

# ILLINOIS POWER AGENCY FALL 2017 UTILITY DISTRIBUTED GENERATION RFP Appendix 6: PART 2 FORM

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Pursuant to Illinois Public Act 95-0481, the Illinois Power Agency (“IPA”) filed a final Procurement Plan, which provides for the procurement of renewable energy credits (“RECs”) from distributed generation (“DG”) for the portfolio of Ameren Illinois Company (“AIC”) and Commonwealth Edison Company (“ComEd”) through a Utility DG Request for Proposals (“DG RFP”). Each of AIC and ComEd is referred to as a “Company”.

The Part 2 Proposal consists of the online Part 2 Form, attachments that are uploaded to the application website (or sent to the Procurement Administrator via email), and bid assurance collateral. Before completing the Part 2 Form for the DG RFP, please review the RFP Rules, AIC’s Renewable Energy Credit Agreement (also referred to as the “(AIC DG) REC Contract”) and ComEd’s Master Distributed Generation Renewable Energy Certificate Purchase and Sale Agreement (also referred to as the “(ComEd) Master DG Agreement”) so that you understand the conditions under which the DG RFP will be conducted. These documents are available on the procurement website, [www.ipa-energyrfp.com](http://www.ipa-energyrfp.com).

Having submitted a Part 1 Proposal in response to the DG RFP, you have agreed to all the terms and conditions of the DG RFP.

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***Any information that you provide in this Part 2 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 or ComEd will also be provided to the Procurement Monitor.***

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## INSTRUCTIONS FOR PROPOSAL

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Bidders use the online Part 2 Form and upload required documents to respond to the requirements of the Part 2 Proposal as detailed in the RFP Rules. The Procurement Administrator evaluates Bids submitted in accordance with the RFP for each system or total Forecast Quantity that qualifies pursuant to a successful Part 1 Proposal and that fulfills all the requirements of the Part 2 Proposal.

### I. Part 2 Proposal Submission

A Bidder must:

- Complete the online Part 2 Form in its entirety;
- Submit a Letter of Credit or amend the amount and expiration date of the Letter of Credit from the Spring 2017 Utility DG RFP still currently held by the IPA; and
- Submit **one (1) copy** of all other documents, including Inserts, required to support the Part 2 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 2 Form must be submitted to the Procurement Administrator no later than 12 PM (noon) CPT on October 4, 2017 (the Part 2 Date).*

**Some of the documents required to support the Part 2 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, a Bidder will sign the completed form, will scan the completed form, and upload the scanned form to the application website (or send the form by email). **For illustrative purposes, the Inserts are shown throughout this Part 2 Form in green boxes.** The format and exact content of the Inserts may differ from the illustrative Inserts provided through this Part 2 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 2 Proposal Processing**

The process for processing of the Proposal will be provided as a separate document to Bidders.

## PART 2 FORM

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### 1. Updates or Supplements to Part 1 Proposal Information

First Item: Updates to Contact Information

**THE BIDDER MUST REVIEW THE ADDRESS FOR THE BIDDER AND THE CONTACT INFORMATION AS PROVIDED IN THE PART 1 FORM FOR INDIVIDUALS RESPONSIBLE FOR THE SUBMISSION OF THE PROPOSAL.**

*Does the information provided in the Part 1 Proposal in regards to the address for the Bidder and the contact information for each representative remain valid?*

YES                       NO

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

**If NO**, you must provide all updates in the fields below.

*Street Address*

*City*

*State*

*Zip Code*

Contact Information for the Representative

*Street Address*

*City*

*State*

*Zip Code*

*Tel No. of Representative*

*Alternate Tel. No. (if available)*

*Email Address of Representative*

**IF THE CONTACT INFORMATION FOR ONE OR MORE OF THE ADDITIONAL REPRESENTATIVES IS NO LONGER VALID, THE BIDDER MUST UPDATE THIS INFORMATION BY FULLY COMPLETING THE REPRESENTATIVE INSERT prepared for this purpose. 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 (#P1-1)**

The Bidder may name up to three (3) Representatives authorized to act on behalf of the Bidder, **in addition to** the Representative whose contact information is provided directly in the online Part 1 Form, by providing the information requested below.

Contact Information for Representative

*Given Name(s)*  *Last Name*  *Mr/Mrs/Ms/Dr/(other)*

*Title*

*Street Address*

*City*  *State*  *Zip Code*

*Telephone No.*  *Alternate Telephone No. (if available)*  *Email Address*

Contact Information for Representative

*Given Name (s)*  *Last Name*  *Mr/Mrs/Ms/Dr/(other)*

*Title*

*Street Address*

*City*  *State*  *Zip Code*

*Telephone No.*  *Alternate Telephone No. (if available)*  *Email Address*

Contact Information for Representative

*Given Name (s)*  *Last Name*  *Mr/Mrs/Ms/Dr/(other)*

*Title*

*Street Address*

*City*  *State*  *Zip Code*

*Telephone No.*  *Alternate Telephone No. (if available)*  *Email Address*

Second Item: Updates to Documentation of Systems

Bidders that did not submit all requisite documentation with the Part 1 Proposal to support the information provided regarding the characteristics of each system presented in the Part 1 Proposal must provide this information with the Part 2 Proposal. In particular, if not provided in the Part 1 Proposal, you must provide:

- Documentation to demonstrate that the Bidder has ownership or title to the RECs for **new and existing systems** for which the Bidder is not the System Owner;
- Documentation to qualify the system as being energized before September 18, 2017 for **existing systems**;
- Documentation to demonstrate the agreement of the Host for **new systems** for which the System Owner is not the Host.

*Were you unable to provide the documentation above for some new or existing systems?*

Yes

No

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

**If YES**, Please provide below all documentation to support the information provided regarding the characteristics of each system presented in the Proposal. You may also provide such documentation via email to Illinois-RFP@nera.com.

	
	
	
	

Should there be deficiencies in the information provided or should you be asked for clarification, in no event will you be allowed to submit additional information after 12 PM (noon) on the third business day prior to the Bid Date. A Bidder must withdraw systems for which documentation is not complete and consistent with the requirements by that date and the Bidder must omit these systems from the Bidder's Bids.

## 2. Letter of Credit

A Bidder must have a Letter of Credit in place **IN AN AMOUNT SUFFICIENT TO SUPPORT THE BIDDER'S BIDS**; ; namely, this amount must be at least equal to \$4 times the number of RECs that the Bidder can win across all systems and the total Forecast Quantity across all delivery years under the applicable supplier contracts. More specifically, the number of RECs is calculated by (i) computing an Annual Quantity for each system, rounded to the nearest REC, based on the standard capacity factors used in this procurement event; (ii) taking the sum of the Annual Quantities over all systems and adding the number of RECs from the total Forecast Quantity; and by (ii) multiplying this total by 5 (for the number of delivery years associated with any one system under the applicable supplier contracts). The amount of the Letter of Credit required to support Bids on these systems and the total Forecast Quantity is then the number of RECs just calculated times \$4 per REC. Please see Paragraph V.2.5 of the RFP Rules for the conditions under which payment under the Letter of Credit can be demanded from the Bidder.

Bidders that were winning Bidders in the Spring 2017 DG RFP and that have at this time, and will continue to have at the time of submission of Bids, a Letter of Credit with the IPA first provided under the Spring 2017 RFP (a "Spring LC") are labeled "Current LC Holders". Bidders that are Current LC Holders must comply with the Letter of Credit requirements either by providing an original executed Letter of Credit in an amount sufficient to support the Bidder's Bids or by amending the amount and expiration date of the Spring LC.

*Are you a Current LC Holder and are you opting to provide an amendment to the Spring LC?*

Yes

No

### **If YES,**

The amendment to the Spring LC should modify the Spring LC in two respects:

- The amendment to the Spring LC must extend the current expiration date so that the Spring LC will expire 364 days (or one year) from the date of issuance of such amendment; and
- The amendment to the Spring LC must increase the amount of the Spring LC and the increase must be at least equal to \$4 times the number of RECs that the Bidder can win across all systems and the total Forecast Quantity across all delivery years under the applicable supplier contracts.

The amount of the increase to the Spring LC need not exceed \$163,060.

**THE ORIGINAL OF THE EXECUTED AMENDMENT TO THE SPRING LC MUST BE SENT VIA OVERNIGHT DELIVERY SERVICE TO:** Illinois Power Agency, Attn: Charles Kudia, 160 North LaSalle Street, Suite C-504, Chicago, Illinois 60601, Phone: (312) 814-3273.

If you wish to provide a draft of your amendment of review, please upload it here:



**If NO,**

Bidders must provide an original executed Letter of Credit in an amount sufficient to support the Bidder's Bids.

**THE LETTER OF CREDIT MUST BE IN THE FORM OF THE STANDARD IPA LETTER OF CREDIT PROVIDED AS AN APPENDIX TO THE RFP RULES OR INCLUDE ONLY THOSE MODIFICATIONS TO THE STANDARD IPA LETTER OF CREDIT FOUND APPROVED BY THE IPA AND POSTED TO THE PROCUREMENT WEBSITE.**

**The Letter of Credit will be returned once its amount is reduced or drawn down to zero.**

The amount of the Letter of Credit need not exceed \$163,060. This amount allows a Bidder to bid up to the entire Spring Overall Target for a Product.

**PLEASE INDICATE THE AMOUNT OF THE LETTER OF CREDIT: \_\_\_\_\_.**

**THE ORIGINAL OF THE EXECUTED LETTER OF CREDIT MUST BE SENT VIA OVERNIGHT DELIVERY SERVICE TO: Illinois Power Agency, Attn: Charles Kudia, 160 North LaSalle Street, Suite C-504, Chicago, Illinois 60601, Phone: (312) 814-3273.**



### 3. Representations

**THE INDIVIDUAL MAKING THE REPRESENTATIONS ON BEHALF OF THE BIDDER MUST BE AUTHORIZED TO UNDERTAKE CONTRACTS AND TO BIND THE BIDDER.**

As a necessary part of preparing the Proposal, the Bidder may discuss with System Owners, with Hosts, and with Customers whose systems may be presented as part of the Proposal, material information relating to the Proposal. **However, to maintain the integrity of the procedure for sealed, binding commitment bidding with pay-as-bid settlement as set forth in this DG RFP, the Bidder must a number of representations with the Part 2 Proposal.**

**THE BIDDER SUBMITS THESE CERTIFICATIONS BY FULLY COMPLETING THE P2 CERTIFICATIONS INSERT PREPARED FOR THIS PURPOSE. THE BIDDER PROVIDES THE P2 CERTIFICATIONS INSERT BY EMAIL OR BY UPLOAD TO THE APPLICATION WEBSITE. THE P2 CERTIFICATIONS INSERT IS AVAILABLE ON THE PROCUREMENT WEBSITE.** The P2 Certifications Insert is also labelled INSERT #P2-1.

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

#### **P2 CERTIFICATIONS INSERT (#P2-1)**

**THE INDIVIDUAL MAKING THE CERTIFICATIONS ON BEHALF OF THE BIDDER MUST BE AUTHORIZED TO UNDERTAKE CONTRACTS AND TO BIND THE BIDDER.**

I, \_\_\_\_\_ (name of individual), certify that:

1. To the best of my knowledge and belief, all the information in the Proposal is true and accurate.
2. Other than such discussions necessary for the preparation of the Proposal, the Bidder will not disclose, publicly or to any other party, any material information relating to the Proposal, including the systems or Forecast Quantities presented as part of the Proposal; the Bids for such systems or for a Forecast Quantity; or the Products for which Bids are presented.
3. I have taken reasonable precautions to advise parties with whom the Bidder has had or will have such discussions as are necessary for preparing the Proposal that such information is and should remain confidential.
4. The Bidder has no material information relating to the Proposal of another party.
5. I acknowledge that Bids submitted must remain binding until seventeen (17) business days after the Bid Date. Each Bid constitutes a binding and irrevocable offer to supply a REC of a Product at the price provided as the Bid and under the terms of each applicable supplier contract.
6. The Bidder agrees to pay the Supplier Fees in the amount specified by the IPA if the Bidder has Bids approved by the Commission.

7. The Bidder must provide a Letter of Credit sufficient to support its Bids. I agree that, if such amount is not sufficient, and if the Procurement Administrator does not receive prior to the deadline an amendment to the Bid Form or does not receive instructions to amend the Bid Form in a way that renders the amount of the Letter of Credit sufficient to support the Bids, then the Procurement Administrator may amend the Bid Form in accordance with the procedure described in Paragraph V.5.9 of the RFP Rules until the amount of the Letter of Credit is sufficient to support the Bids.
8. The Bidder agrees that, if the Bidder has Bids approved by the Commission, the Bidder will execute the applicable supplier contracts and will submit all necessary supporting documentation in the required timeframes.
9. The Bidder agrees that the maximum quantity of RECs to be provided under the applicable supplier contracts will be reduced if: (i) a system in its Bids approved by the Commission has not generated electricity that was tracked by GATS or M-RETS by November 30, 2018; or (ii) the Bidder fails to identify by July 13, 2018 all systems necessary to replace the Forecast Quantities in the applicable supplier contracts; or (iii) the systems identified to replace Forecast Quantities in the applicable supplier contracts fail to accumulate metered deliveries by August 31, 2019.
10. The Bidder agrees that if the maximum quantity of RECs to be provided under an applicable supplier contract is reduced then the IPA may draw upon the Letter of Credit (except if the maximum quantity of RECs is reduced by 30 or fewer RECs across all applicable supplier contracts).
11. The Bidder certifies that any system presented as part of the Proposal and that is energized after June 1, 2017 has been installed or will be installed by a qualified person, as this term is defined in the Act. It is the responsibility of the Bidder to review the requirements for the installation by a qualified person in the Act.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

#### 4. Information to Prepare the Applicable Supplier Contracts

**THE BIDDER WILL BE THE COUNTERPARTY UNDER THE APPLICABLE SUPPLIER CONTRACT WITH ONE OR BOTH COMPANIES FOR THE DELIVERY OF RECS.** Each Bidder is asked, but is not required, to provide information to prepare the applicable supplier contracts. The applicable supplier contracts are prepared by AIC and ComEd after the Procurement Administrator notifies the Bidder that the Bidder has Bids that are identified as winning Bids to the ICC.

**THE BIDDER SUBMITS ALL INFORMATION NECESSARY FOR THE PREPARATION OF THE APPLICABLE SUPPLIER CONTRACTS BY FULLY COMPLETING THE CONTRACT INSERT PREPARED FOR THIS PURPOSE. THE BIDDER PROVIDES THE CONTRACT INSERT IN MICROSOFT WORD FORMAT BY EMAIL OR UPLOAD TO THE APPLICATION WEBSITE. THE CONTRACT INSERT IS AVAILABLE ON THE PROCUREMENT WEBSITE.** The Contract Insert is also labelled INSERT #P2-2.

*Are you providing the information to prepare the applicable supplier contracts?*

Yes

No

**If NO**, Please be advised that **IF THE PROCUREMENT ADMINISTRATOR NOTIFIES THE BIDDER THAT THE BIDDER HAS BIDS THAT ARE IDENTIFIED AS WINNING BIDS TO THE ICC, THE BIDDER WILL BE REQUIRED TO PROVIDE ALL NECESSARY INFORMATION BY 12 PM (NOON) CPT ON THE DAY AFTER SUCH NOTIFICATION IS RECEIVED.**

**If YES**, PLEASE UPLOAD THE DULY COMPLETED CONTRACT INSERT.

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

#### **CONTRACT INSERT (#P2-2)**

First Item: AIC Contract

The information that you provide below will be used to complete the Notice to the (AIC DG) REC Contract. If any of the information requested below is unavailable, please enter N/A in the corresponding fields.

(a) Party A:

*Party A*

*Please insert the full legal name of the entity that will sign the contract.*

(b) All Notices:

*Street Address*

*City*

*State*

*Zip Code*

ATTN:

Given Name(s)

Last Name

Mr/Mrs/Ms/Dr/(other)

Telephone No.

Fax No.

Email Address:

DUNS

Federal Tax I.D. Number

(c) Invoices:

ATTN:

Given Name(s)

Last Name

Mr/Mrs/Ms/Dr/(other)

Telephone No.

Fax No.

Email Address:

With a copy to:

ATTN:

Given Name(s)

Last Name

Mr/Mrs/Ms/Dr/(other)

Telephone No.

Fax No.

Email Address:

(d) Payments:

ATTN:

Given Name(s)

Last Name

Mr/Mrs/Ms/Dr/(other)

Telephone No.

Fax No.

Email Address:

(e) Wire Transfer:

Bank

ABA

ACCT

(f) ACH Transfer

*Bank*

*ABA*

*ACCT*

(g) Credit and Collections:

*ATTN:*

*Given Name(s)*

*Last Name*

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

*Telephone No.*

*Fax No.*

*Email Address:*

(h) With additional Notices of an Event of Default or Potential Event of Default to:

*ATTN:*

*Given Name(s)*

*Last Name*

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

*Telephone No.*

*Fax No.*

*Email Address:*

(i) Contact information for the individual signing the (AIC DG) REC Contract:

*Given Name(s)*

*Last Name*

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

*Title*

Second Item: ComEd Contract

**Elections and Information Needed to Prepare the Cover Sheet**

The information that you provide below will be used to complete the Cover Sheet to the (ComEd) Master DG Agreement. If any of the information requested below is unavailable, please enter N/A in the corresponding fields.

(a) Party A:

*Party A*

*Please insert the full legal name of the entity that will sign the contract.*

(b) All Notices:

*Street Address*

*City*

*State*

*Zip Code*

*ATTN:*

*Telephone*

*Facsimile*

*Email*

*DUNS*

*Federal Tax I.D. Number*

(c) Invoices:

*ATTN:*

*Telephone*

*Facsimile or Email*

(d) REC Title Transfer:

*ATTN:*

*Telephone*

*Facsimile or Email*

(e) Payments:

*ATTN:*

*Telephone*

*Facsimile or Email*

(f) Wire Transfer:

*BNK*

*ABA*

*ACCT*

(g) Credit and Collections:

*ATTN:*

*Telephone*

*Facsimile*

*Email*

- (h) With additional Notices of an Event of Default or Potential Event of Default to:

*ATTN:*

*Telephone*

*Facsimile*

*Email*

- (i) Contact information for the individual signing the (ComEd) Master DG Agreement:

*Given Name(s)*

*Last Name*

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

*Title*

## 5. Bids

**IMPORTANT!** Each Bidder submits its Bids electronically. The Procurement Administrator provides electronically to each Bidder qualified pursuant to a successful Part 1 Proposal the information required for the submission of Bids, including a username, password, and security code. This information is unique to each Bidder and allows the Procurement Administrator to authenticate the Bids received. The Procurement Administrator also provides a Trial Bid Form and a set of instructions. These instructions guide the Bidder for completion of the Bid Form, for optional encryption of the Bid Form, for submission of the completed Bid Form to the Procurement Administrator via a secure file transfer interface, as well as instructions for email submission of Bids in case of technical difficulties with the electronic transfer.

**THE BIDDER MUST EITHER CONFIRM THAT ALL SUCH INFORMATION AND DOCUMENTS WERE RECEIVED OR THE BIDDER MUST REQUEST THAT SUCH INFORMATION AND DOCUMENTS BE RE-ISSUED.**

**PLEASE PROVIDE THIS CONFIRMATION BELOW.**

I confirm receipt of the Bid Form, instructions, and confidential information for the submission of Bids.

**OR**

I request that such information and documents be re-issued.

**REMINDER: BID FORMS MUST BE RECEIVED BETWEEN 8 AM AND 12 PM ON THE BID DATE. YOU MUST BE AVAILABLE DURING THE CURE DEFICIENCY PERIOD 12 PM TO 1 PM ON THE BID DATE.**



## 6. Justification of Omissions

**IF YOU ARE UNABLE TO PROVIDE ANY OF THE DOCUMENTS OR INFORMATION REQUIRED IN THE PART 2 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 OR BY UPLOAD TO THE APPLICATION WEBSITE (BELOW).**

	
	
	
	