

## **PART 2 FORM**

**METROPOLITAN EDISON COMPANY, PENNSYLVANIA ELECTRIC COMPANY AND  
PENNSYLVANIA POWER COMPANY  
SOLAR PHOTOVOLTAIC ALTERNATIVE ENERGY CREDITS  
REQUEST FOR PROPOSALS (RFP)**

**PART 2 DATE: March 3, 2021**

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This Part 2 Form is the form to submit the Part 2 Proposal for the Metropolitan Edison Company, Pennsylvania Electric Company and Pennsylvania Power Company Solar Photovoltaic Alternative Energy Credits Request for Proposals (“RFP”).

Before completing this Part 2 Form, please review the Metropolitan Edison Company, Pennsylvania Electric Company and Pennsylvania Power Company (referred to as “the Companies”) Solar Photovoltaic Alternative Energy Credits RFP Rules (“RFP Rules”) and the Solar Photovoltaic Alternative Energy Credit Purchase and Sale Agreement (“SPAECPSA”), so that you understand the conditions under which the RFP will be conducted. These documents are posted at [www.firstenergycorp.com/PA2021SPAECRFP](http://www.firstenergycorp.com/PA2021SPAECRFP).

Your submission of a Part 2 Proposal to the Companies constitutes your acknowledgement and acceptance of all the terms and conditions of the RFP, regardless of the outcome of the RFP or the ultimate fate of such Proposal.

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*Any information that you provide in this Part 2 Proposal is provided on a confidential basis to the Independent Evaluator, and is subject to the Confidentiality Provisions contained in Section VIII.3 of the RFP Rules. One or more credit representatives from the Companies and a legal representative on behalf of the Companies will participate in the evaluation of the Part 2 Proposal of each Bidder. One or more credit representatives from the Companies may review documents provided as pre-bid security with the name of the Bidder and any amounts redacted. Information regarding the content or status of any Part 2 Proposal will not be released to any Bidder during the evaluation process.*

## INSTRUCTIONS FOR PROPOSAL

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Bidders submit the Part 1 Form and all documents required therein to respond to the qualification standards for the RFP. A Bidder that is qualified after complying with all qualification standards of the Part 1 Proposal may submit a Part 2 Proposal for the RFP.

This Part 2 Form must be used to submit a Part 2 Proposal for the RFP.

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

#### **I. Part 2 Proposal Submission**

*Proposals must be submitted in the complete legal name of the party that will execute the SPAECPSA should the party be a winning Bidder and should the PaPUC approve the RFP results.*

Bidders must:

- Submit **one (1) original** (hard copy) and one electronic copy of the completed Part 2 Form (with original signatures);
- Submit Pre-Bid Security in the form of **one (1) original** Pre-Bid Letter of Credit or cash; and
- Manually insert the name of the Bidder **on every page** of the Part 2 Form.

*The completed Part 2 Form MUST be received by the Independent Evaluator no later than 12:00 p.m.<sup>1</sup> on the Part 2 Date at:*

The Brattle Group  
SPAEC RFP Independent Evaluator  
1800 M St, NW  
Suite 700 North  
Washington, DC 20036

Inquiries may be directed to the Independent Evaluator by:

- Telephone 202.419.3330
- Fax 202.955.5059
- Email [pa-spaec-rfp-2021@brattle.com](mailto:pa-spaec-rfp-2021@brattle.com)
- Through the “Contact Us” page on the website at [www.firstenergycorp.com/PA2021SPAECRFP](http://www.firstenergycorp.com/PA2021SPAECRFP)

**Oral, telephonic, or faxed Part 2 Proposals will not receive consideration under any circumstances.**

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<sup>1</sup> Unless noted otherwise, all times refer to Eastern Prevailing Time (EPT).

## **II. Part 2 Proposal Review**

### Timing of Part 2 Proposal Review

The Part 2 Proposal must be submitted by noon (12:00 PM) Eastern Time on the Part 2 Date, March 3, 2021. When the Part 2 Proposal is received, the Evaluation Team will review the Part 2 Proposal for completeness. Proposals received after noon (12:00 PM) on the Part 2 Date are late Proposals and are not processed.

### Incomplete Part 2 Proposal

If the Independent Evaluator determines that any aspect of your Part 2 Proposal is incomplete or requires clarification, the Independent Evaluator will issue a deficiency notice to you. If a Bidder submits a Pre-Bid Letter of Credit that does not conform to the standard form provided in Appendix 3 or incorporates modifications to the standard form other than those acceptable to the Companies, the Bidder may not be permitted to submit Bids in the RFP.

### Late Part 2 Proposal

No late Part 2 Proposals will be accepted under any circumstances. A Bidder must assume full responsibility for timely delivery in the manner and to the location specified in this Part 2 Form.

## PART 2 FORM

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### 1. Basic Applicant Information

Name of Applicant

Name of Authorized Representative

Telephone No.

Fax No.

Email Address

Cell Phone No. (optional)

## 2. Bid Security

### RFP Pre-Bid Letter of Credit:

The Bidder who is submitting a Part 2 Proposal must provide Pre-Bid Security in the form of cash or an executed Pre-Bid Letter of Credit that either uses the standard form as provided in Appendix 3 to the RFP Rules, or that incorporates only those modifications to the standard form acceptable to the Companies.

The Bidder is submitting Pre-Bid Security in the form of: (check **one**):

- ☐ cash;
- ☐ an executed Pre-Bid Letter of Credit using the standard form; or
- ☐ an executed Pre-Bid Letter of Credit incorporating only approved modifications.

### Amount of the RFP Pre-Bid Letter of Credit

The amount of the Pre-Bid Security must be equal to 10% of the security required under the SPAECPSA relevant to the maximum number of Tranches that Bidders are proposing to supply in the Part 2 Proposal.

**Release of the RFP Pre-Bid Security**

The Independent Evaluator or the Companies will release the RFP Pre-Bid Security as soon as practicable if the PaPUC rejects the results of the RFP. If the PaPUC accepts the results of the RFP and the Bidder has won tranches in the RFP, the Pre-Bid Security of a Bidder will be released the business day after the Bidder executes the SPAECPSA and meets the creditworthiness requirements under the SPAECPSA. If the Bidder has not won tranches in the RFP, the Pre-Bid Security will be released the business day after the PaPUC decision.

Please provide any special instructions for returning the RFP Pre-Bid Security in the space below.

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### 3. Additional Requirements

**THESE CERTIFICATIONS MUST BE SIGNED BY THE OFFICER OF THE BIDDER**

#### Representations of the Officer of the Bidder

- (1) I certify that I am authorized to submit the Part 2 Proposal on behalf of the Bidder and I am authorized to bind the Bidder.
- (2) I certify that all information provided in the Part 2 Proposal is true and accurate to the best of my knowledge and belief.
- (3) I certify that any Bid submitted in the RFP creates a binding and irrevocable offer to provide service under the terms set forth in the SPAECPSA. If the PaPUC approves the results of the RFP, a binding and enforceable contract to provide service with respect to the number of tranches for which the Bidder is a winner will arise under the SPAECPSA at the final RFP prices.
- (4) I certify that the Bidder's Part 2 Proposal will remain in full force and effect until: (i) the PaPUC has accepted the results of the RFP and the Bidder did not win any Tranches; or (ii) the PaPUC has accepted the results of the RFP, the Bidder won Tranches, the Bidder has executed the SPAECPSA, and the Bidder has satisfied the creditworthiness standards of the SPAECPSA; or (iii) the PaPUC has rejected the results of the RFP; but (iv) in no event less than five (5) business days after the close of bidding for the RFP.
- (5) I certify that the Bidder is bidding independently and does not have information concerning a Proposal or Bids being submitted by another Bidder in the RFP. I acknowledge that this certification must be binding and in effect until the Commission has rendered a decision on the RFP results.
- (6) I certify that except for any communication with its financial institution for the purpose of preparing security for the RFP, the Bidder has not disclosed and will not disclose publicly or to any other party any information relating to its Proposal or its Bids, which could have an effect on whether another party submits a Proposal to participate in the RFP, on whether another party submits Bids in the RFP, or on the contents of the Proposal that another Bidder would be willing to submit to participate in the RFP. I acknowledge that this certification must hold until the PaPUC has disclosed the names of the winning suppliers and the winning bid prices of the RFP.

- (7) I certify that the Bidder will hold confidential any results or data from the RFP, until such time that the results or data are released by the PaPUC and are no longer confidential. Such information includes any information that a Bidder acquires as a result of participating in the RFP Process, whether in writing or verbally, and that has not been made public by the Independent Evaluator or the PaPUC.
- (8) I certify that if the Bidder wins tranches in the RFP, the Bidder will demonstrate compliance with the creditworthiness requirements set forth in the SPAECPSA within three (3) business days of the PaPUC approval of the results for the RFP.
- (9) I certify that the Bidder will not substitute another entity in its place, transfer its rights to another entity, or otherwise assign its status as a Bidder to another entity.
- (10) I certify that, if for any reason or due to any circumstance, any information provided in the Part 1 Proposal changes or any certification fails to remain valid, the Bidder will notify the Independent Evaluator of such changes at least three (3) business days before the Part 2 Date and will provide the updated information at least one (1) business day before the Part 2 Date.
- (11) I certify that I have read the RFP Rules and I certify that the Bidder accepts all of the terms of the RFP Rules and agrees to comply without modifications.

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Signature of Officer

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Date



#### **4. Justification of Omissions**

If you are unable to certify to any of the representations required in the Part 2 Proposal, please justify fully any omissions in the space provided below.

## 5. Bid Submittal Sheet

Maximum Number of Tranches Offered by Bidder:  
(Not to Exceed 75% of Tranche Target, *i.e.*, 205 tranches)

Bid Price in \$/SPAEC (rounded to the nearest cent): \$x.xx

*(SPAEC is Solar Photovoltaic Alternative Energy Credit)*

Is this an All-or Nothing Bid?

☐ **Yes, it is all-or-nothing.**

*(An “all or nothing” designation does not apply to more than 4 tranches. For any Bids that exceed 4 tranches and are designated as “all or nothing,” the “all or nothing” portion of the Bid applies to the first 4 tranches only. In other words, the Bid may be accepted for the supply of 4 or more tranches “up to” the maximum number of tranches bid.)*

☐ No, this bid applies to any quantity up to the maximum stated quantity.

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Signature of Officer

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Date

### ***Checklist***

This is a checklist of documents to be enclosed in the Part 2 Proposal.

- ☐ **1 original** (hard copy) and 1 electronic copy of the completed Part 2 Form (with original signatures)  
*[Instructions Part I]*
- ☐ **Pre-Bid Security** in the form of **cash** or an **Original Executed RFP Pre-Bid Letter of Credit** for the account of the Bidder that either uses the standard form as provided in Appendix 3 of the RFP Rules, or a RFP Letter of Credit that incorporates only those modifications to the standard form acceptable to the Companies. (Required of all Bidders applying to the RFP) *[Section 2]*

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***End of Part 2 Form***

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