

Appendix C-2: Engineer-Procure Construct (EPC) Agreement on PacifiCorp's Currant Creek Site Bids

Information Required in Bid Proposals

In general, PacifiCorp expects Bidders to provide any information that could impact the cost, reliability, dispatch frequency, or output capability of a resource. PacifiCorp believes these resource attributes largely consist of, but may not be limited to, the following information categories:

Impact of Temperature on Output – If Project output will vary with ambient conditions, capacity, and any associated performance impact, should be stated in terms of conditions expected during a summer day, with ambient air conditions of 95°F and 20% relative humidity, and a winter day with ambient conditions of 20°F and 75% relative humidity. The Bidder will complete Exhibit 1 to Appendix C that summarizes resource and performance information. To the extent pricing, performance, capacity and/or availability vary based on specific characteristics of the facility, the Bidder shall clearly identify those impacts.

Impact of Other Factors on Output – PacifiCorp prefers generation facilities designed, permitted, and operated so that, to the extent practicable, the proposed capacity and any related energy provided to PacifiCorp is not restricted by:

- Environmental permits or other environmental limitation or environmental forfeitures
- Hours of operation
- Any other factor relevant to the technology (noise, agreements with neighbors, etc.)
- Bidders shall describe in detail any such limitations in their Proposal
- Non-environmental or technology factors that could encumber the facility
- Water availability

Bidders may propose either fixed-price, lump-sum or milestone based payments for an EPC asset at PacifiCorp's Currant Creek in Form 1. Bidder shall also identify the applicable sales taxes. site. Such proposals must include the following information in addition to any technical information:

- Markup of the EPC Agreement (Attachment 4), including appendices.
- Amounts and dates of milestone-based payments, including descriptions, required of PacifiCorp.
- Information identified in Exhibit 1 to Appendix C (this is identical to Attachment 17, Exhibit A, Currant Creek 2 Technical Specification, Appendix K)
- All performance guarantee information Attachment 17, Currant Creek 2 Technical Specification (Exhibit A, Appendix M).
- Markup of any exceptions, changes or modification to Attachment 17, Currant Creek 2 Technical Specification, Exhibit A, and appendices.
- Proposed facilities will only contain "OEM-certified new major equipment". This being defined as OEM equipment that has not been previously installed or

operated and has the same warranties and guarantees as equipment delivered directly from the OEM's production line, and all reliability and design TILS and/or Service Bulletins have been implemented.

Facility Information – To the extent applicable, the Bidder should clarify the following information with respect to any proposed facility:

- Guaranteed air emissions (all criteria pollutants and air toxics), including a description of emission controls
- List of required environmental, construction, and other regulatory permits and timeline for acquisition.
- Water balance.
- Water discharge quantity and quality
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- Proposed noise levels and description of noise baffles and stack silencing equipment.
- Proposed site plans, layouts, elevations and other aspects of the facility.

Fuel Transportation Route Information – To the extent applicable, the Bidder should clarify any relevant information with respect to fuel interconnection requirements at the Currant Creek site:

Proposal Format – Bidders should conform to the following format for presenting their bid information:

Section 1 – Executive Summary of Proposal – The Executive Summary section should provide an overall description of the proposal and its key benefits and advantages to PacifiCorp. It should include a general description of the technology, and business arrangement for the bid. Bidder shall state the period under which the terms and conditions of their Proposal will remain effective.

Section 2 – Resource Description – This section should include a description of the resource, including:

- Type of generation equipment and description
- Manufacturers of major equipment
- Type of heat rejection equipment (cooling towers, ponds, ACC, etc.)
- Source of process and/or cooling water
- Wastewater disposal plan
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- Plan for site control
- Site layout description
- Description of technology and configuration
- Performance and resource information as specified in Exhibit 1 to Appendix C..
- Primary fuel supply

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- Description of emission control technology, including manufacturer
- Project schedule, listing tasks and milestones with estimated completion dates.
- Size and levels of redundancy for all major process equipment and material handling facilities (i.e. major pumps, storage tanks) if different than that specified in the Attachment 17, Exhibit A, Currant Creek 2 Technical Specification and Exhibit A appendices,

Section 3 – Describe in detail the pricing proposal., Proposed dates, amounts, and detailed milestone descriptions justifying payments are required consistent with **Form 1** (Pricing Input Sheet) and **Form 2** (Permitting and Construction Milestones) in the Request for Proposal.

Section 4 – Transmission – If Bidder proposes an arrangement or point of interconnection than that specified in the Attachment 17, Exhibit A, Currant Creek 2 Technical Specification, the bidder must include a description of the location of its proposed transmission facilities.

Section 5 – Environmental and Siting – The Bidder is exclusively and entirely responsible for meeting and satisfying all federal, state, and local permits, licenses, approvals and/or variances that are required for construction of the facility as identified in Attachment 17, Exhibit A, Currant Creek 2 Technical Specification, Exhibit A, Appendix U.

Section 6 – Other Information –

Dispatchability – Describe any specific dispatch features, constraints and/or limitations on PacifiCorp’s ability to dispatch the generation and any ability of PacifiCorp to utilize the resource for operating reserves.

Technical Data – Technical data as requested in Exhibit 1 to Appendix C.

Section 7 – Contract Terms – The Bidder will provide a comprehensive listing/description of all material modifications to the EPC terms and conditions (Attachment 4) including the appendices and the Specification for the EPC at the Currant Creek Site (Attachment 17) including the technical specification appendices.

These may include, but are not limited to:

- Items to be provided by the Owner, including a schedule of timing for the provision of these items and impact on Bidder of any delays.
- Land requirements for construction of the facility, including laydown areas
- Laydown plan for construction.
- Commissioning & Startup Plan with Owner’s requirements.

Appendix C-2: Asset Purchase Sale Agreement (APSA) Bids

Information Required in Bid Proposals

In general, PacifiCorp expects Bidders to provide any information that could impact the cost, reliability, dispatch frequency, or output capability of a resource. PacifiCorp believes these resource attributes largely consist of, but may not be limited to, the following information categories:

Impact of Temperature on Output – If Project output will vary with ambient conditions, capacity, and any associated performance impact, should be stated in terms of conditions expected during a summer day, with ambient air conditions of 95°F and 20% relative humidity, and a winter day with ambient conditions of 20°F and 75% relative humidity. The Bidder will complete Exhibit 1 to Appendix C that provides resource and performance information at specific ambient conditions, with and without duct firing, and power augmentation (if provided). To the extent pricing, performance, capacity and/or availability vary based on specific characteristics of the facility, the Bidder shall clearly identify those relationships in tabular form.

Impact of Other Factors on Output – PacifiCorp prefers generation facilities designed, permitted, and operated so that, to the extent practicable, the proposed capacity and any related energy provided to PacifiCorp is not restricted by:

- Environmental permits or other environmental limitation or environmental forfeitures
- Hours of operation
- Any other factor relevant to the technology (noise, agreements with neighbors, etc.)
- Bidders shall describe in detail any such limitations in their Proposal
- Ability to provide additional capacity over the net capable rating
- Non-environmental or technology factors that could encumber the facility
- Water availability

Build Own Transfer (BOT) Option – Bidders may propose a fixed-price, lump-sum sale of new generation assets to PacifiCorp, either as an EPC for a new resource at PacifiCorp's Currant Creek site or the bidder may propose other sites. Such proposals must include the following information in addition to any technical information:

- Markup of the Asset Purchase and Sale Agreement (Attachment 6), including appendices.
- Amounts and dates of milestone-based payments, including descriptions, required of PacifiCorp.
- Information regarding location and transmission availability.
- Information regarding fuel and transportation availability (Appendix D, Fuel Supply Form).
- Proposed facilities will only contain "OEM-certified new major equipment". This being defined as OEM equipment that has not been previously installed or operated and has the same warranties and guarantees as equipment delivered

directly from the OEM's production line, and all reliability and design TILS and/or Service Bulletins have been implemented.

Siting – Bidders are responsible for all construction and coordination with the applicable service provider(s) for any new electrical transmission and fuel transportation facilities required in response to this RFP. Bidders are responsible for satisfying all zoning and environmental requirements.

Facility Information – To the extent applicable, the Bidder should clarify the following information with respect to any proposed facility, if different than the Company technical specification (Attachment 17):

- Proposed air emissions (all criteria pollutants and air toxics), description of emission controls, description of plan to acquire any required emission offsets, and description of criteria used to determine requirement.
- List of required environmental, construction, and other regulatory permits and timeline for acquisition.
- Proposed water usage quantity, quality and source.
- Proposed water discharge quantity and quality, plus description of water discharge plan.
- Receiving water body identity and description
- Description of local groundwater quality, quantity, uses, and potential impacts.
- Prevailing noise ordinance at the site and expected sound level (A-weighted) at full load at the site boundary.
- Proposed noise levels and description of noise baffles and stack silencing equipment.
- Proposed site plans, layouts, elevations and other aspects of the facility.
- Types of transportation access required.
- Characterization of the area surrounding the site, including a description of local zoning, flood plain information (100 yr. & 500 yr.), existing land use and setting (woodlands, grasslands, agriculture, etc.).
- Information regarding fish, wildlife and vegetation inhabiting the area of the Project.
- Proximity to nearest endangered or threatened species which could be potentially impacted.
- Proximity to nearest historical or archaeological resources and all nearby historical or archaeological resources which could potentially be impacted.
- Location and distance to population centers which could be impacted.
- Expected site ambient temperature extremes and verification that freeze protection will be provided as necessary.

Fuel Transportation Route Information – To the extent applicable, the Bidder should clarify any relevant information with respect to fuel transportation route information for any proposed site:

- Proposed new fuel transportation route(s).

- Estimated impact on any wetlands (e.g., length of route through wetlands or other sensitive lands).
- Describe land use impacts.
- Descriptions of stream crossings.
- Characterization of the area encompassing the fuel transportation route, including a description of existing land use and setting.

Proposal Format – Bidders should conform to the following format for presenting their bid information:

Section 1 – Executive Summary of Proposal – The Executive Summary section should provide an overall description of the proposal and its key benefits and advantages to PacifiCorp. It should include a general description of the technology, location, and business arrangement for the bid. Bidder shall state the period under which the terms and conditions of their Proposal will remain effective.

Section 2 – Resource Description – This section should include a description of the resource, including:

- Type of generation equipment and description
- Manufacturers of major equipment
- Type of heat rejection equipment (cooling towers, ponds, air-cooled condenser, etc.)
- Source of process and/or cooling water
- Wastewater disposal plan
- Description of financing plan
- Description of operation and maintenance plan
- Plan for site control
- Site layout description
- Description of technology and configuration
- Performance information at ambient conditions as specified in Exhibit 1 to Appendix C.
- All performance guarantee information Attachment 17, Currant Creek 2 Technical Specification (Exhibit A, Appendix M).
- Primary fuel supply and backup alternatives
- Electrical interconnection (location, transmission provider, and control area)
- Description of emission control technology, including manufacturer
- Project schedule, listing tasks and milestones with estimated completion dates.
Bidders shall also complete Form 1 to document some of the technical aspects of their Proposal
- Size and levels of redundancy for all major process equipment and material handling facilities (i.e. major pumps, boilers and steam generators, water treatment equipment and storage tanks)
- Design basis for the resource
- Material balance
- Solid waste disposals.

Section 3 – Describe in detail the pricing proposals. Proposed dates, amounts, and detailed milestone descriptions justifying payments are required consistent with **Form 1** and **Form 2** in the Request for Proposal.

Section 4 – Transmission – Each Proposal must include a description of the location of its proposed transmission facilities, including proposed delivery points, and must specify the transmission provider and all applicable costs.

Owner or operator of generating facility must execute written agreement with utility stating at a minimum:

- Will construct and operate all interconnected generation facilities within its control in accordance with all applicable laws
- Will furnish, install, operate and maintain in good order and repair, and without cost to utility, relays, locks and seals, breakers, automatic synchronizers and other control and protective apparatus determined by the utility to be necessary for the safe and reliable operation of the facility in parallel with the utility's system; and
- Utility will be able to gain access at all times to switching equipment capable of isolating generation facility from utility's system
- Provide for provision of energy or capacity under system emergencies pursuant to agreement or as ordered under section 202(c) of the Federal Power Act; during emergency utility may discontinue or curtail purchases/sales if such purchases/sales would contribute to such emergency.

Section 5 – Environmental and Siting – The Bidder is exclusively and entirely responsible for meeting and satisfying all federal, state, and local permits, licenses, approvals and/or variances that are required to assure physical delivery of capacity and associated energy in accordance with the proposal. Bidder must furnish applicable detailed project site, electric transmission, and fuel transportation information, a description of all required permits, and a project timeline so PacifiCorp can assess site suitability, schedule risk and project viability. The proposed site(s) shall clearly be shown on a United States Geological Survey (USGS) 7.5-minute series map.

Section 6 – Other Information –

Fuel – Bidders must provide fuel source type. Bidders should describe their fuel supply plan and the extent to which they desire to provide fuel and transportation and other fuel-related services, including fuel price management (hedging) or a tolling fee in which PacifiCorp will be responsible for all the fuel and fuel-related costs. PacifiCorp's preference is for proposals that address its need for reliability, management of price risk, and meeting the Base Load operations. If the energy cost portion of the Bidder's terms includes a fuel cost component, the Bidder shall explain its proposed fuel supply program.

Dispatchability – Describe any specific dispatch features, constraints and/or limitations on PacifiCorp's ability to dispatch the generation and any ability of PacifiCorp to utilize the resource for operating reserves.

Technical Data – Technical data as requested in Exhibit 1 to Appendix C.

Section 7 – Contract Terms – The Bidder will provide a comprehensive listing/description of all material modifications or changes to the: 1) APSA terms and conditions (Attachment 4) including the appendices, 2) O&M terms and conditions which the Bidder would seek during contract negotiations and 3) the Specification for the EPC at the Currant Creek Site (Attachment 17) including the appendices to the technical specification.

These may include, but are not limited to:

- Items to be provided by the Owner, including a schedule of timing for the provision of these items and impact on Bidder of any delays.
- Land requirements for construction of the facility, including laydown areas
- Laydown plan for construction.
- Commissioning & Startup Plan with Owner's requirements.