

**Commonwealth Edison Company  
Standard Product RFP  
Proposal Requirements**

**1. Overview**

Prospective suppliers will submit their Proposals in two parts. The first part of the Proposal (“Part 1 Proposal”) is the prospective supplier’s response to the qualification requirements. A prospective supplier that meets the qualification requirements may submit the second part of the Proposal (“Part 2 Proposal”). This Part 2 Proposal will include the RFP Bidder’s Bid(s), signed copies of the standard Master Agreement, and an executed Pre-Bid Letter of Credit.

**2. Requirements of the Part 1 Proposal**

It is anticipated that the following information or documents would be required with the Part 1 Proposal:

**General**

- Basic Information (prospective supplier’s legal name, address)
- Name of main contact from the prospective supplier
- Certification that main contact is an officer of the prospective supplier and has the authority to bind the prospective supplier

**General Representations**

- Acknowledgment and acceptance of the terms of the Master Agreement
- Acknowledgment and acceptance of the RFP Rules
- Certification that prospective supplier is not part of a bidding agreement, a joint venture for purposes of participating in the RFP, or a bidding consortium
- Certification that prospective supplier 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 Master Agreement and each Confirmation

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### **Regulatory Authorizations**

- Certification that prospective supplier has all regulatory authorizations necessary for it to legally perform its obligations under the Master Agreement and each Confirmation

### **Financial Information**

- a. State whether prospective supplier is relying on its own financial strength or on the financial strength of a Guarantor that is incorporated or otherwise formed under the laws of a state of the United States or of the District of Columbia. For the entity on whose financial strength the prospective supplier is relying:
  - Provide financial statements
    - Audited annual financial information
    - Quarterly or monthly financial information
  - Provide credit ratings (Moody's, S&P, Fitch)
- b. Provide any changes to the standard form for the letters of credit requested by financial institution

### **3. Requirements of the Part 2 Proposal**

It is anticipated that the following information or documents would be required with the Part 2 Proposal:

- Bids
- Certification from an officer of the RFP Bidder that the submitted bids are binding offers to supply the associated products or combinations of products at the indicated prices
- Signed Master Agreement
- Guaranty (if using a Guarantor)
- Documentation that signatory to Master Agreement is an officer of the RFP Bidder and has the authority to bind the RFP Bidder

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- Certification that the RFP Bidder understands that should it be a winning RFP Bidder (i) ComEd will send the Confirmation(s) to the winning RFP Bidder no later than the business day after the ICC decision to approve the results of the procurement event, and that (ii) the winning RFP Bidder has one (1) business day after receipt of the Confirmation(s) to execute and return the Confirmation(s) to ComEd.
- Certification that the RFP Bidder will comply with the creditworthiness requirements within three business days of the ICC decision to approve the results of the procurement event
- Certification that RFP Bidder has no knowledge of any other Proposals being submitted through this RFP
- If the RFP Bidder is part of an agency agreement: (i) a certificate from the Principal stating that the agency agreement is in full force and effect and shall remain in full force and effect until at least the eighth business day following the bid submission date; and (ii) a certification that the execution, delivery, and performance of the Master Agreement and all Confirmations by the agent are within the scope of the power and authority of the agent
- Sufficient Pre-Bid Security in the form of a letter of credit
- Bid Participation Fee

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