

**ILLINOIS POWER AGENCY  
EARLY 2023 CAPACITY RFP  
PROCUREMENT EVENT  
APPENDIX 2: PART 1 FORM (ILLUSTRATIVE)**

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Pursuant to the Illinois Power Agency Act, 20 ILCS 3855/1-5, et seq., and the Illinois Public Utilities Act, 220 ILCS 5/1-101, et seq., the Illinois Power Agency (“IPA”) filed a Procurement Plan, which provides for purchase of electric supply to serve certain customers of Ameren Illinois Company (“AIC”), Commonwealth Edison Company (“ComEd”), and MidAmerican Energy Company (“MEC”). Pursuant to the Procurement Plan, a procurement event will be held in early 2023 to procure capacity for AIC for the 2023-2024 Planning Year. This procurement event is called the “Early 2023 Capacity RFP”.

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 Early 2023 Capacity RFP, please review the RFP Rules and the (AIC) Capacity Agreement so that you understand the conditions under which the Early 2023 Capacity 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 Early 2023 Capacity RFP, you agree to all the terms and conditions of the Early 2023 Capacity RFP.

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*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 Illinois Commerce Commission (“ICC”). AIC representatives will review responses to financial requirements for the procurement event. AIC will also review information provided in Contract Inserts for the procurement event and comments to letters of credit, if applicable. Any information provided to AIC 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.

The Procurement Administrator evaluates Bids submitted in accordance with this RFP for each Bidder that qualifies pursuant to a successful Part 1 Proposal and that submits 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 **one (1) copy** of any documents, including Inserts, required to support the online 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 Wednesday, January 25, 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 this form and upload the form to the application website (or send the form by email). An Insert may be:

- Completed by printing and signing the Insert or using an electronic signature (such as a picture of a signature). In this case, the Insert must be sent by email by the signatory or with the signatory on copy.  
or
- Submitted with a digital signature and a document or information verifying the identity of the signatory.

**For illustrative purposes, the Inserts are shown throughout this Part 1 Form in pink 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

### Notifications

Any notification or other written communication from the Procurement Administrator to a Bidder will be sent to the email addresses provided for the Representative and the Nominee(s). 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 for a Bidder to respond to the qualification standards required in the Part 1 Proposal is by completing the online Part 1 Form and uploading the supporting documents to the application website (or sending these supporting documents via email to the Procurement Administrator). Upon first submission of the online Part 1 Form or supporting documents, the Procurement Administrator acknowledges receipt by email.

### Timing of Part 1 Proposal Review

All materials for the Part 1 Proposal must be received by 12 PM (noon) on the Part 1 Date. If a Part 1 Proposal is received before 12 PM (noon) on any business day during the Part 1 Window, the Procurement Administrator acknowledges receipt on the day the materials are received with the results of an initial review. If a Part 1 Proposal is received after 12 PM (noon) on any business day during the Part 1 Window prior to the Part 1 Date, the Procurement Administrator sends the acknowledgment of receipt along with the initial review by 12 PM (noon) of the next day. The initial review states either that the Part 1 Proposal is complete and is being considered, or the initial review lists items of the Part 1 Proposal that are incomplete or require clarification.

### Deficiencies

If the Part 1 Proposal from a Bidder is incomplete or requires clarification, the Procurement Administrator sends a deficiency notice to the Bidder. If a Bidder receives a first deficiency notice from the Procurement Administrator regarding any item of the Part 1 Proposal, the Bidder has until 12 PM (noon) on the Part 1 Date, or until 6 PM on the day following the business day during which a first deficiency notice is sent to the Bidder, whichever comes later, to respond. 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 a Bidder fails to respond to a deficiency notice within the time allowed or if a Bidder fails to provide additional information in response to a deficiency notice within the time allowed, the Part 1 Proposal will be rejected. If the Part 1 Proposal is complete, the Procurement Administrator sends a notice that the Part 1 Proposal is complete and is being considered.

Late Part 1 Proposals

No late Part 1 Proposals will be accepted under any circumstances.

Notification of Qualification

A Bidder that submits a Part 1 Proposal will be notified whether or not the Bidder has qualified pursuant to a successful Part 1 Proposal.

Bidders Under Agency Agreements

To ensure that all Bidders to the RFP are treated on a fair and equal basis, an entity submitting a Proposal under an Agency Agreement is required to provide additional information in this Part 1 Form.

## PART 1 FORM

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### 1. Basic Information

First Item: Name and Address of the Bidder

Legal Name of Bidder

Street Address

City

State

Zip Code

Second Item: Participation in MISO Markets

A Bidder that submits a Proposal to the Early 2023 Capacity RFP must be a Certified Market Participant in MISO (as this term is defined by MISO) as of the opening of the Part 1 Window.

A Bidder that currently is a Seller under the (AIC) Capacity Agreement meets this requirement. A Bidder that has been a Seller under the (AIC) Capacity Agreement pursuant to winning Bids in procurement event under the Block Energy and Capacity RFP or under the Standard Products RFP in 2016 or later also meets this requirement.

***Is the Bidder currently a Seller to AIC under the supplier contract or has the Bidder been a Seller to AIC under an applicable supplier contract pursuant to a procurement event under the Block Energy and Capacity RFP or under the Standard Products RFP in 2016 or later?***

Yes

No

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

**If NO**, PLEASE PROVIDE EVIDENCE THE BIDDER IS A CERTIFIED MARKET PARTICIPANT IN MISO.

A Bidder that participates in MISO through another entity, such as a scheduling agent, must provide evidence of its relationship with such other entity and must provide evidence that such other entity is a Certified Market Participant in MISO.



Third Item: Officer of the Bidder

The Officer of the Bidder must be an officer, 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 PART 1 PROPOSAL AND PART 2 PROPOSAL.**

The Officer of the Bidder may make all representations required in the Part 1 Proposal and Part 2 Proposals at the same time. **A BIDDER THAT AVAILS ITSELF OF THIS OPTION MAY SUBMIT THE P2 CERTIFICATIONS INSERT DURING THE PART 1 WINDOW FOR EARLY PROCESSING.** The P2 Certifications Insert is available on the procurement website.

It is expected that, if a Bidder has Bids that are approved by the Commission, the Officer of the Bidder would sign the supplier contract. Should the Officer of the Bidder not be available to sign for this purpose, the Bidder will advise AIC 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.**

<i>Given Name(s) of the Officer of the Bidder</i>	<i>Last Name</i>	<i>Mr/Mrs/Ms/Dr/(other)</i>
<input type="text"/>	<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: Representative of the Bidder

The Representative is the point of contact if the Procurement Administrator has questions on the documentation provided by the Bidder in response to this RFP or requires additional information. The Procurement Administrator sends all correspondence related to the procurement event to the Representative, including confidential information required to submit Bids on the Bid Date. The Representative must be an employee or officer of the Bidder and may not be an Advisor of the Bidder. An “Advisor” is an entity or an individual that will be advising or assisting a Bidder with the completion of a Proposal, bidding strategy, estimation of the value of the Product(s), or estimation of the risks associated with becoming a supplier. A Bidder that is submitting Bids must adhere to the requirements of an Advisor as described in the Part 2 Proposal.

**THE OFFICER OF THE BIDDER DESIGNATES A REPRESENTATIVE BY FULLY COMPLETING THE REPRESENTATIVE INSERT PREPARED FOR THIS PURPOSE. THE BIDDER PROVIDES THE REPRESENTATIVE INSERT 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.

The Officer of the Bidder may name himself or herself as the Representative.

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

**THE PROCUREMENT ADMINISTRATOR IS ACCEPTING DIGITALLY SIGNED INSERTS.**

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.***

If completed with a digital signature, this Insert and accompanying document or information may be uploaded to the online Part 1 Form or may be sent by email to the Procurement Administrator at [Illinois-RFP@nera.com](mailto:Illinois-RFP@nera.com).

This Insert may also be completed as follows:

- ***Submitted with a scanned wet signature;***

*or*

- ***Submitted with an electronic signature (such as an image of a signature).***

If completed with a scanned or electronic signature, this Insert must be sent by email to the Procurement Administrator at [Illinois-RFP@nera.com](mailto:Illinois-RFP@nera.com) by the signatory or with the signatory on copy.

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

\_\_\_\_\_ (the Officer of the Bidder named in the Part 1 Form) hereby designates \_\_\_\_\_ (name of the Representative), whose contact information is provided in the Part 1 Form, to serve as the Representative of the Bidder.

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

\_\_\_\_\_  
Date

**PLEASE PROVIDE THE CONTACT INFORMATION FOR THE REPRESENTATIVE BELOW.**

*Given Name(s) of the Representative*

*Last Name*

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

*Title*

*Street Address*

*City*

*State*

*Zip Code*

*Business Telephone No.*

*Mobile Telephone No.*

*Email Address*

Fifth Item: Designation of Nominees

The Representative may provide, with the Part 1 Proposal or at any time with appropriate notice to the Procurement Administrator, the name, title, and contact information (phone number(s) and email address) of up to three (3) individuals who will serve as Nominee(s). A Nominee must be an employee or officer of the Bidder and may not be an Advisor of the Bidder. **The Officer of the Bidder or the Representative may designate Nominee(s) at any time prior to the submission of Bids using the Nominee Insert and is not required to do so in the Part 1 Proposal.**

A Nominee receives all correspondence from the Procurement Administrator. The Procurement Administrator communicates with the Representative and any Nominee(s) by email or through a secure file transfer interface. **Any 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 reply from the Bidder to the Procurement Administrator by email should be addressed to [Illinois-RFP@nera.com](mailto:Illinois-RFP@nera.com) to ensure a prompt reply.

A Bidder must indicate whether the Representative is designating one or more Nominee(s) below.

*Is the Officer of the Bidder or Representative designating Nominee(s) at this time who will be copied on communications by the Procurement Administrator?*

Yes

No

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

**If YES**, PLEASE FULLY COMPLETE THE NOMINEE INSERT. THE NOMINEE INSERT MAY BE PROVIDED BY EMAIL OR BY UPLOAD TO THE APPLICATION WEBSITE. The Nominee Insert is available on the procurement website. The Nominee Insert is also labelled Insert #P1-2.

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

**THE PROCUREMENT ADMINISTRATOR IS ACCEPTING DIGITALLY SIGNED INSERTS.**

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.***

If completed with a digital signature, this Insert and accompanying document or information may be uploaded to the online Part 1 Form or may be sent by email to the Procurement Administrator at [Illinois-RFP@nera.com](mailto:Illinois-RFP@nera.com).

This Insert may also be completed as follows:

- ***Submitted with a scanned wet signature;***

or

- ***Submitted with an electronic signature (such as an image of a signature).***

If completed with a scanned or electronic signature, this Insert must be sent by email to the Procurement Administrator at [Illinois-RFP@nera.com](mailto:Illinois-RFP@nera.com) by the signatory or with the signatory on copy.



**NOMINEE INSERT (#P1-2)**

\_\_\_\_\_ (the Officer of the Bidder or the Representative) authorizes the individual(s) whose contact information is immediately below to receive all correspondence from the Procurement Administrator.

\_\_\_\_\_  
Signature of Officer or Representative

\_\_\_\_\_  
Date

**Contact Information for Nominee #1**

*Given Name(s)*

*Last Name*

*Title*

*Business Telephone No.*

*Mobile Telephone No.*

*Email Address*

**Contact Information for Nominee #2**

*Given Name(s)*

*Last Name*

*Title*

*Business Telephone No.*

*Mobile Telephone No.*

*Email Address*

**Contact Information for Nominee #3**

*Given Name(s)*

*Last Name*

*Title*

*Business Telephone No.*

*Mobile Telephone No.*

*Email Address*

## 2. Bid Participation Fee

**A BIDDER MUST PAY ONCE A BID PARTICIPATION FEE OF \$500 IN 2023.** A Bidder that has paid the Bid Participation Fee will not be reimbursed, even if such Bidder fails 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.

Such Bidder must pay the Bid Participation Fee to the IPA as a condition of completing the Part 1 Proposal. Such Bidder can pay the Bid Participation Fee: (i) by e-pay through <https://magic.collectorsolutions.com/magic-ui/payments/illinois-power-agency-ipa/202227>; or (ii) by ACH Automatic Clearing House in CCD or CCD+ format. Detailed 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.** Such evidence includes a confirmation page from the e-check website, confirmation of receipt of ACH payment from the Illinois Treasurer's Office, or a receipt from the IPA.

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



**For the Bidder to be eligible to continue its participation in the 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.**

### 3. Financial Requirements

First Item: Name of Entity on Whose Financial Standing the Bidder Relies

**The party, called the “Entity” below, upon whose financial standing the Bidder is relying, is (check one):**

(a)  \_\_\_ [enter the name of the Bidder], in which case the Bidder is the “Entity”

(b)  \_\_\_ [enter the legal name of the party], in which case a party other than the Bidder is the “Entity”

**THE INFORMATION PROVIDED IN THIS SECTION MUST PERTAIN TO THE ENTITY NAMED ABOVE AS THE ENTITY UPON WHOSE FINANCIAL STANDING THE BIDDER IS RELYING.** Any Bidder applying under an Agency Agreement must select option (b) above and must name the Principal with the lowest credit rating and the lowest tangible net worth as the Entity upon whose financial standing the Bidder is relying.

Second Item: Credit Ratings for the Entity

The Bidder must provide, for the Entity on whose financial standing it is relying, any available ratings from S&P Global Ratings (“S&P”), Moody’s Investors Service (“Moody’s”), and Fitch Ratings (“Fitch”) and specify the type of rating.

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

yes  no

If yes, please provide:

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

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

yes  no

If yes, please provide:

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

**3. Is the Entity rated by Fitch?**

yes  no

If yes, please provide:

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

Third Item: Financial Information for the Entity

**THE BIDDER MUST PROVIDE THE FINANCIAL INFORMATION RELATED TO THE ENTITY REQUESTED IN THIS SECTION BY EMAIL OR BY UPLOADING THE DOCUMENTS TO THE APPLICATION WEBSITE.**

**If the Bidder is relying on its own financial standing** and financial information is not available for the Entity (which is the Bidder), please state this fact directly below.


*Justification of Omissions – Unavailable Financial Information for the Bidder (optional)*

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If financial information is unavailable for the Entity (other than the Bidder itself), the Bidder may not be able to rely on the financial standing of the Entity for the purposes of this RFP.

**PLEASE PROVIDE THE FOLLOWING FINANCIAL INFORMATION:**




- (1) Most recent audited annual financial information, including a balance sheet, income statement, cash flow statement, and any accompanying notes and schedules. If available, the Securities and Exchange Commission (“SEC”) Form 10-K should be submitted to fulfill this requirement.

	<i>If the information for the Entity is part of the financial information of its parent, please indicate here a section or page reference where the information for the Entity can be found _____</i>
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- (2) Most recent quarterly financial data, including a balance sheet, income statement, cash flow statement, and any accompanying notes and schedules. If available, the SEC Form 10-Q should be submitted to fulfill this requirement. If the SEC Form 10-Q is unavailable, the most recent quarterly or monthly financial data if available must be accompanied by an attestation by an officer of the Entity that the information submitted fairly presents in all material respects the financial condition and results of the operations of the Entity. The requirements for this attestation are more specifically provided in the Appendix of the RFP Rules prepared for this purpose. If the SEC Form 10-Q is unavailable, the Bidder must also either provide a review report from an independent accountant for the most recent quarterly or monthly financial data submitted or state that such a report is not available.

	<i>If the information for the Entity is part of the financial information of its parent, please indicate here a section or page reference where the information for the Entity can be found _____</i>
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- (3) Any public financial disclosure made since the release of the Entity’s most recent financial data for any matters that are material to the Entity’s financial condition. If available, SEC Forms 8-K should be submitted to fulfill this requirement.

	<i>If the information for the Entity is part of the financial information of its parent, please indicate here a section or page reference where the information for the Entity can be found for each of the uploaded documents _____</i>
	
	

#### 4. Representations and Contract Information

First Item: Information to Prepare the AIC Capacity Contract Documents

THE BIDDER IS ASKED TO PROVIDE ALL INFORMATION NECESSARY FOR THE PREPARATION OF THE (AIC) CAPACITY AGREEMENT BY FULLY COMPLETING THE AIC CAPACITY CONTRACT INSERT PREPARED FOR THIS PURPOSE. THE BIDDER PROVIDES THE AIC CAPACITY CONTRACT INSERT IN MICROSOFT WORD FORMAT BY EMAIL OR UPLOAD TO THE APPLICATION WEBSITE. The AIC Capacity Contract Insert is available on the procurement website. The AIC Capacity Contract Insert is also labelled INSERT #P1-3. If such Bidder relies on the financial standing of an RFP Guarantor, such Bidder will be responsible for preparation of the Guaranty.

Are you providing the information to prepare the (AIC) Capacity Agreement?

Yes

No

**If YES:**

PLEASE UPLOAD THE DULY COMPLETED AIC CAPACITY CONTRACT INSERT.

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

**AIC CAPACITY CONTRACT INSERT (#P1-3)**

The information that you provide below will be used to complete the Notice to the (AIC) Capacity 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:

*ATTN:*

*Given Name(s)*

*Last Name*

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

*Street Address*

*City*

*State*

*Zip Code*

*Telephone No.*

*Email Address:*

*DUNS*

*Federal Tax I.D. Number*

(c) Invoices:

*ATTN:*  
*Given Name(s)*  *Last Name*  *Mr/Mrs/Ms/Dr/(other)*   
*Telephone No.*  *Email Address:*

(d) With Invoice Copies to:

*ATTN:*  
*Given Name(s)*  *Last Name*  *Mr/Mrs/Ms/Dr/(other)*   
*Telephone No.*  *Email Address:*

(e) Payments:

*ATTN:*  
*Given Name(s)*  *Last Name*  *Mr/Mrs/Ms/Dr/(other)*   
*Telephone No.*  *Email Address:*

(f) Wire Transfer:

*Bank*   
*ABA*  *ACCT*

(g) ACH Transfer

*Bank*   
*ABA*  *ACCT*

(h) Credit and Collections:

*ATTN:*  
*Given Name(s)*  *Last Name*  *Mr/Mrs/Ms/Dr/(other)*   
*Telephone No.*  *Email Address:*

(i) 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.*  *Email Address:*

(j) Contact information for the individual signing the (AIC) Capacity Agreement:

*Given Name(s)*

*Last Name*

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

*Title*

(k) If Party A is relying on a Guarantor, please specify the name of the Guarantor here:

*Guarantor*

*Please insert the full legal name of the entity that will serve as the Guarantor.*

If you wish to use the Supplement intended for Regulated Entities under the ISDA 2018 U.S. Resolution Stay Protocol, please click here:

**If NO:**

The Procurement Administrator will require the Officer of the Bidder to acknowledge 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.** The Officer of the Bidder makes such acknowledgment by completing the AIC Capacity Contract Delay Insert prepared for this purpose and available from the Procurement Administrator. If required by the Procurement Administrator, the Bidder provides the AIC Capacity Contract Delay Insert by email or by upload to the Justification of Omissions section.

Second Item: Representations of the Officer of the Bidder

**THE OFFICER OF THE BIDDER MUST MAKE THE CERTIFICATIONS DETAILED IN THE RFP RULES. THE OFFICER OF THE BIDDER MAKES SUCH CERTIFICATIONS BY FULLY COMPLETING THE AIC CAPACITY P1 CERTIFICATIONS INSERT PREPARED FOR THIS PURPOSE. THESE CERTIFICATIONS MAY BE PROVIDED BY EMAIL OR BY UPLOAD TO THE APPLICATION WEBSITE. The AIC Capacity P1 Certifications Insert is available on the procurement website. The AIC Capacity P1 Certifications Insert is also labelled INSERT #P1-4.**

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

**THE PROCUREMENT ADMINISTRATOR IS ACCEPTING DIGITALLY SIGNED INSERTS.**

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.***

If completed with a digital signature, this Insert and accompanying document or information may be uploaded to the online Part 1 Form or may be sent by email to the Procurement Administrator at [Illinois-RFP@nera.com](mailto:Illinois-RFP@nera.com).

This Insert may also be completed as follows:

- ***Submitted with a scanned wet signature;***

or

- ***Submitted with an electronic signature (such as an image of a signature).***

If completed with a scanned or electronic signature, this Insert must be sent by email to the Procurement Administrator at [Illinois-RFP@nera.com](mailto:Illinois-RFP@nera.com) by the signatory or with the signatory on copy.

#### **AIC CAPACITY P1 CERTIFICATIONS INSERT (#P 1-4)**

I certify that:

- (1) The Part 1 Proposal will remain in full force and effect until nine (9) business days after the Bid Date;
- (2) To the best of my knowledge and belief, all information provided in the Part 1 Proposal is true and accurate;
- (3) If, for any reason and due to any circumstance, any information provided in the Part 1 Proposal changes before the Bid Date, the Bidder will notify the Procurement Administrator of such changes as soon as practicable;
- (4) The submission of the Part 1 Proposal constitutes the Bidder's acknowledgement and acceptance of all the terms and conditions of the RFP Rules, regardless of the outcome of the RFP or the outcome of such Proposal;
- (5) The Bidder is not part of a bidding agreement, a joint venture for purposes of participating in the RFP, a bidding consortium, or any other type of agreement related to bidding in this RFP, it being understood that a Bidder found to be acting in concert with another Bidder will be disqualified by the Procurement Administrator;
- (6) I understand the terms of the (AIC) Capacity Agreement and the Bidder accepts all of the terms of the (AIC) Capacity Agreement without modifications;
- (7) Each of the ratings provided in the Part 1 Proposal in response to the Second Item under Section 3 is a Credit Rating as defined in the (AIC) Capacity Agreement;
- (8) The Bidder has all regulatory authorizations necessary for it to legally perform its obligations under the (AIC) Capacity Agreement;
- (9) The Bidder has no pending legal proceedings or, to its knowledge, threatened legal proceedings against it or any of its affiliates that could materially adversely affect its ability to perform its obligations under the (AIC) Capacity Agreement; and
- (10) 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 Bidder	Date
_____	
Printed Name	

Third Item: Comments on the Letters of Credit

A Bidder that is submitting Bids for the procurement event must submit financial guarantees by providing either cash or a Pre-Bid Letter of Credit. The Standard Pre-Bid Letter of Credit for AIC Capacity Products is provided as an Appendix to the RFP Rules. A Bidder uses Attachment C to the (AIC) Capacity Agreement, designated as the “Standard Post-Bid Letter of Credit” for AIC Capacity Products, to post security under the terms of the (AIC) Capacity Agreement.

A Bidder may, in its Part 1 Proposal, provide comments on or propose modifications to: (i) the changes that have been made to the Standard Pre-Bid Letter of Credit (if any); and (ii) the changes that have been made to the Standard Post-Bid Letter of Credit (if any).

The Procurement Administrator will not solicit comments on changes to a standard letter of credit when such changes are limited to administrative updates. The changes to the standard letters of credit for AIC Capacity Products consist solely of administrative updates. As such, the Procurement Administrator will not be soliciting comments on the standard letters of credit for AIC Capacity Products.

## 5. Bidders Applying Under Agency Agreements

*Are you submitting a Proposal under an Agency Agreement?*

Yes

No

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

**If YES**, please provide the information required by this section.

### First Item: Basic Information for the Principal or Principals

If more than one entity is serving as Principal, please list each entity under “Name of Principal”.

*Name of Principal or Principals*

*Principal with lowest credit rating, if there is more than one entity serving as Principal. If multiple Principals share the lowest credit rating, please identify the entity with the lowest Tangible Net Worth.*

**IN THE FIRST ITEM OF SECTION 3, YOU MUST SELECT “PARTY OTHER THAN THE BIDDER” AND YOU MUST NAME THE PRINCIPAL WITH THE LOWEST CREDIT RATING IN THE SPACE PROVIDED AS THE PARTY UPON WHOSE FINANCIAL STANDING YOU ARE RELYING.** (If multiple Principals share the lowest credit rating, the Principal with the lowest tangible net worth from among those that tie for the lowest credit rating will be used).

### Second Item: Agency Agreement

**THE BIDDER MUST SUBMIT ONE (1) COPY OF ITS AGENCY AGREEMENT BY EMAIL OR BY UPLOAD TO THE APPLICATION WEBSITE.**

### Third Item: Draft Officers’ Certificate

**THE BIDDER MAY, BUT IS NOT REQUIRED TO, SUBMIT WITH THE PART 1 PROPOSAL A DRAFT OFFICERS’ CERTIFICATE IN MICROSOFT WORD FOR EVALUATION.** If a draft Officers’ Certificate is submitted for evaluation, the Procurement Administrator will inform the Bidder of any changes required to the Officers’ Certificate in its Part 1 Notification. Requirements for a draft Officers’ Certificate can be found in the RFP Rules. A draft Officers’ Certificate, if provided, is provided by email or by upload to the application website.

### Fourth Item: Additional Representations

**CERTIFICATIONS MUST BE SIGNED BY THE OFFICER OF THE BIDDER USING THE AGENCY P1 INSERT PREPARED FOR THIS PURPOSE. THE BIDDER PROVIDES THE AGENCY P1 INSERT BY EMAIL OR BY UPLOAD TO THE APPLICATION WEBSITE.** The Agency P1 Insert is available on the procurement website. The Agency P1 Insert is also labelled INSERT #P1-5.

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

**THE PROCUREMENT ADMINISTRATOR IS ACCEPTING DIGITALLY SIGNED INSERTS.**

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.***

If completed with a digital signature, this Insert and accompanying document or information may be uploaded to the online Part 1 Form or may be sent by email to the Procurement Administrator at [Illinois-RFP@nera.com](mailto:Illinois-RFP@nera.com).

This Insert may also be completed as follows:

- ***Submitted with a scanned wet signature;***

or

- ***Submitted with an electronic signature (such as an image of a signature).***

If completed with a scanned or electronic signature, this Insert must be sent by email to the Procurement Administrator at [Illinois-RFP@nera.com](mailto:Illinois-RFP@nera.com) by the signatory or with the signatory on copy.

**AGENCY P1 INSERT (#P1-5)**

I certify that I have the authority to bind the Principal(s) under the Agency Agreement provided with the Part 1 Proposal.

I acknowledge that with the Part 2 Proposal, I will be required to submit an Officers' Certificate signed by an officer of each Principal stating that:

- the copy of the Agency Agreement submitted with the Part 1 Proposal is a true and complete copy of the Agency Agreement as currently in effect;
- the Agency Agreement is in full force and effect and shall remain in full force and effect for a period extending to nine (9) business days following the Bid Date;
- there are no proceedings pending for the amendment or termination of the Agency Agreement;
- each individual who executes the Officers' Certificate and the Agency Agreement is (or was at the time of the execution of such documents) authorized to execute and deliver such documents on behalf of the Principal(s).

I acknowledge that the Officers' Certificate will state that I am authorized to execute the supplier contract documents on behalf of the Principal(s).

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

## 6. 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 INSERTS, PLEASE PROVIDE THESE BY EMAIL OR BY UPLOAD TO THE APPLICATION WEBSITE (BELOW).**