



Request for Information for Projects in CAISO's Queue Cluster 15

Peninsula Clean Energy, a California Joint Powers Authority, is soliciting this Request for Information for renewable energy and storage projects to fulfill its energy goals and to allocate Commercial Interest points to selected projects consistent with the CAISO's Interconnection Process Enhancements.

Launch Date: September 25, 2024

Responses are due October 11, 2024, at 5 PM Pacific Prevailing Time.

RFI Website:

<https://www.peninsulacleanenergy.com/solicitation/rfi-for-projects-in-caisos-queue-cluster-15/>

TABLE OF CONTENTS

- 1 RFI OVERVIEW 3
- 2. ABOUT PENINSULA CLEAN ENERGY..... 5
- 3 RFI PROCESS AND TIMELINE 6
- 4 SUBMISSION SPECIFICATIONS 9
- 5 SHORT-LIST ELIGIBILITY CRITERIA 12
- 6 SUBMISSIONS 16
- 7 CONTENTS OF RESPONSE 17
- 8 SHORT-LIST EVALUATION CRITERIA..... 23
- 9 SHORT-LISTED REQUIREMENTS 26
- 10 CREDIT TERMS 28
- 11 SUPPLIER DIVERSITY..... 29
- 12 PENINSULA CLEAN ENERGY LEGAL OBLIGATIONS 31
- 13 GENERAL TERMS AND CONDITIONS..... 32
- 14 PROTEST..... 33
- 15 PARTICIPANT REPRESENTATIONS..... 34
- 16 PUBLIC NATURE OF PROPOSAL MATERIAL..... 35
- 17 DISCLAIMER..... 37
- 18 LIST OF ATTACHMENTS 38

1 RFI OVERVIEW

Peninsula Clean Energy issues this Request for Information (RFI) to solicit information on renewable energy and renewable energy plus storage projects. Peninsula Clean Energy is seeking resources to fulfill our energy goals and to allocate Commercial Interest points to selected projects consistent with the CAISO's Interconnection Process Enhancements.

Peninsula Clean Energy is inviting suppliers to submit information for the following project types, as further described in the sections below:

1. Renewable energy generating facilities from a variable resource (i.e. wind or small hydro, Peninsula Clean Energy will NOT consider standalone solar projects)
2. Renewable energy generating facilities from a firm resource (i.e. geothermal)
3. Renewable energy generating facilities (either variable or firm) paired with storage
4. **Non-Lithium** long-duration (12+ hour and multi-day) stand-alone storage projects

Peninsula Clean Energy is inviting suppliers to submit information for projects in CAISO Queue Cluster 15 with COD of December 2035 or earlier.

This RFI is intended for projects in CAISO's Cluster 15 ONLY. Peninsula Clean Energy will utilize the RFI to allocate Commercial Interest points to selected projects consistent with the CAISO's Interconnection Process Enhancements.

Submissions are due by **October 11, 2024, at 5 PM PPT**. Peninsula Clean Energy will evaluate the Submissions received from this RFI in October-November of 2024 and plans to negotiate and execute an Exclusivity Agreement with selected Participants by December 10, 2024.

This RFI:

- Provides general background on Peninsula Clean Energy
- Describes the projects sought by Peninsula Clean Energy
- Provides an opportunity for Participants to describe their qualifications and experiences and explain how they contribute to services requested.

The goal of this RFI is for Peninsula Clean Energy to collect necessary information on projects in CAISO's Queue Cluster 15 that can ultimately contribute to Peninsula Clean Energy's renewable energy and storage goals.

Acknowledgment of Terms

By participating in this RFI process, a Participant acknowledges that it has read, understands, and agrees to the terms and conditions set forth in these RFI Instructions, including all

attachments. Furthermore, Peninsula Clean Energy may, in its sole discretion and without notice, modify, suspend, or terminate the RFI without liability to any organization or individual. The RFI does not constitute an offer to buy or create an obligation for Peninsula Clean Energy to enter into an agreement with any party.

2. ABOUT PENINSULA CLEAN ENERGY

Peninsula Clean Energy is a Community Choice Aggregation agency. It is the official electricity provider for San Mateo County and the City of Los Banos in Merced County. Founded in 2016 with a mission to reduce greenhouse gas emissions in the San Mateo County, the agency serves over 310,000 customer accounts by providing more than 3,600 gigawatt hours annually of electricity that is carbon-free and at a lower cost than PG&E. Peninsula Clean Energy plans for and secures commitments from a diverse portfolio of energy-generating resources to reliably serve the electric energy requirements of its customers over the near-, mid-, and long-term planning horizons. As a community-led, not-for-profit agency, Peninsula Clean Energy makes significant investments in our communities to expand access to sustainable and affordable energy solutions. Peninsula Clean Energy is on track to deliver electricity that is 100% renewable by 2030.

In May 2019, Peninsula Clean Energy received an investment grade credit rating of Baa2 from Moody's. In April 2020, it received an investment grade credit rating of BBB+ from Fitch. In June 2023, it received an A- rating from S&P Global, and was upgraded to Baa1 by Moody's, the strongest indication yet of its financial stability as the organization preserves discounted power rates and accelerates renewable power procurement. As of December 31, 2023, Peninsula Clean Energy had cash and investments of \$345 million, representing 351 days of cash on hand, significantly higher than Peninsula Clean Energy's Board policy requirement of 180 days. Peninsula Clean Energy's financial statements, including its fiscal year 2022-2023 audited financials, are available on its website at <https://www.peninsulacleanenergy.com/key-documents>.

For more information on Peninsula Clean Energy, please go to <https://www.peninsulacleanenergy.com/>

3 RFI PROCESS AND TIMELINE

RFI Schedule

Event	Date
Issue RFI	Wednesday, September 25, 2024
Deadline to submit Questions	Wednesday, October 2, 2024
Q&A posted to RFI Website	Friday, October 4, 2024
Deadline to submit requested information	Friday, October 11, 2024; 5 PM PPT
Participants notified of shortlist status for allocation of Peninsula Clean Energy’s Commercial Interest Points	Early November 2024
Deadline to post Shortlist Deposit and execute an Exclusivity Agreement	Tuesday, December 10, 2024

- **Question & Answer:** Participants may submit questions concerning the RFI [here](#) on or prior to Wednesday, October 2, 2024.
- **Submission Due:** Requested information must be submitted by **Friday, October 11, 2024, at 5 PM PPT**, and must include the required documents described below.
- **Submission Review:** Peninsula Clean Energy will evaluate all Submissions according to the criteria listed below. During this phase, Peninsula Clean Energy will identify Submissions for short-listing, and then notify short-listed Participants. Peninsula Clean Energy expects to notify short-listed Participants early November.

Communications

All RFI documents are available at <https://www.peninsulacleanenergy.com/solicitation/rfi-for-projects-in-caisos-queue-cluster-15/>. All announcements, updates and Q&As will be posted on the website.

All questions must be submitted through the form posted [here](#).

Any other communications regarding this RFI, including final Submission documents, should be sent to PenCleanEnergyRFO@peninsulacleanenergy.com. Please only send communications to the RFI email address and not to any individual employees' email addresses. Emails sent to individual contacts and not to the RFI email may not be reviewed or responded to.

Submission and Posting of Q&A

Questions may be submitted through the [Question Form](#) up to October 2, 2024. Participants are urged to submit RFI questions as early as possible, in consideration of the proposal submission deadlines.

Peninsula Clean Energy intends to post all questions submitted by, as well as responses to those questions in the form of an Addendum posted to the RFI website. Answers will be posted by October 4, 2024. All addenda shall become part of this RFI. All questions will be posted anonymously to shield the identity of Participants who posed the questions. Peninsula Clean Energy's objective in posting questions and answers is to afford Participants equal access to information potentially relevant to their submissions.

Submissions

Requested information must be submitted by **Friday, October 11, 2024, 5 PM PPT**. Submissions must include the required documents described below. All Participants and Participants' Submissions must meet the requirements of the RFI to be considered. However, Peninsula Clean Energy reserves the right to waive any deficiency of a Submission.

Only electronic submittals will be accepted via e-mail sent to PenCleanEnergyRFO@peninsulacleanenergy.com. Please include "Peninsula Clean Energy RFI for Cluster 15 Projects, Submission from [Company Name]" in the subject line. Late Submissions shall be rejected. This deadline is absolute and Submissions received after the due date and time shall not be considered.

A Submission shall be deemed a representation and certification by Participant that they have investigated all aspects of the RFI, that they are aware of the applicable facts pertaining to the RFI process, its procedures, and requirements, and that they have read and understood the RFI. No request for modification of the Submission shall be considered after its submission on grounds that Participant was not fully informed as to any fact or condition.

Shortlist Selection Process

Peninsula Clean Energy will evaluate all Submissions per the evaluation criteria described in section 8. Peninsula Clean Energy will identify submitted information for short-listing, and then notify short-listed Participants. Short-listed Participants will be required to execute an Exclusivity Agreement with Right of First Refusal and provide refundable Shortlist Deposit to be eligible to receive Commercial Interest Points. Consistent with Peninsula Clean Energy's standard shortlisting process, the refundable Shortlist Deposit is established after selection for the shortlist and has no bearing on the selection of the project for the shortlist. The refundable Shortlist Deposit is intended to provide reasonable assurance that the awarded Commercial Interest Points allocated to the Project by Peninsula Clean Energy subsequently results in a good faith long term PPA Offer for the Project with Peninsula Clean Energy if the project proceeds through the interconnection process. The exact amount of Shortlist Deposit and Commercial Interest Points to be allocated to the project will be agreed upon by both parties before the execution of the Exclusivity Agreement. **Peninsula Clean Energy expects to notify short-listed Participants by early November 2024.**

4 SUBMISSION SPECIFICATIONS

The goal of this RFI is for Peninsula Clean Energy to solicit and evaluate information for both renewable energy generation and energy storage to meet Peninsula Clean Energy's energy procurement obligations, its environmental objectives, and to offer its customers cost-competitive, clean energy options.

Peninsula Clean Energy is inviting suppliers to submit information for the following project types, as further described in the sections below:

1. Renewable energy generating facilities from a variable resource (i.e. wind or small hydro, Peninsula Clean Energy will NOT consider standalone solar projects)
2. Renewable energy generating facilities from a firm resource (i.e. geothermal)
3. Renewable energy generating facilities (either variable or firm) paired with storage
4. **Non-Lithium** long-duration (12+ hour and multi-day) stand-alone storage projects

Peninsula Clean Energy is requesting information from projects with COD of December 2035 or earlier. This RFI is ONLY intended for CAISO's Queue Cluster 15 projects.

Additional information on each project type is included below. All renewable energy must meet the requirements for Portfolio Content Category 1¹ ("PCC1") eligible renewable resources ("ERRs").² Peninsula Clean Energy intends to collect all relevant Energy, Environmental Attributes, Resource Adequacy, and Ancillary Services benefits from the projects, as applicable.

Peninsula Clean Energy is particularly interested in receiving information on projects that can provide diversity to its portfolio, including renewable energy delivered during non-solar generating hours.

Renewable energy generating facilities from a variable resource (i.e. wind or small hydro)

Utility-scale Submissions must be PCC 1 REC-eligible projects. Projects in this category should have a capacity size between 5 MW – 200 MW. Peninsula Clean Energy will NOT consider standalone solar projects as part of this RFI.

¹ See Section 399.16(b)(1) of the California Public Utilities Code and CPUC Decision 11-12-052.

² See Public Utilities Code Section 399.12, Public Resources Code Section 25741, and the California Energy Commission's "Renewables Portfolio Standard (RPS) Eligibility Guidebook" available at: <https://efiling.energy.ca.gov/getdocument.aspx?tn=217317>

Renewable energy generating facilities from a firm resource (i.e. geothermal)

Utility-scale Submissions must be PCC 1 REC-eligible projects. Projects in this category should have a capacity size between 5 MW – 100 MW.

Renewable energy generating facilities paired with storage

Utility-scale Submissions must be PCC1 REC-eligible projects paired with storage capacities with a minimum duration of 4 hours. Peninsula Clean Energy also encourages storage projects with durations longer than 4 hours. Peninsula Clean Energy's preference is for projects to be co-located (i.e., two separate Resource IDs).

Stand-alone storage projects

Peninsula Clean Energy is **ONLY** requesting information on Long Duration (12 hours or longer and multi-day) **non-lithium** stand-alone storage projects as part of this RFI. Peninsula Clean Energy will not consider Lithium-Ion stand-alone storage projects as part of this RFI. Non-Lithium long duration stand-alone storage projects should be larger than 25MW.

New Construction

Peninsula Clean Energy is interested in understanding the environmental impact of the materials used to construct energy projects for its customers and plans to decommission and recycle project components at the end of the project's life. Developers of construction projects shall attest that the project developer or the equipment supplier will comply with Extended Producer Responsibility³ and Peninsula Clean Energy's Supply Chain Code of Conduct⁴ for all project components. This includes the requirement that the materials used in the project be properly recycled at the end of life.

Project Variants

Participants may submit multiple Submissions for a unique facility/location but will need to provide a separate Data Form (Attachment 1) for each Submission. Project variation may include, for example, different capacity volumes, different commercial operation dates ("CODs"), or different term lengths. Alternative configurations, durations, or pricing schemes may be submitted in separate Data Forms (Attachment 1). **Alternatives that are described within the**

³ Please refer to this web site for additional details:

<https://www.oecd.org/environment/extended-producer-responsibility.htm>

⁴ <https://www.peninsulacleanenergy.com/wp-content/uploads/2023/05/Policy-10-Amendment-Supply-Chain-Code-of-Conduct-April-2023.pdf>

narrative document but not submitted in a separate Data Form (Attachment 1) are not encouraged and may not be reviewed or considered.

NOTE: If a single Participant wishes to submit information on multiple unique facilities (at different locations), each project must be submitted as an entirely new Submission Package with fully completed copies of each document.

5 SHORT-LIST ELIGIBILITY CRITERIA

All Submissions must meet the following specifications in order to be considered for selection. Note that there are different requirements for different project types. Please ensure that the information submitted conforms to the appropriate specifications for the project. Any material deviations from the following list could be treated as non-compliant and excluded from consideration.

	Variable RE	Firm Resources	Renewable Generation Paired w/ Storage	Non-Lithium Long Duration Standalone Storage
Location	Within the Western Electricity Coordinating Council (“WECC”), within or outside California, with full deliverability to the CAISO grid			
Capacity	5 – 200 MW	5 – 100 MW	Variable RE: 5 – 200 MW Firm RE: 5 – 100 MW Storage: 200 MWh minimum, minimum 4-hour duration	Storage: 300 MWh minimum, minimum 12-hour duration
Initial Date of Delivery	Commercial operation date by December 31, 2035.			
New Construction	Developers of construction projects shall attest that the project developer or the equipment supplier will comply with Extended Producer Responsibility for all project components. This requires that the materials used in the project be properly recycled at the end of life.			
Annual Delivery Specifications	Maximum 600,000 MWh per year			N/A
Term	Peninsula Clean Energy is open to terms from 10 to 20 years.			
Site Control	Peninsula Clean Energy prefers projects that have obtained site control but is open to considering projects that have not obtained site control yet.			
Product	Information regarding all associated Capacity, Energy, and Environmental Attributes/Renewable Energy Credits (RECs).			

	Variable RE	Firm Resources	Renewable Generation Paired w/ Storage	Non-Lithium Long Duration Standalone Storage
Generation Facility Pricing	<p>Peninsula Clean Energy understands that Participants might not have enough information to provide a price at this time. However, Peninsula Clean Energy prefers to receive an indicative price and will consider the indicative price in the evaluation of the projects. The indicative price is non-binding.</p> <p>The indicative price should be a fixed \$/MWh with zero percent (0%) annual escalator.</p> <p>Each Submission must specify both of the following:</p> <ul style="list-style-type: none"> • Pricing at the project’s Pnode • Pricing at the NP15 trading hub 			N/A
Storage Pricing	N/A	N/A	<p>Peninsula Clean Energy understands that participants might not have enough information to provide a price at this time. However, Peninsula Clean Energy prefers to receive an indicative price and will consider the indicative price in the evaluation of the projects. The indicative price is non-binding.</p> <p>The indicative price should be a fixed \$/kW-month with zero percent (0%) annual escalator.</p>	
Scheduling Coordinator	Peninsula Clean Energy prefers to be the scheduling coordinator but may consider alternative arrangements.	Peninsula Clean Energy prefers to be the scheduling coordinator but may consider alternative arrangements.	For all projects including storage, Peninsula Clean Energy shall be the scheduling coordinator.	
Ownership	All projects will be owned by the Seller with Peninsula Clean Energy contracting for the resource’s output for the duration of the contract term.			
Seller Security Requirements	<p>Proposed indicative pricing should incorporate the following security requirements.</p> <ul style="list-style-type: none"> • Following PPA execution: Development Security of \$125/kW of Guaranteed Capacity for generation or storage resources. • Upon Commercial Operation: Performance Security of \$125/kW of Guaranteed Capacity for generation or storage resources. 			

	Variable RE	Firm Resources	Renewable Generation Paired w/ Storage	Non-Lithium Long Duration Standalone Storage
	These can be provided as cash or Letter of Credit.			
Guaranteed Energy Production	One hundred sixty percent (160%) of proposed estimated annual energy production in each 2-year performance measurement period.	Ninety-five percent (95%) of proposed estimated annual energy production in each 1-year performance measurement period	For Variable RE, one hundred sixty percent (160%) of proposed estimated annual energy production in each 2-year performance measurement period. For Firm RE, ninety-five percent (95%) of proposed estimated annual energy production in each 1-year performance measurement period	N/A
Transfer of Environmental Attributes/Renewable Energy Certificates	As part of the proposed transaction associated with any renewable energy product, all Environmental Attributes/Renewable Energy Certificates must be tendered and transferred to Peninsula Clean Energy via the Western Renewable Energy Generation Information System (“WREGIS”), or its successor, without any additional costs or conditions to Peninsula Clean Energy. As appropriate, any e-tags associated with delivered product volumes shall be matched to associated renewable energy certificates within the WREGIS system before transferring such certificates to Peninsula Clean Energy.			N/A
Labor Requirements	Must comply with Peninsula Clean Energy’s Inclusive and Sustainable Workforce Policy, ⁵ with a strong preference for projects that commit to sign a project labor agreement and utilize union labor			

⁵ <https://www.peninsulacleanenergy.com/wp-content/uploads/2018/10/Policy-10-Inclusive-and-Sustainable-Workforce-revised-10-25-18.pdf>

	Variable RE	Firm Resources	Renewable Generation Paired w/ Storage	Non-Lithium Long Duration Standalone Storage
Responsible Procurement	Projects must comply with Peninsula Clean Energy’s adopted Supply Chain Code of Conduct ⁶ .			
Storage Operation - Cycles	N/A	N/A	Storage resources are expected to operate at approximately 365 cycles ⁷ /year.	
Daily Dispatch Limits	N/A	N/A	Storage resources must have no limit to the numbers of times per day that they may be charged or discharged.	
Station Use	Seller will be responsible for Station Use.			
Project Maintenance	N/A	Seller is expected to maintain operation of the facility at full nameplate capacity throughout the contract term. Any maintenance or replacement required to maintain nameplate operation of the facility is the responsibility of the Seller.	Seller is expected to maintain operation of the storage facility at full nameplate capacity throughout the contract term. Any maintenance or replacement required to maintain nameplate operation of the facility is the responsibility of the Seller.	
Operational Efficiency	N/A	N/A	Round-trip efficiency of the storage resource must remain above 60% throughout the project lifetime.	
Storage Availability	N/A	N/A	Storage resources must be available for a minimum of 98% of the hours monthly. Participants may provide pricing for alternative storage availability terms.	

⁶ <https://www.peninsulacleanenergy.com/wp-content/uploads/2023/05/Policy-10-Amendment-Supply-Chain-Code-of-Conduct-April-2023.pdf>

⁷ “Cycles” is defined as the total cumulative amount of discharging energy (in MWh) from the storage facility, divided by the storage facility duration times the storage capacity.

6 SUBMISSIONS

Requested information must be submitted by October 11, 2024, at 5 PM PPT. Submissions must include the required documents described below. All Submissions must meet the requirements of the RFI to be considered. However, Peninsula Clean Energy reserves the right to waive any deficiency of a Submission.

Only electronic submittals will be accepted via e-mail sent to PenCleanEnergyRFO@peninsulacleanenergy.com. Please include "Peninsula Clean Energy RFI for Cluster 15 Projects, Submission from [Company Name]" in the subject line. Late Submissions shall be rejected. This deadline is absolute, and Submissions received after the due date and time shall not be considered.

By participating in Peninsula Clean Energy's RFI process, a Participant acknowledges that it has read, understands, and agrees to the terms and conditions set forth in these RFI instructions. Furthermore, Peninsula Clean Energy may, in its sole discretion and without notice, modify, suspend, or terminate the RFI without liability to any organization or individual. The RFI does not constitute an offer to buy or create an obligation for Peninsula Clean Energy to enter into an agreement with any party.

7 CONTENTS OF RESPONSE

The following documents are required for each Project:

1. Completed Data Form (Attachment 1)
2. Narrative
3. Geospatial Footprint
4. Compliance with Peninsula Clean Energy's Sustainable Workforce Policy
5. Compliance with Peninsula Clean Energy's Ethical Vendor Standards and Supply Chain Code of Conduct

File naming convention:

Submitted documents should be named according to the following file naming convention:

1. Completed Data Form: DataForm_ProjectOwnerName_ProjectName_ProjectType.xlsx
2. Narrative: Narrative_ProjectOwnerName_ProjectName.pdf
3. Geospatial files: GeospatialFootprint_ProjectOwnerName_ProjectName
4. Compliance with Workforce Policy and requested information: SustainableWorkforce_ProjectOwnerName_ProjectName
5. Compliance with Ethical Vendor Policy and Supply Chain Code of Conduct and requested information: EthicalVendor_ProjectOwnerName_ProjectName

Example file names are shown in the Instructions tab of Attachment1 Data Form.

Please do not include extra documentation not listed here. Participants shall provide such additional information as reasonably requested by Peninsula Clean Energy.

Data Form

The excel file Data Form (Attachment 1) is the primary source of data for evaluating Submissions. ***This Data Form template is mandatory. Peninsula Clean Energy understands that Participants might not have all the requested information but encourages Participants to complete the Data Form to the best of their ability. Note that this information will be used in determining the shortlisted projects.***

This form can be downloaded from the RFI web site. If your project requires the construction of a new substation, please identify the nearest Pnode and note that it is a proxy. Nodes must be spelled exactly as they are listed in OASIS:

<http://oasis.caiso.com/mrioasis/default.do?tiny=aeQdVQ>. You are encouraged to submit indicative pricing at the Pnode. The indicative price is non-binding.

The Data Form (Attachment 1) template contains the following sections, and a guide for which sheets must be completed is provided below and on the Instructions tab in the template. All light blue fields on the sheets relevant to the proposed project should be fully completed, utilizing the drop-down lists when provided.

Project Type	Required Information Sheets	Naming Convention for File Name
Variable Renewables	1, 2, 3, 4, 5	Renew
Firm Renewables	1, 2, 3, 4, 5	Firm
Variable Renewables + Storage	1, 2, 3, 4, 5	RenewStor
Firm Renewables + Storage	1, 2, 3, 4, 5	FirmRenewStor
Non-Lithium Standalone Storage	1, 2, 3, 4, 5	Stor

1. Participant Info: These values provide summary information for the Participant’s contact information and relevant experience

2. Facility Detail: These values provide summary information for the renewable energy and storage projects

3. Qualitative Assessment: This questionnaire gathers information for qualitative selection criteria.

4. Development Risk: These questions are intended to assess potential project development risk.

5. Supplier Diversity (Optional): Peninsula Clean Energy asks Participants to voluntarily complete the Supplier Diversity Sheet disclosing their GO 156 certification status, their efforts to work with diverse business enterprises, including those owned or operated by women (WBE), minorities (MBE), persons with disabilities (PDBE), disabled veterans (DVBE), and lesbian, gay, bisexual, or transgender people (LGBTBE), as well as other workplace diversity initiatives. As a public agency and consistent with state law, Peninsula Clean Energy will not use any such information provided in the Diversity Questionnaire in any part of its decision-making or selection process. Rather, Peninsula Clean Energy will use the information provided on the Diversity Questionnaire solely to help evaluate how well it is conforming to its own policies and goals. For additional information, please see Section 11 below. Pursuant to California Proposition 209, Peninsula Clean Energy does not give preferential treatment based on race, sex, color, ethnicity, or national origin.

Narrative

Participants should submit a brief narrative including a cover letter, a description of the Participant's experience, and an explanation of the proposed project's characteristics and development status. This narrative will be primarily used as a reference for specific project details that are not fully captured in the Data Form templates and for further assessment of shortlisted proposals. The contents of the narrative might be used as part of the initial quantitative or qualitative project evaluation. ***The project narrative should be submitted as a pdf document. Peninsula Clean Energy understands that Participants might not have all the requested information but encourages Participants to complete the narrative to the best of their ability. Note that this information will be used in determining the shortlisted projects.***

A Project Narrative should include the following sections in the order listed below:

1. Cover Letter: Describe the project(s), if multiple Projects are submitted, please provide context regarding the variations of information presented for the same Project. This letter should at a high level describe the steps required to develop, deliver, and operate the project(s).
2. Participant Experience and Qualifications: Describe developer experience, particularly as it relates to previously completed projects of a similar scope and scale including the following:
 - A document describing the roles, experience and qualifications of all project team members including the following:
 - Years of experience developing similar projects
 - Number, type, and size of projects
 - Experience financing projects
 - Parent company
 - Organization chart showing project personnel and their role within the development company; and the relationship between the project owner, developer, financing entity, owner upon operation, and operator. If you are submitting multiple projects, this may require multiple organization charts.
 - Financial strength of RFI Participant.
3. Project Summary: Brief summary of project including location, sizing, and any relevant high-level details (1-2 paragraphs)
4. Project Details Summary: Table including the project name, location, technology, capacity, duration for storage projects, COD and indicative pricing.

5. Technology Description: Describe the generation technology and / or storage technology. Include details on the type of storage (chemical, mechanical, thermal, etc.) and the physics / chemistry behind the technology.
6. Detailed Site Description: Detailed description of the current land use of the project footprint, description of status of site control and a detailed site map showing nearest cross streets, latitude and longitude, any gen-tie required.
7. Interconnection Status: Describe the project's proposed interconnection, including proximity to transmission interconnection, any new interconnection facilities or Network Upgrades that would need to be built, provide queue position, status of completed studies (System Impact Study, Facilities Study, Phase 1 Study, Phase 2 Study, CAISO Full Deliverability Study), Interconnection level of the proposed generator (Distribution or Transmission), Scheduled Commercial Operation Date and progress related to any applicable agreement.
8. Milestone schedule: At minimum, include the following:
 - [date] – Receipt of CEC pre-certification
 - [date] – Receipt of Phase 2 interconnection study
 - [date] – Execution of Interconnection Agreement
 - [date] – Procurement of major equipment
 - [date] – Obtain federal and state discretionary permits
 - [date] – Expected Construction Start Date
 - [date] – Obtain Full Capacity Deliverability Status, if applicable
 - [date] – Expected Commercial Operation Date
9. Financing Plan
10. Environmental Permitting Status: List all known environmental issues on the project site and description of permit status including permits required for construction and operation (Conditional Use Permit, Notice of Determination, Environmental Impact Report).
Description of other required environmental information including the following:
 - Reconnaissance level surveys (e.g. biological, archaeological) and tribal consultation completed and no occupied habitat for endangered species or cultural resources identified
 - CEQA/NEPA completed or not required
 - Wildlife permits obtained or none required. Include written opinion from CA Department of Fish and Wildlife.
 - Land use approvals granted
11. Technology components, recycling and decommissioning
 - Please identify the primary project components (i.e. technology type, manufacturer and model)

- Identify where materials are sourced from
 - Identify whether toxic materials are included in any project components
 - Plans for decommissioning projects
 - Plans for recycling components at decommissioning
 - Plans for disposing of any toxic materials included in project components
12. Project Risk- Provide a brief overview of project risks, particularly related to status of:
- Project interconnection
 - Site control and permitting
 - Environmental zoning, studies, and permitting
 - Financing
13. Community Benefits: Describe what benefits the project provides the community in which it is located. This can include a description of Community Benefits Plans and Community Benefits Agreements that have been negotiated outreach to communities around the project site and incorporation of community feedback, workforce development benefits, and resiliency.

Geospatial Footprint File

All projects are required to submit the relevant geospatial footprint of the project. Please see Attachment 3: Instructions for Geospatial Footprint for details on how to create the appropriate geospatial file.

Compliance with Peninsula Clean Energy's Sustainable Workforce Policy

Peninsula Clean Energy requires all Participants to submit the following information. Peninsula Clean Energy is committed to engaging a skilled and trained workforce and targeted hires. At a minimum, projects must comply with Peninsula Clean Energy's Sustainable Workforce Policy.⁸ Please submit this information and a confirmation of compliance with the Sustainable Workforce Policy as a separate document (as opposed to a section within the Narrative). This should be submitted as a PDF document.

Participants shall include detailed information regarding past, current and/or planned efforts by the project developer and their contractors, as well as specific information regarding the proposed project, to:

⁸ Peninsula Clean Energy's full Sustainable Workforce Policy is available here: <https://www.peninsulacleanenergy.com/wp-content/uploads/2018/10/Policy-10-Inclusive-and-Sustainable-Workforce-revised-10-25-18.pdf>

- Employ workers and use businesses from the Peninsula Clean Energy service territory.
- Employ properly licensed (A, B, C10, C7, C46) contractors and California Certified electricians.
- Utilize multi-trade project labor agreements on the proposed project or any prior project developments.
- Utilize local apprentices, particularly graduates of local pre-apprenticeship programs.
- Pay workers the correct prevailing wage rates for each craft, classification and type of work performed.
- Display a poster at jobsites informing workers of prevailing wage requirements.
- Provide workers compensation coverage to on-site workers.
- Support and use State of California approved apprenticeship programs.

Relevant information submitted by Participants will be used to evaluate potential workforce impacts of proposed projects with the goal of promoting fair compensation, fair worker treatment, multi-trade collaboration, and support of the existing wage base in local communities where contracted projects will be located.

Compliance with Peninsula Clean Energy's Ethical Vendors Standard⁹ and Supply Chain Code of Conduct¹⁰

Peninsula Clean Energy requires all Participants to submit the following information. Peninsula Clean Energy is committed to the highest standards of responsible behavior and integrity in all its business relationships. Peninsula Clean Energy will consider a company's business practices, environmental track record, and commitment to sustainability in its procurement decisions. Please submit a description of your company's business practices, environmental track record, and commitment to sustainability, and a confirmation of compliance with the Ethical Vendors Standard and Supply Chain Code of Conduct, as a separate document (as opposed to a section within the Narrative). This should be submitted as a PDF document.

⁹ Peninsula Clean Energy's Ethical Vendor Standards can be found here: <https://www.peninsulacleanenergy.com/wp-content/uploads/2017/01/PCE-Policy-9-final.pdf>.

¹⁰ <https://www.peninsulacleanenergy.com/wp-content/uploads/2023/05/Policy-10-Amendment-Supply-Chain-Code-of-Conduct-April-2023.pdf>

8 SHORT-LIST EVALUATION CRITERIA

Submissions will be reviewed to determine if all required documentation was included with the submittal as described above (Required Information). Submissions that fail to contain the required documents may be disqualified from further consideration.

Peninsula Clean Energy will evaluate Submissions according to both quantitative and qualitative evaluation factors described below. Peninsula Clean Energy reserves the right to rely on information from sources other than the information provided by the Participants. Peninsula Clean Energy may also seek written clarification from any or all Participants to better understand and evaluate the Submissions. This process may not be used as an opportunity to submit missing documentation or to make substantive revisions to the original Submission.

Relevant factors to evaluate value include but may not be limited to life cycle costs; cash-flow considerations; concentration risk; maintenance costs; operating efficiency; quality; financial strength, capabilities and/or expertise of the Participant; contract terms including collateral terms; adherence to applicable policies.

Peninsula Clean Energy will evaluate each Submission against the following criteria and select a subset of Submissions to create a preliminary shortlist and move to the final phase with the goal of determining final shortlisted projects for allocation of Peninsula Clean Energy's Commercial Interest Points.

Transmission Plan Availability

Projects with sufficient Transmission Plan Deliverability (TPD) available at their Point of Interconnection (POI) and located within interconnection zones with TPD availability will be prioritized.

Portfolio Fit Criteria

All projects will be assessed based on how they fit into Peninsula Clean Energy's portfolio. Projects that align with Peninsula Clean Energy's renewable goals and risk management strategies will receive higher points for Portfolio Fit. These include but are not limited to 1) increasing hourly matching of Peninsula Clean Energy's renewable energy supply and its customer demand, 2) helping with spatial diversification of Peninsula Clean Energy Supply Portfolio, and 3) reducing congestion/basis risk of Peninsula Clean Energy's Supply Portfolio.

Value Criteria

All projects will be assessed for the project's economic value including energy, environmental attributes, and resource adequacy (net of curtailment and degradation), contract cost, and contract term. Projects will be modeled across all relevant DA, RT, and ancillary markets and assessed for market performance against the relevant project Pnode. Pnode prices will be generated using modeling that accounts for changes in regional fundamentals (congestion risk, depression of mid-day prices due to solar generation, storage, etc.) over time. This analysis will provide an estimate of energy value for each project, which along with the \$/MWh PPA cost and, if relevant, \$/kW-month capacity cost submitted in the proposal will be used to calculate an overall value for each project.

Long Lead-Time Resources

Projects that are a Long Lead-Time Resource will be given priority. Long Lead-Time Resources are Offshore Wind, Enhanced Geothermal, and Long Duration Storage (+12 hour and multi-day). Refer to D.24-08-064, the Decision Determining Need for Centralized Procurement of Long Lead-Time Resources¹¹ for more information.

Qualitative Evaluation Criteria

Projects will also be assessed according to the qualitative criteria outlined below.

- Project viability and development risk:
 - Project status regarding interconnection, site control, permits
 - Technology viability
 - Financial stability of project owner/developer
 - Approach/discussion on EPC contracting
 - **Participants are encouraged to share their self-scoring of the Project Viability (that was submitted to CAISO) with Peninsula Clean Energy.**
- Project team experience
- Project Location – Peninsula Clean Energy prefers projects located within California, particularly projects located within or close to San Mateo and Santa Clara counties and projects located in Merced County particularly in the vicinity of the City of Los Banos.
- Environmental impacts and related mitigation requirements: Peninsula Clean Energy is committed to being an environmental leader and will evaluate whether projects deliver multiple benefits for air, water, and nature and avoid impacts to important lands, species, and waters. Peninsula Clean Energy will also assess whether projects are located in areas zoned for renewable energy development or in high-conflict areas. Peninsula

¹¹ <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M539/K202/539202613.PDF>

Clean Energy will also evaluate recycling and decommissioning plans for project technology.

- Community Benefits and Impacts to Disadvantaged Communities (DAC)¹² - Peninsula Clean Energy values projects that can demonstrate DAC workforce and community development benefits and have conducted outreach to the local communities.
- Workforce Development
 - Relevant information submitted by Participants will be used to evaluate potential workforce impacts of proposed projects with the goal of promoting fair compensation, fair worker treatment, multi-trade collaboration, and support of the existing wage base in local communities where contracted projects will be located.

¹² Disadvantaged Community means in or within half a mile of a [CalEnviroscreen](#) census tract in the 75th percentile or higher.

9 SHORT-LISTED REQUIREMENTS

Shortlisted projects will be offered Peninsula Clean Energy's Commercial Interest points in an amount equal to the points requested in the Data Form, not to exceed a number equal to the full capacity of the interconnection application (in MWAC). To receive the Commercial Interest points, the following documents must be submitted to Peninsula Clean Energy within 2 weeks of short-list notification:

- A signed Exclusivity Agreement with a Right of First Refusal (Attachment 4)
 - Peninsula Clean Energy will NOT negotiate the terms of the Exclusivity Agreement
- Shortlist Deposit
 - \$3/kW for generation and storage capacity, if applicable
- Demonstration of site control (if applicable)
- Credit rating and financial statements

Exclusivity Agreement and Next Steps

The Exclusivity Agreement will identify Exclusivity Deadline provisions and will require Participants to ultimately offer Peninsula Clean Energy a long-term PPA contract upon receiving CAISO's Phase II Results for the project. Peninsula Clean Energy will issue an RFO within 90 days of CAISO's release of Phase II Results for Cluster 15 projects. Counterparties that receive Peninsula Clean Energy's Commercial Interest points are required to participate in the RFO. Failure to participate in the RFO would result in forfeiture of the Shortlist Deposit. Please refer to the Exclusivity Agreement for more information on the Exclusivity Deadline and required next steps.

Shortlist Deposit

The Shortlist Deposit is intended to secure the obligations of any shortlisted Participant(s) during the Exclusivity Period and to ensure that each Submission has been carefully considered. The Shortlist Deposit must be in the form of either a cash deposit or a Letter of Credit. "Letter of Credit" means an irrevocable standby letter of credit, in a form reasonably acceptable to Peninsula Clean Energy, issued either by (i) a U.S. commercial bank, or (ii) a U.S. branch of a foreign commercial bank that meets the following conditions: (A) it has sufficient assets in the U.S. as determined by Peninsula Clean Energy, and (B) it is acceptable to Peninsula Clean Energy in its sole discretion. The issuing bank must have a credit rating of at least A- from S&P or A3 from Moody's, with a stable outlook designation. In the event the issuer is rated by both rating agencies and the ratings are not equivalent then the lower rating will apply. All costs of the Letter of Credit shall be borne by the Participant. Please refer to the Exclusivity Agreement for additional details regarding the Exclusivity Period and return of the Shortlist Deposit.

Credit Rating and Financial Statements

Based on availability, Participant must submit a financial statement for the most recent financial quarter, as well as audited financial statements for the most recent two fiscal years, or the period of existence of the counterparty, if shorter. If audited financial statements are not available, financial statements, as described below, should be submitted, signed, and attested to by an officer of the counterparty as a fair representation of the financial condition in accordance with generally accepted accounting principles. The information should include, but is not limited to, the following:

If publicly traded:

- a. Annual and quarterly reports on Form 10-K and Form 10-Q, respectively
- b. Form 6-K and 8-K, if filed during the last period

If privately held or governmentally owned:

- a. Management's Discussion & Analysis (if available)
- b. Report of Independent Accountants (if available)
- c. Financial Statements, including:
 - i. Balance Sheet
 - ii. Income Statement
 - iii. Statement of Cash Flows
 - iv. Statement of Stockholder's Equity (privately held only)
- d. Notes to Financial Statements

Financial statements should be sent to PenCleanEnergyRFO@peninsulacleanenergy.com. If the Participant requires a Non-Disclosure Agreement (NDA) in order to share that information, Peninsula Clean Energy will use the NDA provided in the RFI Solicitation materials (Attachment 5). Peninsula Clean Energy will NOT negotiate the terms of this NDA.

10 CREDIT TERMS

Seller Credit Requirements

Following shortlist selection notification, the selected Participant(s) will be required to execute an Exclusivity Agreement and submit a Shortlist Deposit within two weeks of such notification. Letter of credit, checks, or wire transfer will be accepted. More detailed instructions will be provided to shortlist candidates when the time comes. For further details, please see Exclusivity Agreement (Attachment 4).

Participant is solely responsible for the cost of providing these credit assurances and this should be included in the indicative price.

- **Shortlist Deposit:** \$3/kW of proposed generation and/or storage, as applicable, project capacity for each shortlisted project
- **Following PPA execution:** Development Security of \$125/kW of Guaranteed Capacity for generation or storage resources.
- **Upon Commercial Operation:** Performance Security of \$125/kW of Guaranteed Capacity for generation or storage resources.

Buyer Security

Peninsula Clean Energy has an investment grade credit rating and will not provide collateral or performance security in connection with any agreements that it may execute in connection with this RFI. By submitting an information through this RFI, Participant acknowledges and accepts that Peninsula Clean Energy does not intend to provide collateral or performance security in connection with any agreement, and no such information submitted will be subject to a requirement that Peninsula Clean Energy post collateral or security.

11 SUPPLIER DIVERSITY

Consistent with its strategic goals, Peninsula Clean Energy has a strong commitment to foster a work environment that espouses sustainable business practices and cultivates a culture of innovation, diversity, transparency, integrity, accessibility, and commitment to the organization's mission and the communities it serves. As part of that commitment, Peninsula Clean Energy strives to ensure its use of vendors and suppliers who share its commitment to sustainable business and inclusionary practices.

To help ensure a diverse and inclusive set of vendors and suppliers, Peninsula Clean Energy's policy requires it to:

1. Strive to use small, local and diverse businesses and provide fair compensation in the purchase of services and supplies;
2. Proactively seek services from small, local, and diverse businesses and from businesses that have been Green Business certified and/or are taking steps to protect the environment; and
3. Engage in efforts to reach diverse vendors and suppliers to ensure an inclusive pool of potential vendors and suppliers.

General Order 156 (GO 156) are California Public Utilities Commission (CPUC) rules that establish requirements for Community Choice Aggregators (CCAs) with gross annual California revenues exceeding \$15,000,000 to report on their utilization of majority women-owned, minority-owned, disabled veteran-owned, persons with disabilities-owned and LGBT-owned business enterprises in all categories. Qualified businesses become GO 156 certified through the CPUC and are then added to the GO 156 Clearinghouse database.

The CPUC Clearinghouse can be found here: www.thesupplierclearinghouse.com. It is the policy of Peninsula Clean Energy that all businesses, including business enterprises owned and controlled by women, minorities, disabled veterans, LGBT, and persons with disabilities (herein "diverse suppliers") shall have the maximum practicable opportunity to participate in the performance of contracts.

Peninsula Clean Energy's policies and commitment to diversity are consistent with the principles of GO 156, and, therefore, respondents to this RFI are asked to voluntarily disclose their GO 156 certification status as well as their efforts to work with diverse business enterprises, including those owned or operated by women (WBE), minorities (MBE), disabled veterans (DVBE), lesbian, gay, bisexual, or transgender people (LGBTBE), and persons with disabilities (PDBE).

As a public agency and consistent with state law, Peninsula Clean Energy will not use any such provided information in any part of its decision-making or selection process. Rather, Peninsula

Clean Energy will use that information solely to help evaluate how well it is conforming to its own policies and goals. This policy shall not be used to exclude any qualified businesses from participating in Peninsula Clean Energy contracting opportunities.

12 PENINSULA CLEAN ENERGY LEGAL OBLIGATIONS

Peninsula Clean Energy is not obligated to respond to any Submission as part of the RFI. All parties acknowledge that Peninsula Clean Energy is a public agency subject to the requirements of the California Public Records Act, Cal. Gov. Code section 6250 et seq. Peninsula Clean Energy acknowledges that another party may submit information to Peninsula Clean Energy that the other party considers confidential, proprietary, or trade secret information pursuant to the Uniform Trade Secrets Act (Cal. Civ. Code section 3426 et seq.), or otherwise protected from disclosure pursuant to an exemption to the California Public Records Act (Government Code sections 6254 and 6255) ("Confidential Information"). Any such other party acknowledges that Peninsula Clean Energy may submit to the other party Confidential Information. Upon request or demand of any third person or entity not a party to this RFI ("Requestor") for production, inspection and/or copying of information designated as Confidential Information by a party disclosing such information ("Disclosing Party"), the party receiving such information ("Receiving Party"), as soon as practical but within three (3) business days of receipt of the request, shall notify the Disclosing Party that such request has been made, by telephone call, letter sent via email and/or by US Mail to the address or email address listed on the cover page of the RFI. The Disclosing Party shall be solely responsible for taking whatever legal steps are necessary to protect information deemed by it to be Confidential Information and to prevent release of information to the Requestor by the Receiving Party. If the Disclosing Party takes no such action, after receiving the foregoing notice from the Receiving Party, the Receiving Party shall be permitted to comply with the Requestor's demand and is not required to defend against it.

13 GENERAL TERMS AND CONDITIONS

1. **Peninsula Clean Energy's Reserved Rights:** Peninsula Clean Energy may, at its sole discretion: withdraw this Request for Information at any time, and/or reject any or all materials submitted. Respondents are solely responsible for any costs or expenses incurred in connection with the preparation and submittal of the materials for this RFI.
2. **Public Records:** All documents submitted in response to this RFI will become the property of Peninsula Clean Energy upon submittal and will be subject to the provisions of the California Public Records Act and any other applicable disclosure laws.
3. **No Guarantee of Contract:** Peninsula Clean Energy makes no guarantee that a contractor and/ or firm added to the qualified vendor list will result in a contract.
4. **Response is Genuine:** By submitting a response pursuant to this RFI, Respondent certifies that this Submission is genuine, and not sham or collusive, nor made in the interest or on behalf of any person not named therein; the submitting firm has not directly or indirectly induced or solicited any other submitting firm to put in a sham bid, or any other person, firm or corporation to refrain from submitting a Submission, and the submitting firm has not in any manner sought by collusion to secure for themselves an advantage over any other submitting firm.

14 PROTEST

If an unsuccessful Participant wants to dispute an award or award recommendation, a protest must be submitted in writing to the Chief Executive Officer, Shawn Marshall no later than ten (10) calendar days after notice that the Participant was unsuccessful, detailing the grounds, factual basis and providing all supporting information. Protests will not be considered for disputes on the grounds that material provision in this RFI is ambiguous. Failure to submit a timely written protest to the contact listed below will bar consideration of the protest.

The address for submitting protests is:

Attention: Shawn Marshall, CEO
Peninsula Clean Energy Authority
2075 Woodside Road
Redwood City, CA 94061

Please submit electronic versions of any protest to
PenCleanEnergyRFO@peninsulacleanenergy.com.

15 PARTICIPANT REPRESENTATIONS

By submitting information, Participant agrees to be bound by the conditions of the RFI Protocol, and makes the following representations, warranties, and covenants to Peninsula Clean Energy, which representations, warranties, and covenants will be deemed to be incorporated in their entirety into each of Participant's submittals and are deemed to be material to the Peninsula Clean Energy's consideration of the proposals:

1. Participant agrees that Peninsula Clean Energy is not liable to any Participant or party in law or equity for any reason whatsoever for any acts or omissions arising out of or in conjunction with this request for submittals and that Participant has no legal recourse against Peninsula Clean Energy, its Members, directors, officers, employees, and agents for rejection of their submittal(s).
2. Participant acknowledges that it has had the opportunity to seek independent legal and financial advice of its own choosing with respect to this RFI and agrees to be bound by the terms and specifications of this RFI and any addenda subsequently issued prior to the due date of the submittal.
3. Participant has obtained all necessary authorizations, approvals, and waivers, if any, required by Participant to submit its bid pursuant to the terms of this RFI and to enter into a final agreement with Peninsula Clean Energy.
4. Participant acknowledges that Peninsula Clean Energy reserves the right to enter into relationships with more than one Participant, can choose not to proceed with any Participant with respect to one or more identified Tasks, and can choose to suspend this RFI or issue a new RFI that would supersede and replace this RFI.
5. Participant warrants that it has no employees in its employ who in any capacity have a position at Peninsula Clean Energy that enable him/her to influence the selection of a Participant or any competing RFI, nor does Participant have in its employ any of Peninsula Clean Energy's Directors, or Peninsula Clean Energy employee who is the spouse or economic dependent of such a Peninsula Clean Energy employee.
6. Participant's Submission complies with all applicable laws.
7. Participant warrants that all information submitted by Participant in connection with this RFI is true and accurate as of the date of Participant's Submission. Participant also covenants that it will properly update any submitted information immediately upon any material change thereto.
8. Participant acknowledges and accepts that Peninsula Clean Energy does not intend to provide collateral or performance security in connection with any PPA.

16 PUBLIC NATURE OF PROPOSAL MATERIAL

All correspondence with Peninsula Clean Energy including responses to this solicitation will become the exclusive property of Peninsula Clean Energy and will become public records under the California Public Records Act (Cal. Government Code section 6250 et seq.) All documents that you send to Peninsula Clean Energy will be subject to disclosure if requested by a member of the public. There are a very limited number of narrow exceptions to this disclosure requirement.

Peninsula Clean Energy acknowledges that another party may submit information that the other party considers confidential, proprietary, or trade secret information pursuant the Uniform Trade Secrets Act (Cal. Civ. Code section 3426 et seq.), or otherwise protected from disclosure pursuant to an exemption to the California Public Records Act (Government Code sections 6254 and 6255) (“Confidential Information”).

Therefore, any proposal which contains language purporting to render all or significant portions of their proposal “Confidential”, “Trade Secret” or “Proprietary”, or fails to provide the exemption information required as described below will be considered a public record in its entirety subject to the procedures described below. Do not mark your entire proposal as “confidential”.

Peninsula Clean Energy will not disclose any part of any proposal before it announces a recommendation for award, on the ground that there is a substantial public interest in not disclosing proposals during the evaluation process. After the announcement of a recommended award, all proposals received in response to this RFI will be subject to public disclosure.

In order to designate information as confidential, the Participant must clearly stamp and identify the specific portion of the material designated with the word “Confidential” and provide a citation to the California Public Records Act that supports keeping the information confidential. Participant should not over-designate material as confidential. Over-designation would include stamping entire pages or series of pages as confidential that clearly contain information that is not confidential. Upon request or demand of any third person or entity not a party to this Agreement (“Requestor”) for production, inspection and/or copying of information designated by Participant as confidential information (such designated information, the “Confidential Information”), Peninsula Clean Energy will notify the Participant as soon as practical that such request has been made. The Participant shall be solely responsible for taking whatever legal steps are necessary to protect information deemed by it to be Confidential Information and to prevent release of information to the Requestor by Peninsula Clean Energy. If the Participant takes no such action after receiving the foregoing notice from Peninsula Clean Energy, Peninsula Clean Energy shall be permitted to comply with the Requestor’s demand and is not required to defend against it.

If required by any law, statute, ordinance, a court, Governmental Authority or agency having jurisdiction over Peninsula Clean Energy, including the California Public Records Act, Peninsula Clean Energy may release Confidential Information, or a portion thereof, as required by the Applicable Law, statute, ordinance, decision, order or regulation. In the event Peninsula Clean Energy is required to release Confidential Information, it shall notify the Participant of the required disclosure, such that the Participant may attempt (if it so chooses), at its sole cost, to cause the recipient of the Confidential Information to treat such information in a confidential manner, and to prevent such information from being disclosed or otherwise becoming part of the public domain.

17 DISCLAIMER

Peninsula Clean Energy reserves the sole and discretionary right to (i) reject any information received in response to this RFI for any reason, and (ii) accept any information received after the deadline for submittals as indicated herein. Additionally, Peninsula Clean Energy reserves the right, at their sole discretion, to not enter into any transaction at the conclusion of this RFI. Peninsula Clean Energy shall not be obligated to respond to any proposal submitted, nor be legally bound in any manner by submission of the proposal. Peninsula Clean Energy reserves the right to modify the terms and conditions of this RFI at any time based on changing needs and market feedback. Peninsula Clean Energy also reserves the right to rescind this RFI at any time prior to Peninsula Clean Energy's execution of a binding agreement. Peninsula Clean Energy will not be liable at any time for any costs the prospective supplier may incur in preparing or submitting its response to this RFI.

18 LIST OF ATTACHMENTS

1. Data Form
2. Term Sheets
 - a. Renewable Energy Only Term Sheet
 - b. Renewable Energy + Storage Term Sheet
 - c. Storage Only Term Sheet
3. Instructions for Providing Project Geospatial Footprint
4. Exclusivity Agreement
5. Non-Disclosure Agreement