of Credit must be submitted as an electronic PDF file via electronic means only to the Independent Evaluator at PECO-SolarRFP@nera.com.**

7. Financial Information for Seller

IF THE BIDDER IS SUBMITTING A PROPOSAL FOR MULTIPLE PROJECTS, THE BIDDER MAY SKIP THIS SECTION IF THE INFORMATION HAS ALREADY BEEN SUBMITTED FOR THE SELLER.

First Item: Credit Ratings for Seller

Is the Seller 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?

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 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 ___

8. Justification of Omissions

IF YOU ARE UNABLE TO PROVIDE ANY OF THE DOCUMENTS OR INFORMATION REQUIRED BY THE PROPOSAL FORM, PLEASE FULLY JUSTIFY ANY OMISSIONS IN THE SPACE PROVIDED BELOW.

IF YOU WOULD LIKE TO PROVIDE ANY ADDITIONAL DOCUMENTS, YOU MAY UPLOAD THEM TO THE SPACES BELOW OR PROVIDE THEM BY EMAIL TO PECO-SOLARRFP@NERA.COM.

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