

# APPENDIX 4 – ILLUSTRATIVE SHORT PART 1 FORM DEFAULT SERVICE PROGRAM REQUEST FOR PROPOSALS

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PECO Energy Company (“Company” or “PECO”) is intending to obtain full requirements electric supply to meet a portion of its obligations as Default Service Provider through this Request for Proposals (“RFP”).

This Short Part 1 Form may only be used by an entity that has submitted a successful Part 1 Proposal in a previous solicitation under PECO’s current Default Service Program (“DSP VI”). However, if there was a change in the corporate structure of the RFP Bidder, or if the identity of the entity on whose financial standing the RFP Bidder relies has changed, the RFP Bidder must use the Standard Part 1 Form.

Before completing this online Part 1 Form, please review the RFP, including the PECO Energy Company Pennsylvania Default Service Supplier Master Agreement (“Uniform SMA”), so that you understand the conditions under which the RFP will be conducted. These documents are posted at [www.PECOprocurement.com](http://www.PECOprocurement.com).

By submitting a Part 1 Proposal in response to this RFP, you are agreeing to all terms and conditions of this RFP.

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*Any information provided by an RFP Bidder in the Part 1 Proposal is provided on a confidential basis to the Independent Evaluator, and may be provided on a confidential basis to the Staff of the Pennsylvania Public Utility Commission. PECO representatives will review financial information and will participate in the evaluation of the creditworthiness of each RFP Bidder. Information regarding the content or status of any Part 1 Proposal will not be released publicly or to any individual RFP Bidder during the evaluation process.*

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## SHORT PART 1 FORM

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### **GENERAL INSTRUCTIONS on the RFP Bidders that can use this form:**

- This Short Part 1 Form is for the exclusive use of RFP Bidders that successfully submitted a Part 1 Proposal in a previous solicitation under DSP VI. If you are not eligible under this criterion, **please use the Standard Part 1 Form.**
- If there is a change in the corporate structure of the RFP Bidder (through a merger for example) since you last submitted a successful Part 1 Proposal in a previous solicitation under DSP VI, **please use the Standard Part 1 Form.**
- If the entity on whose financial standing the RFP Bidder relies changed since you last submitted a successful Part 1 Proposal in a previous solicitation under DSP VI, **please use the Standard Part 1 Form.**

# 1. Contact Information and Representations

## First Item: Name and Address of the RFP Bidder

**PLEASE PROVIDE THE RFP BIDDER'S LEGAL NAME AND ADDRESS.**

*Legal Name of RFP Bidder*

*Street Address Line 1*


*Street Address Line 2*

*City*

*State*

*Zip Code*

**IF THE LEGAL NAME OF THE RFP BIDDER HAS CHANGED NAME SINCE THE RFP BIDDER LAST SUBMITTED A SUCCESSFUL PART 1 PROPOSAL, PLEASE PROVIDE EVIDENCE OF THE CHANGE.**

	<i>Evidence of name change (if necessary)</i>
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## Second Item: Officer of the RFP Bidder

The Officer of the RFP Bidder must be an officer, a director, or an individual otherwise authorized to undertake contracts (including the Uniform SMA) and bind the RFP Bidder. The Officer of the RFP Bidder whose contact information is provided in this online Part 1 Form must:

- make all representations required by the Part 1 Proposal requirements; and
- make all representations required by the Part 2 Proposal requirements.

**PLEASE PROVIDE THE NAME AND CONTACT INFORMATION FOR THE OFFICER OF THE RFP BIDDER.**

*First Name*

*Last Name*

*Title*

*Street Address Line 1*

*Street Address Line 2*

*City*

*State*

*Zip Code*

*Business Phone No.*

*Cell Phone No.*

*Email Address*

Third Item: Representative of the RFP Bidder


The Independent Evaluator uses the Representative as the main point of contact for the RFP Bidder.

**PLEASE PROVIDE THE NAME AND CONTACT INFORMATION FOR THE REPRESENTATIVE OF THE RFP BIDDER.**  
The Officer of the RFP Bidder may also serve as the Representative.

<i>First Name</i>	<i>Last Name</i>	
<input type="text"/>	<input type="text"/>	
<i>Title</i>		
<input type="text"/>		
<i>Street Address Line 1</i>		
<input type="text"/>		
<i>Street Address Line 2</i>		
<input type="text"/>		
<i>City</i>	<i>State</i>	<i>Zip Code</i>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<i>Business Phone No.</i>	<i>Cell Phone No.</i>	<i>Email Address</i>
<input type="text"/>	<input type="text"/>	<input type="text"/>

**THE OFFICER OF THE RFP BIDDER MUST DESIGNATE THE INDIVIDUAL NAMED IN THE ONLINE PART 1 FORM TO SERVE AS THE REPRESENTATIVE OF THE RFP BIDDER BY COMPLETING THE REPRESENTATIVE INSERT.** The Representative Insert is also labelled INSERT #P1-1.

**PLEASE REFER TO THE REPRESENTATIVE INSERT (#P1-1) FOR THE ACCEPTABLE METHODS TO COMPLETE AND SUBMIT THIS INSERT. IF THIS INSERT IS NOT COMPLETED WITH A DIGITAL SIGNATURE, IT MUST BE SENT BY EMAIL TO THE INDEPENDENT EVALUATOR AT [PECOPROUREMENT@NERA.COM](mailto:PECOPROUREMENT@NERA.COM) BY THE SIGNATORY (HERE THE OFFICER OF THE RFP BIDDER) OR WITH THE SIGNATORY ON COPY.**

<p>_____ <i>Name of RFP Bidder</i></p> <p> <b>REPRESENTATIVE INSERT (#P1-1)</b></p> <p><b>THE INDEPENDENT EVALUATOR IS ACCEPTING A DIGITAL SIGNATURE FOR THIS INSERT. THE INDEPENDENT EVALUATOR IS ALSO ACCEPTING AN ELECTRONIC SIGNATURE OR A SCANNED WET SIGNATURE AS LONG AS THIS INSERT IS SENT BY EMAIL BY THE SIGNATORY OR WITH THE SIGNATORY ON COPY.</b></p> <p>This Insert may be completed as follows:</p> <ul style="list-style-type: none"><li>• <i>Submitted with a digital signature (using commercially available software such as DocuSign) with an accompanying document or information verifying the identity of the signatory.</i></li></ul>
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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 Independent Evaluator at [PECOProcurement@NERA.com](mailto:PECOProcurement@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 Independent Evaluator at [PECOProcurement@NERA.com](mailto:PECOProcurement@NERA.com) by the signatory (here the Officer of the RFP Bidder) or with the signatory on copy.

**THE OFFICER OF THE RFP BIDDER MUST DESIGNATE THE INDIVIDUAL WHOSE CONTACT INFORMATION IS PROVIDED IN THE ONLINE PART 1 FORM AS THE REPRESENTATIVE.**

I, \_\_\_\_\_ (the Officer of the RFP Bidder) hereby designate \_\_\_\_\_ (name of the Representative) to serve as the Representative of the RFP Bidder.

\_\_\_\_\_  
Signature of Officer

\_\_\_\_\_  
Date

#### Fourth Item: Nominees

The Independent Evaluator provides notifications to the RFP Bidder by email and provides documents needed for participation by secure file transfer. Any such notification will be deemed received by the RFP Bidder at the time of delivery or transmission, provided that where 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.

The RFP Bidder may designate up to three (3) authorized individuals (each called a “Nominee”) to receive communications from the Independent Evaluator in addition to the Representative. The RFP Bidder may make such a designation at any time during the solicitation.

Nominees are designated for a single solicitation and previously submitted designations are not saved for use in subsequent solicitations.

***Is the RFP Bidder designating Nominees at this time?***

Yes

No

THE REPRESENTATIVE OF THE RFP BIDDER OR THE OFFICER OF THE RFP BIDDER DESIGNATES NOMINEES BY COMPLETING THE NOMINEE INSERT. The Nominee Insert is also labelled INSERT #P1-2.

PLEASE REFER TO THE NOMINEE INSERT (#P1-2) FOR THE ACCEPTABLE METHODS TO COMPLETE AND SUBMIT THIS INSERT. IF THIS INSERT IS NOT COMPLETED WITH A DIGITAL SIGNATURE, IT MUST BE SENT BY EMAIL TO THE INDEPENDENT EVALUATOR AT [PECOPROUREMENT@NERA.COM](mailto:PECOPROUREMENT@NERA.COM) BY THE SIGNATORY (HERE THE OFFICER OF THE RFP BIDDER OR THE REPRESENTATIVE OF THE RFP BIDDER) OR WITH THE SIGNATORY ON COPY.

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

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

**THE INDEPENDENT EVALUATOR IS ACCEPTING A DIGITAL SIGNATURE FOR THIS INSERT. THE INDEPENDENT EVALUATOR IS ALSO ACCEPTING AN ELECTRONIC SIGNATURE OR A SCANNED WET SIGNATURE AS LONG AS THIS INSERT IS SENT BY EMAIL BY THE SIGNATORY OR WITH THE SIGNATORY ON COPY.**

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 Independent Evaluator at [PECOProurement@NERA.com](mailto:PECOProurement@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 Independent Evaluator at [PECOProurement@NERA.com](mailto:PECOProurement@NERA.com) by the signatory (here the Officer of the RFP Bidder or the Representative of the RFP Bidder) or with the signatory on copy.

**Please note! This insert is optional.**

I, \_\_\_\_\_ (the Officer of the RFP Bidder or the Representative of the RFP Bidder) authorize the individuals whose contact details are immediately below to receive communications from the Independent Evaluator and to act on behalf of the RFP Bidder during the Proposal submission process.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Contact Information for Nominee #1

*First Name*

*Last Name*

*Title*

*Business Phone No.*

*Cell Phone No.*

*Email Address*

Contact Information for Nominee #2

*First Name*

*Last Name*

*Title*

*Business Phone No.*

*Cell Phone No.*

*Email Address*

Contact Information for Nominee #3

*First Name*

*Last Name*

*Title*

*Business Phone No.*

*Cell Phone No.*

*Email Address*

Notes (optional)

The RFP Bidder may provide additional information here, such as the period during which a particular individual will act as Nominee or the individual that a Nominee is replacing.



**2.a. Information Required for RFP Bidders Relying on Their Own Financial Standing.**

You previously elected the RFP Bidder as the entity on whose financial standing the RFP Bidder is relying. **IF THE ENTITY UPON WHOSE FINANCIAL STANDING THE RFP BIDDER IS RELYING HAS CHANGED, YOU MUST USE THE STANDARD PART 1 FORM. PLEASE CONTACT THE INDEPENDENT EVALUATOR AT [PECOPROUREMENT@NERA.COM](mailto:PECOPROUREMENT@NERA.COM) TO BE GRANTED ACCESS TO USE THE STANDARD PART 1 FORM.**

First Item: Financial Information

**IF AVAILABLE, PLEASE PROVIDE THE MOST RECENT QUARTERLY FINANCIAL INFORMATION FOR THE RFP BIDDER, including a balance sheet, income statement, cash flow statement, and any accompanying notes and schedules:**

- **IF AVAILABLE, YOU MUST PROVIDE THE MOST RECENT SECURITIES AND EXCHANGE COMMISSION (“SEC”) FORM 10-Q OR 10-K (WHICHEVER IS MORE RECENT) TO FULFILL THIS REQUIREMENT;**
- **IF THE SEC FORM 10-Q OR 10-K IS UNAVAILABLE, PLEASE PROVIDE, IF AVAILABLE, THE RFP BIDDER’S MOST RECENT QUARTERLY, MONTHLY, OR BI-ANNUAL FINANCIAL INFORMATION accompanied by an attestation by the Chief Financial Officer (or similar position) that the information contained in the financial statements fairly presents in all material respects the financial condition and results of the operations of the RFP Bidder. The requirements for this attestation are provided more specifically in Appendix 5 of the RFP Rules.**

	<i>Most recent quarterly financial information (or, if unavailable, most recent monthly or bi-annual financial information accompanied by an attestation by the Chief Financial Officer)</i> <b>IF THE INFORMATION IS UNAVAILABLE, PLEASE SO STATE IN THE JUSTIFICATION OF OMISSIONS SECTION.</b>
	<i>Attestation from Chief Financial Officer if necessary.</i>

Second Item: Credit Ratings

**PLEASE PROVIDE THE CREDIT RATINGS FOR THE RFP BIDDER.**

***Is the RFP Bidder rated by S&P Global Ratings (“S&P”)?***

**Yes**                       **No**

RFP Bidder’s rating:	_____	
Type of rating ( <b>check one</b> ):	<input type="checkbox"/> Senior unsecured debt rating	<input type="checkbox"/> Corporate issuer rating

***Is the RFP Bidder rated by Moody’s Investors Service, Inc. (“Moody’s”)?***

**Yes**                       **No**

RFP Bidder’s rating:	_____	
Type of rating ( <b>check one</b> ):	<input type="checkbox"/> Senior unsecured debt rating	<input type="checkbox"/> Corporate issuer rating

***Is the RFP Bidder rated by Fitch, Inc. (“Fitch”)?***

**Yes**                       **No**



RFP Bidder's rating:

Type of rating (**check one**):

Senior unsecured debt rating

Corporate issuer rating

## 2.b. Information Required from RFP Bidders Relying on the Financial Standing of an RFP Guarantor

You previously elected an RFP Guarantor as the entity on whose financial standing the RFP Bidder is relying. The Independent Evaluator will provide to you the Legal Name of the RFP Guarantor that you submitted previously upon request. **IF THE ENTITY UPON WHOSE FINANCIAL STANDING THE RFP BIDDER IS RELYING HAS CHANGED, YOU MUST USE THE STANDARD PART 1 FORM. IF THERE WAS A CHANGE IN THE CORPORATE STRUCTURE OF THE RFP GUARANTOR, THROUGH A MERGER FOR EXAMPLE, YOU MUST USE THE STANDARD PART 1 FORM. PLEASE CONTACT THE INDEPENDENT EVALUATOR AT [PECOPROUREMENT@NERA.COM](mailto:PECOPROUREMENT@NERA.COM) TO RECEIVE INSTRUCTIONS ON THE FORM THAT YOU SHOULD USE.**

First Item: Name and Address of RFP Guarantor

**PLEASE PROVIDE THE LEGAL NAME AND ADDRESS FOR THE RFP GUARANTOR.**

*Legal Name of RFP Guarantor*

*Street Address*


  

*City*

*State*

*Zip Code*

**IF THE LEGAL NAME OF THE RFP GUARANTOR HAS CHANGED SINCE THE RFP BIDDER LAST SUBMITTED A SUCCESSFUL PART 1 PROPOSAL, PLEASE PROVIDE EVIDENCE OF THE CHANGE.**

	<i>Evidence of name change (if necessary)</i>
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Second Item: Financial Information

**Financial information must be available for the RFP Guarantor.**

**PLEASE PROVIDE THE MOST RECENT QUARTERLY FINANCIAL INFORMATION FOR THE RFP GUARANTOR, including a balance sheet, income statement, cash flow statement, and any accompanying notes and schedules:**

- **IF AVAILABLE, YOU MUST PROVIDE THE MOST RECENT SECURITIES AND EXCHANGE COMMISSION (“SEC”) FORM 10-Q OR 10-K (WHICHEVER IS MORE RECENT) TO FULFILL THIS REQUIREMENT;**
- **IF THE SEC FORM 10-Q OR 10-K IS UNAVAILABLE, YOU MUST PROVIDE THE RFP GUARANTOR’S MOST RECENT QUARTERLY, MONTHLY, OR BI-ANNUAL FINANCIAL INFORMATION accompanied by an attestation by the Chief Financial Officer (or similar position) that the information contained in the financial statements fairly presents in all material respects the financial condition and results of the**

operations of the RFP Bidder. The requirements for this attestation are provided more specifically in Appendix 5 of the RFP Rules.

	Most recent quarterly financial information (or, if unavailable, most recent monthly or bi-annual financial information accompanied by an attestation by the Chief Financial Officer)
	Attestation from Chief Financial Officer (if necessary)

Third Item: Credit Ratings

**PLEASE PROVIDE THE CREDIT RATINGS FOR THE RFP GUARANTOR.**

**Is the RFP Guarantor rated by S&P Global Ratings (“S&P”)?**

**Yes**                       **No**

RFP Guarantor’s rating: _____
Type of rating ( <b>check one</b> ): <input type="checkbox"/> Senior unsecured debt rating <input type="checkbox"/> Corporate issuer rating

**Is the RFP Guarantor rated by Moody’s Investors Service, Inc. (“Moody’s”)?**

**Yes**                       **No**

RFP Guarantor’s rating: _____
Type of rating ( <b>check one</b> ): <input type="checkbox"/> Senior unsecured debt rating <input type="checkbox"/> Corporate issuer rating

**Is the RFP Guarantor rated by Fitch, Inc. (“Fitch”)?**

**Yes**                       **No**

RFP Guarantor’s rating: _____
Type of rating ( <b>check one</b> ): <input type="checkbox"/> Senior unsecured debt rating <input type="checkbox"/> Corporate issuer rating

**2.c. Information Required from RFP Bidders Relying on the Financial Standing of an RFP Principal**

You previously elected a Principal as the entity on whose financial standing the RFP Bidder is relying; the RFP Bidder is submitting a Proposal under an Agency Agreement. **IF THE ENTITY UPON WHOSE FINANCIAL STANDING THE RFP BIDDER IS RELYING HAS CHANGED YOU MUST USE THE STANDARD PART 1 FORM. PLEASE CONTACT THE INDEPENDENT EVALUATOR AT [PECOPROUREMENT@NERA.COM](mailto:PECOPROUREMENT@NERA.COM) TO RECEIVE INSTRUCTIONS ON THE FORM THAT YOU SHOULD USE.**

**AN RFP BIDDER SUBMITTING A PROPOSAL UNDER AN AGENCY AGREEMENT IS REQUIRED TO PROVIDE FINANCIAL INFORMATION REGARDING THE PRINCIPAL AS WELL AS OTHER INFORMATION REGARDING THE AGENCY AGREEMENT AS SPECIFIED IN THE RFP RULES.**

First Item: Principals to the Agency Agreement

**PLEASE PROVIDE THE LEGAL NAME(S) OF THE PRINCIPAL(S) TO THE AGENCY AGREEMENT.**

*Legal Name of Principal(s)*

**Second Item: Agency Agreement**

The Independent Evaluator will provide to you the Agency Agreement that you submitted previously (if any) upon request.

***Has the Agency Agreement changed since the RFP Bidder last submitted a successful Part 1 Proposal?***

Yes

No

**A copy of the Agency Agreement is required. PLEASE PROVIDE ONE (1) COPY OF THE AGENCY AGREEMENT.**



*Agency Agreement*

**Third Item: Principal on Whose Financial Standing the RFP Bidder is Relying**

Please provide the Legal Name and Address of the Principal on whose financial standing the RFP Bidder is relying. The Independent Evaluator will provide to you the Legal Name of the Principal that you submitted previously upon request.

- If there are several Principals in the Agency Agreement, you must identify the Principal with the lowest credit rating.
- If several Principals have the same lowest credit rating, you must identify the Principal among these that also has the lowest tangible net worth.

The Principal on whose financial standing the RFP Bidder is relying is referred to as the “RFP Principal”.

*Legal Name of RFP Principal*

*Street Address*

*City*

*State*

*Zip Code*



**IF THE LEGAL NAME OF THE PRINCIPAL HAS CHANGED, MORE INFORMATION MAY BE REQUIRED.**

**Fourth Item: Financial Information**

**Financial information must be available for the Principal on whose financial standing the RFP Bidder is relying.**

**PLEASE PROVIDE THE MOST RECENT QUARTERLY FINANCIAL INFORMATION FOR THE PRINCIPAL ON WHOSE FINANCIAL STANDING THE RFP BIDDER IS RELYING, including a balance sheet, income statement, cash flow statement, and any accompanying notes and schedules:**

- **IF AVAILABLE, YOU MUST PROVIDE THE MOST RECENT SECURITIES AND EXCHANGE COMMISSION (“SEC”) FORM 10-Q OR 10-K (WHICHEVER IS MORE RECENT) TO FULFILL THIS REQUIREMENT;**
- **IF THE SEC FORM 10-Q OR 10-K IS UNAVAILABLE, YOU MUST PROVIDE THE RFP PRINCIPAL’S MOST RECENT QUARTERLY, MONTHLY, OR BI-ANNUAL FINANCIAL INFORMATION accompanied by an attestation by the Chief Financial Officer (or similar position) that the information contained in the financial statements fairly presents in all material respects the financial condition and results of the operations of the RFP Bidder. The requirements for this attestation are provided more specifically in Appendix 5 of the RFP Rules.**

	<i>Most recent quarterly financial information (or, if unavailable, most recent monthly or bi-annual financial information accompanied by an attestation by the Chief Financial Officer)</i>
	<i>Attestation from Chief Financial Officer (if necessary)</i>

*Fifth Item: Credit Ratings*

**PLEASE PROVIDE THE CREDIT RATINGS FOR THE RFP PRINCIPAL.**

***Is the Principal rated by S&P Global Ratings (“S&P”)?***

**Yes**                       **No**

Principal’s rating: _____
Type of rating ( <b>check one</b> ): <input type="checkbox"/> Senior unsecured debt rating <input type="checkbox"/> Corporate issuer rating

***Is the Principal rated by Moody’s Investors Service, Inc. (“Moody’s”)?***

**Yes**                       **No**

Principal’s rating: _____
Type of rating ( <b>check one</b> ): <input type="checkbox"/> Senior unsecured debt rating <input type="checkbox"/> Corporate issuer rating

***Is the Principal rated by Fitch, Inc. (“Fitch”)?***

**Yes**                       **No**

Principal’s rating: _____
Type of rating ( <b>check one</b> ): <input type="checkbox"/> Senior unsecured debt rating <input type="checkbox"/> Corporate issuer rating

Sixth Item: Certification

THE OFFICER OF THE RFP BIDDER SUBMITTING A PROPOSAL UNDER AN AGENCY AGREEMENT IS REQUIRED TO MAKE A CERTAIN REPRESENTATION BY COMPLETING THE P1 AGENCY CERTIFICATIONS (#P1-3). The P1 Agency Certifications Insert is also labelled INSERT #P1-3.

PLEASE REFER TO THE AGENCY CERTIFICATIONS INSERT (#P1-3) FOR THE ACCEPTABLE METHODS TO COMPLETE AND SUBMIT THIS INSERT. IF THIS INSERT IS NOT COMPLETED WITH A DIGITAL SIGNATURE, IT MUST BE SENT BY EMAIL TO THE INDEPENDENT EVALUATOR AT [PECOPROUREMENT@NERA.COM](mailto:PECOPROUREMENT@NERA.COM) BY THE SIGNATORY (HERE THE OFFICER OF THE RFP BIDDER) OR WITH THE SIGNATORY ON COPY.

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

 **P1 AGENCY CERTIFICATIONS INSERT (#P1-3)**

**THE INDEPENDENT EVALUATOR IS ACCEPTING A DIGITAL SIGNATURE FOR THIS INSERT. THE INDEPENDENT EVALUATOR IS ALSO ACCEPTING AN ELECTRONIC SIGNATURE OR A SCANNED WET SIGNATURE AS LONG AS THIS INSERT IS SENT BY EMAIL BY THE SIGNATORY OR WITH THE SIGNATORY ON COPY.**

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 Independent Evaluator at [PECOProurement@NERA.com](mailto:PECOProurement@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 Independent Evaluator at [PECOProurement@NERA.com](mailto:PECOProurement@NERA.com) by the signatory (here the Officer of the RFP Bidder) or with the signatory on copy.

**Please note! Only RFP Bidders submitting a Proposal under an Agency Agreement are required to complete this Insert.**

**THE OFFICER OF THE RFP BIDDER MUST MAKE THE FOLLOWING REPRESENTATION.**

I, \_\_\_\_\_ (the Officer of the RFP Bidder), certify that I have the authority to bind the Principal(s) under the Agency Agreement provided with this Part 1 Proposal. I acknowledge that with the Part 2 Proposal, the RFP Bidder will be required to submit an Officers' Certificate signed by an officer of each Principal and substantially in the form of Appendix 6 to the RFP Rules.

\_\_\_\_\_  
Signature of Officer

\_\_\_\_\_  
Date

Seventh Item: Draft Officers' Certificate

The RFP Bidder may, but is not required to, submit a draft Officers' Certificate for evaluation. If a draft Officers' Certificate is submitted for evaluation, the Independent Evaluator will inform the RFP Bidder of any changes required.

***Is the RFP Bidder submitting a draft Officers' Certificate?***

**Yes**

**No**

**PLEASE PROVIDE THE RFP BIDDER'S DRAFT OFFICERS' CERTIFICATE.**



*Draft Officers' Certificate*

### 3. Credit Instruments and Uniform SMA

#### First Item: Standard Pre-Bid Letter of Credit

An RFP Bidder may request modifications to the Standard Pre-Bid Letter of Credit that are non-material in nature, or that are advantageous to both PECO and the RFP Bidder.

**AN RFP BIDDER REQUESTS MODIFICATIONS TO THE STANDARD PRE-BID LETTER OF CREDIT BY SUBMITTING A DRAFT PRE-BID LETTER OF CREDIT SUBSTANTIALLY IN THE FORM OF THE STANDARD PRE-BID LETTER OF CREDIT INDICATING CLEARLY ANY AND ALL MODIFICATIONS TO THE STANDARD PRE-BID LETTER OF CREDIT USING TRACKED CHANGES IN MICROSOFT WORD.**

All approved modifications to the Standard Pre-Bid Letter of Credit are posted to the RFP website. Each RFP Bidder may use any of the approved modifications, regardless of whether the RFP Bidder itself or another RFP Bidder proposed the modification.

***Is the RFP Bidder submitting a Draft Pre-Bid Letter of Credit?***

Yes  No

***Does the Draft Pre-Bid Letter of Credit contain the same requested modifications as a Draft Pre-Bid Letter of Credit submitted in a prior solicitation?***

Yes  No

No

A Draft Pre-Bid Letter of Credit that is not substantially in the form of the Standard Pre-Bid Letter of Credit will not be considered or evaluated. **PLEASE PROVIDE THE DRAFT PRE-BID LETTER OF CREDIT.**



*Draft Pre-Bid Letter of Credit*

Yes

A Draft Pre-Bid Letter of Credit that contains the same requested modifications as a prior submittal will not be reviewed again by PECO. To request the Independent Evaluator to email to you PECO's assessment of the prior submittal, please email such request to [pecoprocurement@nera.com](mailto:pecoprocurement@nera.com).

#### Second Item: Standard Post-Bid Letter of Credit

An RFP Bidder may request modifications to the Standard Post-Bid Letter of Credit that are non-material in nature, or that are advantageous to both PECO and the RFP Bidder.

**AN RFP BIDDER REQUESTS MODIFICATIONS TO THE STANDARD POST-BID LETTER OF CREDIT BY SUBMITTING A DRAFT POST-BID LETTER OF CREDIT SUBSTANTIALLY IN THE FORM OF THE STANDARD POST-BID LETTER OF CREDIT INDICATING CLEARLY ANY AND ALL MODIFICATIONS TO THE STANDARD POST-BID LETTER OF CREDIT USING TRACKED CHANGES IN MICROSOFT WORD.**

All approved modifications to the Standard Post-Bid Letter of Credit are posted to the RFP website. Each RFP Bidder may use any of the approved modifications, regardless of whether the RFP Bidder itself or another RFP Bidder proposed the modification.

***Is the RFP Bidder submitting a Draft Post-Bid Letter of Credit?***

Yes  No

***Does the Draft Post-Bid Letter of Credit contain the same requested modifications as a Draft Post-Bid Letter of Credit submitted in a prior solicitation?***

Yes  No

**No**

A Draft Post-Bid Letter of Credit that is not substantially in the form of the Standard Post-Bid Letter of Credit will not be considered or evaluated. **PLEASE PROVIDE THE DRAFT POST-BID LETTER OF CREDIT.**



*Draft Post-Bid Letter of Credit*

**Yes**

A Draft Post-Bid Letter of Credit that contains the same requested modifications as a prior submittal will not be reviewed again by PECO. To request the Independent Evaluator to email to you PECO's assessment of the prior submittal, please email such request to [pecoprocurement@nera.com](mailto:pecoprocurement@nera.com).

***Third Item: Standard Guaranty***

An RFP Bidder may request modifications to the Standard Guaranty that are non-material in nature, or that are advantageous to both PECO and the RFP Bidder.

**AN RFP BIDDER REQUESTS MODIFICATIONS TO THE STANDARD GUARANTY BY SUBMITTING A DRAFT GUARANTY SUBSTANTIALLY IN THE FORM OF THE STANDARD GUARANTY INDICATING CLEARLY ANY AND ALL MODIFICATIONS TO THE STANDARD GUARANTY USING TRACKED CHANGES IN MICROSOFT WORD.**

All approved modifications to the Standard Guaranty are posted to the RFP website. Each RFP Bidder may use any of the approved modifications, regardless of whether the RFP Bidder itself or another RFP Bidder proposed the modification.

***Is the RFP Bidder submitting a Draft Guaranty?***

Yes  No

***Does the Draft Guaranty contain the same requested modifications as a Draft Guaranty submitted in a prior solicitation?***

Yes  No

**No**

A Draft Guaranty that is not substantially in the form of the Standard Guaranty will not be considered or evaluated. **PLEASE PROVIDE THE DRAFT GUARANTY.**



*Draft Guaranty*



Yes

A Draft Guaranty that contains the same requested modifications as a prior submittal will not be reviewed again by PECO. To request the Independent Evaluator to email to you PECO's assessment of the prior submittal, please email such request to [pecoprocedurement@nera.com](mailto:pecoprocedurement@nera.com).

Fourth Item: Information to Prepare the Uniform SMA and Its Exhibits

*Is the RFP Bidder a Default Supplier serving tranches won in a solicitation under DSP VI?*

Yes  No

If Yes, please proceed to the Section 4.

If No, please provide the information required by this section.

**RFP BIDDERS ARE ASKED TO PROVIDE ALL INFORMATION NEEDED TO PREPARE THE UNIFORM SMA AND ITS EXHIBITS. AN RFP BIDDER THAT DOES NOT PROVIDE THIS INFORMATION MUST INSTEAD SUBMIT AN ACKNOWLEDGMENT SIGNED BY THE OFFICER OF THE RFP BIDDER.**

*Is the RFP Bidder providing information to prepare the Uniform SMA at this time?*

Yes  No

Yes

**THE RFP BIDDER PROVIDES THE INFORMATION TO PREPARE THE UNIFORM SMA AND ITS EXHIBITS BY COMPLETING THE UNIFORM SMA INSERT. The Uniform SMA Insert is also labelled INSERT #P1-4.**

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

 **UNIFORM SMA INSERT (#P1-4)**

**Please note! RFP Bidders must submit one (but ONLY one) of Insert #P1-4 and Insert #P1-5.**

1. Under Section 5.4(a)(i) of the Uniform SMA, the DS Supplier may, in its sole discretion, add the following subsection 5.4(a)(i) by indicating yes or no below.

5.4(a)(i) For the purposes of such determination, the DS Supply provided for under this Agreement for the period following the Early Termination Date through the remainder of the term of this Agreement shall be deemed to be those quantity amounts that would have been delivered on an hourly basis, had this Agreement been in effect during the previous calendar year adjusted for such DS Load changes as may have occurred since the previous calendar year.

***Do you intend for subsection 5.4(a)(i) to be included as part of the Uniform SMA?***

Yes  No

2. The information that you provide below will be used to complete Exhibit 2 (Form of Notice) to the Uniform SMA. **IF ANY OF THE INFORMATION REQUESTED BELOW IS UNAVAILABLE, PLEASE ENTER N/A IN THE CORRESPONDING FIELDS.**

(a) All Notices:

<i>First Name</i>	<i>Last Name</i>	
<input type="text"/>	<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>Phone No.</i>	<i>Email Address</i>	
<input type="text"/>	<input type="text"/>	
<i>DUNS</i>	<i>Federal Tax I.D. Number</i>	
<input type="text"/>	<input type="text"/>	

(b) Invoices:

<i>ATTN:</i>	
<i>First Name</i>	<i>Last Name</i>
<input type="text"/>	<input type="text"/>
<i>Phone No.</i>	<i>Email Address</i>
<input type="text"/>	<input type="text"/>

(c) Schedule:

<i>First Name</i>	<i>Last Name</i>
<input type="text"/>	<input type="text"/>
<i>Phone No.</i>	<i>Email Address</i>
<input type="text"/>	<input type="text"/>

(d) Payments:

<i>ATTN:</i>	
<i>First Name</i>	<i>Last Name</i>
<input type="text"/>	<input type="text"/>
<i>Phone No.</i>	<i>Email Address</i>
<input type="text"/>	<input type="text"/>

(e) Wire Transfer:

<i>Bank</i>	
<input type="text"/>	
<i>ABA</i>	<i>ACCT</i>
<input type="text"/>	<input type="text"/>

(f) Credit and Collections:

<i>ATTN:</i>	
<i>First Name</i>	<i>Last Name</i>

*Phone No.*

*Email Address*

(g) Additional Notices of an Event of Default to:

*ATTN:*

*First Name*

*Last Name*

*Phone No.*

*Email Address*

No

**THE OFFICER OF THE RFP BIDDER PROVIDES THE REQUIRED ACKNOWLEDGMENT BY COMPLETING THE DELAY (SMA) INSERT.** The Delay (SMA) Insert is also labelled INSERT #P1-5.

**PLEASE REFER TO THE DELAY (SMA) INSERT (#P1-5) FOR THE ACCEPTABLE METHODS TO COMPLETE AND SUBMIT THIS INSERT. IF THIS INSERT IS NOT COMPLETED WITH A DIGITAL SIGNATURE, IT MUST BE SENT BY EMAIL TO THE INDEPENDENT EVALUATOR AT [PECOPROUREMENT@NERA.COM](mailto:PECOPROUREMENT@NERA.COM) BY THE SIGNATORY (HERE THE OFFICER OF THE RFP BIDDER) OR WITH THE SIGNATORY ON COPY.**

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

 **DELAY (SMA) INSERT (#P1-5)**

**THE INDEPENDENT EVALUATOR IS ACCEPTING A DIGITAL SIGNATURE FOR THIS INSERT. THE INDEPENDENT EVALUATOR IS ALSO ACCEPTING AN ELECTRONIC SIGNATURE OR A SCANNED WET SIGNATURE AS LONG AS THIS INSERT IS SENT BY EMAIL BY THE SIGNATORY OR WITH THE SIGNATORY ON COPY.**

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 Independent Evaluator at [PECOPROUREMENT@NERA.COM](mailto:PECOPROUREMENT@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 Independent Evaluator at [PECOPROUREMENT@NERA.COM](mailto:PECOPROUREMENT@NERA.COM) by the signatory (here the Officer of the RFP Bidder) or with the signatory on copy.

**Please note! RFP Bidders must submit one (but ONLY one) of Insert #P1-4 and Insert #P1-5.**

I, \_\_\_\_\_ (the Officer of the RFP Bidder), acknowledge that, if the Independent Evaluator notifies the RFP Bidder that the Independent Evaluator is identifying one or more of the RFP Bidder's Bids to the Commission as lowest-priced Bids, the RFP Bidder must provide all information required by the Uniform SMA Insert (#P1-4) by 12 PM (noon) EPT on the business day after such notification is received.

\_\_\_\_\_  
Signature of Officer

\_\_\_\_\_  
Date

#### 4. Representations

The Officer of the RFP Bidder must make a number of representations and certifications, which may include any or all of those detailed in Paragraphs IV.4.1, IV.4.2, and IV.4.3 of the RFP Rules.

**Is the RFP Bidder a Default Supplier serving tranches won in a solicitation under DSP VI?**

Yes

No

Yes

**THE OFFICER OF THE RFP BIDDER MAKES SUCH CERTIFICATIONS BY COMPLETING THE P1 CERTIFICATIONS (A) INSERT.** The P1 Certifications (Default Supplier) Insert is also labelled INSERT #P1-6.

**PLEASE REFER TO THE P1 CERTIFICATIONS (A) INSERT (#P1-6) FOR THE ACCEPTABLE METHODS TO COMPLETE AND SUBMIT THIS INSERT.**

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

#### **P1 CERTIFICATIONS (A) INSERT (#P1-6)**

**THE INDEPENDENT EVALUATOR IS ACCEPTING A DIGITAL SIGNATURE OR A NOTARIZED SIGNATURE FOR THIS INSERT.**

This Insert may be completed as follows:

- *Signed by the Officer of the RFP Bidder with the signature notarized;*

*or:*

- *Submitted with a digital signature (using commercially available software such as DocuSign) with an accompanying document or information verifying the identity of the signatory. Digital signatures are not required to be notarized.*

This Insert and any accompanying document or information may be submitted as follows:

- *Uploaded to the online Part 1 Form;*

*or:*

- *Sent by email to the Independent Evaluator at [PECOProcurement@nera.com](mailto:PECOProcurement@nera.com).*

**An RFP Bidder found to be acting in concert with another RFP Bidder may be disqualified by the Independent Evaluator.**

I certify that:

- (1) I am an officer, a director, or an individual otherwise authorized to undertake contracts (including the PECO Energy Company - Pennsylvania Default Service Supplier Master Agreement) and bind the RFP Bidder.

- (2) All information provided in this Part 1 Proposal is true and accurate to the best of my knowledge and belief.
- (3) If, for any reason or due to any circumstance, any information provided in this Part 1 Proposal changes or any previous certification fails to remain valid before the sixth business day after the Bid Date, I or the Representative will notify the Independent Evaluator of such changes as soon as practicable but in no event later than one (1) business day before the Bid Date.
- (4) This Part 1 Proposal will remain valid and remain in full force and effect until six (6) business days after the Bid Date.
- (5) The RFP Bidder is not part of a bidding agreement, a joint venture for purposes of participating in any solicitation for this RFP, a bidding consortium, or any other type of agreement related to bidding in any solicitation of this RFP.

\_\_\_\_\_  
Signature of Officer

\_\_\_\_\_  
Date

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

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

\_\_\_\_\_  
Date

No

**THE OFFICER OF THE RFP BIDDER MAKES SUCH CERTIFICATIONS BY COMPLETING THE P1 CERTIFICATIONS (A) INSERT AND P1 CERTIFICATIONS (C) INSERT.** These inserts are also labelled INSERT #P1-6 and INSERT #P1-8, respectively.

**PLEASE REFER TO THE P1 CERTIFICATIONS (A) INSERT (#P1-6) AND P1 CERTIFICATIONS (C) INSERT (#P1-8) FOR THE ACCEPTABLE METHODS TO COMPLETE AND SUBMIT THESE INSERTS.**

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

 **P1 CERTIFICATIONS (A) INSERT (#P1-6)**

**THE INDEPENDENT EVALUATOR IS ACCEPTING A DIGITAL SIGNATURE OR A NOTARIZED SIGNATURE FOR THIS INSERT.**

This Insert may be completed as follows:

- *Signed by the Officer of the RFP Bidder with the signature notarized;*

*or:*

- *Submitted with a digital signature (using commercially available software such as DocuSign) with an accompanying document or information verifying the identity of the signatory. Digital signatures are not required to be notarized.*

This Insert and any accompanying document or information may be submitted as follows:

- *Uploaded to the online Part 1 Form;*

or:

- *Sent by email to the Independent Evaluator at [PECOProcurement@nera.com](mailto:PECOProcurement@nera.com).*

**An RFP Bidder found to be acting in concert with another RFP Bidder may be disqualified by the Independent Evaluator.**

I certify that:

- (1) I am an officer, a director, or an individual otherwise authorized to undertake contracts (including the PECO Energy Company - Pennsylvania Default Service Supplier Master Agreement) and bind the RFP Bidder.
- (2) All information provided in this Part 1 Proposal is true and accurate to the best of my knowledge and belief.
- (3) If, for any reason or due to any circumstance, any information provided in this Part 1 Proposal changes or any previous certification fails to remain valid before the sixth business day after the Bid Date, I or the Representative will notify the Independent Evaluator of such changes as soon as practicable but in no event later than one (1) business day before the Bid Date.
- (4) This Part 1 Proposal will remain valid and remain in full force and effect until six (6) business days after the Bid Date.
- (5) The RFP Bidder is not part of a bidding agreement, a joint venture for purposes of participating in any solicitation for this RFP, a bidding consortium, or any other type of agreement related to bidding in any solicitation of this RFP.

\_\_\_\_\_  
Signature of Officer

\_\_\_\_\_  
Date

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

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

\_\_\_\_\_  
Date

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

**P1 CERTIFICATIONS (C) INSERT (#P1-8)**

**THE INDEPENDENT EVALUATOR IS ACCEPTING A DIGITAL SIGNATURE OR A NOTARIZED SIGNATURE FOR THIS INSERT.**

This Insert may be completed as follows:

- *Signed by the Officer of the RFP Bidder with the signature notarized;*

or:

- *Submitted with a digital signature (using commercially available software such as DocuSign) with an accompanying document or information verifying the identity of the signatory. Digital signatures are not required to be notarized.*

This Insert and any accompanying document or information may be submitted as follows:

- *Uploaded to the online Part 1 Form;*

or:

- *Sent by email to the Independent Evaluator at [PECOProcurement@nera.com](mailto:PECOProcurement@nera.com).*

**An RFP Bidder found to be acting in concert with another RFP Bidder may be disqualified by the Independent Evaluator.**

I certify that:

- (1) The RFP Bidder has no actions at law, suits in equity, proceedings or claims pending or, to the RFP Bidder's knowledge, threatened against it before any federal, state, foreign or local court, tribunal or governmental agency or authority that might materially delay, prevent or hinder the RFP Bidder's performance of its obligations under the Uniform SMA.
- (2) The RFP Bidder is not bankrupt or insolvent and there are no proceedings pending or being contemplated by it or, to its knowledge, threatened against it which would result in it being or becoming bankrupt or insolvent.
- (3) If the Independent Evaluator notifies the RFP Bidder that the Independent Evaluator is identifying one or more of the RFP Bidder's Bids to the Commission as lowest-priced Bids, all information required for the preparation of the Uniform SMA and its Exhibits must be submitted and complete by 12 PM (noon) EPT on the business day after such notification is received.

\_\_\_\_\_  
Signature of Officer

\_\_\_\_\_  
Date

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

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

\_\_\_\_\_  
Date









## 5. Foreign RFP Bidders and Foreign Entities

*Is the RFP Bidder a Foreign Entity, or is the RFP Bidder relying on the financial standing of a Foreign Entity as RFP Guarantor, or is the RFP Bidding submitting a Proposal under an Agency Agreement with a Foreign Entity as Principal?*

Yes  No

Yes

**AN RFP BIDDER THAT IS A FOREIGN RFP BIDDER, OR THAT IS RELYING ON THE FINANCIAL STANDING OF A FOREIGN ENTITY AS RFP GUARANTOR, OR RFP BIDDERS SUBMITTING A PROPOSAL UNDER AN AGENCY AGREEMENT WITH A FOREIGN ENTITY AS PRINCIPAL IS REQUIRED TO PROVIDE ADDITIONAL INFORMATION AS SPECIFIED IN THE SECTION IV.5 OF THE RFP RULES BY COMPLETING THE APPLICABLE INSERT AND PROVIDING ASSOCIATED DOCUMENTS.** An RFP Bidder that is a Foreign RFP Bidder is required to complete the P1 Foreign Bidder (Prev Qual and DS) Insert, also labelled INSERT #P1-10. An RFP Bidder relying on the financial standing of a Foreign RFP Guarantor is required to complete the P1 Foreign Guarantor (Prev Qual and DS) Insert, also labelled INSERT #P1-11. An RFP Bidder submitting a Proposal under an Agency Agreement with a Foreign Entity as Principal is required to complete the P1 Foreign Principal (Prev Qual and DS) Insert, also labelled INSERT #P1-12.

	<i>Insert (P1 Foreign Bidder (Prev Qual and DS) Insert #P1-10, P1 Foreign Guarantor (Prev Qual and DS) Insert #P1-11, OR P1 Foreign Principal (Prev Qual and DS) Insert #P1-12)</i>
	<i>Additional Evidence of Creditworthiness</i>
	<i>Additional Evidence of Creditworthiness</i>
	<i>Draft legal opinion</i>
	<i>Draft sworn certificate</i>
	<i>Draft sworn certificate</i>

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

 **P1 FOREIGN BIDDER (PREV QUAL and DS) INSERT (#P1-10)**

**Please note! ONLY Foreign RFP Bidders are required to submit this Insert.**

First Item: Evidence of Creditworthiness

In addition to supplying all required information and documents elsewhere in the online Part 1 Form, a Foreign RFP Bidder may provide any additional evidence of creditworthiness for the Foreign RFP Bidder so as to provide PECO with comparable assurances of creditworthiness as is applicable for an

entity that has been incorporated or otherwise formed under the laws of a state of the United States or of the District of Columbia.

*Are you submitting additional evidence of creditworthiness for the Foreign RFP Bidder?*

Yes

No

**PLEASE PROVIDE SUCH ADDITIONAL EVIDENCE OF CREDITWORTHINESS IN THE SPACES RESERVED FOR THAT PURPOSE IN THE ONLINE PART 1 FORM OR BY EMAIL TO PECOPROUREMENT@NERA.COM.**

Second Item: Draft Documents

**THE RFP BIDDER MAY, BUT IS NOT REQUIRED TO, SUBMIT A DRAFT OF THE FOLLOWING DOCUMENTS FOR EVALUATION:** (i) a legal opinion of outside counsel qualified to practice in the foreign jurisdiction in which the Foreign RFP Bidder is incorporated or otherwise formed that the Uniform SMA is, or upon the completion of execution formalities will become, the binding obligation of the Foreign RFP Bidder in the jurisdiction in which it has been incorporated or otherwise formed; (ii) the sworn certificate of the corporate secretary (or similar officer) of such Foreign RFP Bidder that the person executing the Uniform SMA on behalf of the Foreign RFP Bidder has the authority to execute the Uniform SMA and that the governing board of such Foreign RFP Bidder has approved the execution of the Uniform SMA; and (iii) the sworn certificate of the corporate secretary (or similar officer) of such Foreign RFP Bidder that the Foreign RFP Bidder has been authorized by its governing board to enter into agreements of the same type as the Uniform SMA.

*Are you submitting a draft of any of these documents for evaluation?*

Yes

No

**PLEASE PROVIDE ANY SUCH DOCUMENTS IN THE SPACES RESERVED FOR THAT PURPOSE IN THE ONLINE PART 1 FORM OR BY EMAIL TO PECOPROUREMENT@NERA.COM.**

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

 **P1 FOREIGN GUARANTOR (PREV QUAL and DS) INSERT (#P1-11)**

**Please note! ONLY RFP Bidders relying on a Foreign RFP Guarantor are required to submit this Insert.**

First Item: Evidence of Creditworthiness

In addition to supplying all required information and documents elsewhere in the online Part 1 Form, an RFP Bidder relying on the financial standing of a Foreign RFP Guarantor may provide any additional evidence of creditworthiness for the Foreign RFP Guarantor so as to provide PECO with comparable assurances of creditworthiness as is applicable for an entity that has been incorporated or otherwise formed under the laws of a state of the United States or of the District of Columbia.

***Are you submitting additional evidence of creditworthiness for the Foreign RFP Guarantor?***

Yes

No

**PLEASE PROVIDE SUCH ADDITIONAL EVIDENCE OF CREDITWORTHINESS IN THE SPACES RESERVED FOR THAT PURPOSE IN THE ONLINE PART 1 FORM OR BY EMAIL TO PECOPROUREMENT@NERA.COM.**

*Second Item: Draft Documents*

**THE RFP BIDDER MAY, BUT IS NOT REQUIRED TO, SUBMIT A DRAFT OF THE FOLLOWING DOCUMENTS:**

(i) a legal opinion of outside counsel qualified to practice in the foreign jurisdiction in which the RFP Guarantor is incorporated or otherwise formed that the guaranty pursuant to the Uniform SMA is, or upon the completion of execution formalities will become, the binding obligation of the RFP Guarantor in the jurisdiction in which it has been incorporated or otherwise formed; and (ii) the sworn certificate of the corporate secretary (or similar officer) of such RFP Guarantor that the person executing the guaranty pursuant to the Uniform SMA on behalf of the RFP Guarantor has the authority to execute the guaranty pursuant to the Uniform SMA and that the governing board of such RFP Guarantor has approved the execution of the guaranty pursuant to the Uniform SMA; and (iii) the sworn certificate of the corporate secretary (or similar officer) of such RFP Guarantor that the RFP Guarantor has been authorized by its governing board to enter into agreements of the same type as the guaranty pursuant to the Uniform SMA.

***Are you submitting a draft of any of these documents for evaluation?***

Yes

No

**PLEASE PROVIDE ANY SUCH DOCUMENTS IN THE SPACES RESERVED FOR THAT PURPOSE IN THE ONLINE PART 1 FORM OR BY EMAIL TO PECOPROUREMENT@NERA.COM.**

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



**P1 FOREIGN PRINCIPAL (PREV QUAL and DS) INSERT (#P1-12)**

**Please note! ONLY RFP Bidders submitting a Proposal under an Agency Agreement with a Foreign Entity as Principal are required to submit this Insert.**

*First Item: Evidence of Creditworthiness*

In addition to supplying all required information and documents elsewhere in the online Part 1 Form, an RFP Bidder submitting a Proposal under an Agency Agreement with a Foreign Entity as RFP Principal may provide any additional evidence of creditworthiness for the RFP Principal so as to provide PECO with comparable assurances of creditworthiness as is applicable for an entity that has been incorporated or otherwise formed under the laws of a state of the United States or of the District of Columbia.

***Are you submitting additional evidence of creditworthiness for the Foreign Principal?***

Yes

No

**PLEASE PROVIDE SUCH ADDITIONAL EVIDENCE OF CREDITWORTHINESS IN THE SPACES RESERVED FOR THAT PURPOSE IN THE ONLINE PART 1 FORM OR BY EMAIL TO PECOPROUREMENT@NERA.COM.**

Second Item: Draft Documents

**THE RFP BIDDER MAY, BUT IS NOT REQUIRED TO, SUBMIT A DRAFT OF THE FOLLOWING DOCUMENTS:**

(i) a legal opinion of outside counsel qualified to practice in the foreign jurisdiction in which the Principal is incorporated or otherwise formed that the Uniform SMA is, or upon the completion of execution formalities will become, the binding obligation of the Principal in the jurisdiction in which it has been incorporated or otherwise formed; and (ii) the sworn certificate of the corporate secretary (or similar officer) of such Principal that the Principal has been authorized by its governing board to enter into agreements of the same type as the Uniform SMA.

*Are you submitting a draft of any of these documents for evaluation?*

Yes

No

**PLEASE PROVIDE ANY SUCH DOCUMENTS IN THE SPACES RESERVED FOR THAT PURPOSE IN THE ONLINE PART 1 FORM OR BY EMAIL TO PECOPROUREMENT@NERA.COM.**




No

The requirements of this section do not apply to you.

## 6. Justification of Omissions

If you are unable to provide all documents or information required with this online Part 1 Form, please justify fully any omissions in the space provided below.

If you are providing additional documents, such as providing the Part 2 Form certifications for early processing, please use the spaces below to upload these documents.

	<i>File upload</i>
	<i>File upload</i>
	<i>File upload</i>