



Illinois Department of Transportation

REQUEST FOR QUALIFICATIONS (RFQ) ADDENDUM No. #4 ILLIANA CORRIDOR – ILLINOIS PROJECT

The purpose of this addendum is to present changes to sections within the Request for Qualifications (“RFQ”), as indicated below, and to present a revised Form C. All other terms and conditions of the original RFQ Notice and any addenda are unchanged. A Word document containing a complete set of the RFQ Forms, including revised Form C, has been posted to the Illinois Transportation Bulletin in connection with this addendum. Note, however, that only Form C has changed. Respondents may continue to use, and IDOT will accept, the prior version of forms other than Form C.

IDOT will continue to publish addenda to provide responses to vendor questions as required. Please check the Illinois Transportation Bulletin daily. Email RFQ Solicitation Contact Roger L. Driskell at Illiana.IllinoisProject@illinois.gov with questions concerning this addendum and the RFQ.

December 11, 2013



Illinois Department of Transportation

CHANGES TO SECTIONS IN THE RFQ

RFQ Part A, Section 6.2

RFQ Part A, Section 6.2 is revised as shown below (deleted language in ~~red strike-through text~~, and new language in **bolded, double-underlined blue text**).

6.2 FORMAT

(a) Number of copies

Each Respondent shall submit one original and 10 copies (for a total of 11) of SOQ Volumes 1, 2, and 3, and one original and five copies (for a total of 6) of SOQ Volume 4 and, if used, Volume 5. Each SOQ shall be separated in four or five loose-leaf three ring binders, as applicable, one for each volume. The original of each SOQ must be clearly marked "Original" on its face and spine. Each copy must be numbered on its spine (e.g., "Copy 1 of 10" or "Copy 1 of 5," as applicable). The Respondent's name and the SOQ volume number must also be clearly marked on the spine.

Each Respondent shall also submit six digital copies of the entire SOQ in a read-only format on a CD, DVD or USB flash drive contained in sealed packages. The Respondent's name and the copy number (e.g., "Copy 1 of 6") must be clearly marked on the CD / DVD / USB drive.

(b) Signatures

IDOT will accept color photocopies of hand-signed originals in lieu of original signatures. Accordingly, documents may be signed in blue ink, scanned and then printed or photocopied in color for inclusion in the SOQ copies, including the hardcopy marked "Original." Electronic (digital) signatures will not be accepted.

~~(b)~~ (c) General format requirements

Submittals must be prepared on 8-1/2" x 11" sized white paper and bound. Double-sided printing is encouraged. 11" x 17" pages are allowed (and included in the page counts contained in SOQ Volumes 2 and 3) for Forms D, Form E, schematics, organizational charts, other drawings, and schedules, but not for narrative text. Printed lines may be single-spaced. Insofar as is practical or economical, all paper stock used shall be composed of recycled materials.

~~(c)~~ (d) Volume 1 requirements

SOQ Volume 1 (as described in Part B, Section 1) shall have all pages sequentially numbered. Volume 1 does not have page limitation or type font size requirements.

~~(e)~~ (e) **Volume 2 requirements**

SOQ Volume 2 (as described in Part B, Section 2) shall have all pages sequentially numbered and not exceed 75 pages. Each printed side shall be considered one page. The font size shall be no smaller than 12-point font, except for tables, which may be prepared using 10-point font. Pages submitted to meet the requirements of the following sections of Volume 2 do not count toward the page limit listed above:

- Part B, Section 2(B)(2)(b) (relevant licensing and registrations and/or application for licenses where applicable).

~~(f)~~ (f) **Volume 3 requirements**

SOQ Volume 3 (as described in Part B, Section 3) shall have all pages sequentially numbered and shall not exceed 25 pages. Each printed side shall be considered one page. The font size shall be no smaller than 12-point font, except for tables, which may be prepared using 10-point font.

~~(g)~~ (g) **Volume 4 requirements**

SOQ Volume 4 (as described in Part B, Section 4) does not have page limitation or type font size requirements.

~~(h)~~ (h) **Volume 5 requirements**

If the Respondent chooses to provide confidential information in a separate Volume 5 as described in Part B, Section 1(B), the page limitations and type font size requirements of the relevant section of the SOQ shall apply.

~~(i)~~ (i) **Marketing materials and licenses**

Standard corporate brochures, awards, licenses, and marketing materials should not be included in an SOQ, although proof of license in good standing will be required as a condition to award for licensed professionals proposed to work on the Illinois Project.

RFQ Part B, SOQ Organization Outline

The SOQ Organization outline in RFQ Part B is revised as shown below (deleted language in ~~red strike-through text~~, and new language in **bolded, double-underlined blue text**).

Respondents are required to assemble their SOQ in the order prescribed and following the outline form contained in this Part B.

Volume 1 – General Information	
Section A	Form A – Transmittal Letter
Section B	Confidential Contents Index
Section C	Respondent Information

	(1) Forms B-1 and B-2
	(2) Information Regarding Equity Members and Major Non-Equity Members
	(a) The Respondent
	(b) Equity Members
	(c) Major Non-Equity Members
Section D	Form C – Certifications and Disclosures
Section E	Legal Qualifications
Volume 2 – Technical Information	
Section A	Executive Summary
Section B	Technical Qualifications
	(1) Project Technical Experience
	(a) Relevant Experience (Forms D-1, D-2 and D-3)
	(b) Detailed Project Descriptions
	(2) Key Personnel Qualifications
	(a) List of Key Personnel Qualifications
	(b) Key Personnel Resumes
(3) Management Structure	
Section C	Statement of Technical Approach
Volume 3 – Project Finance Experience	
Section A	Relevant Experience
Section B	Detailed Project Descriptions
Volume 4 – Financial Information	
Section A	Financial Statements
Section B	CFO Certificate
Section C	Bankruptcy/Insolvency Proceedings
Section D	Equity Funding Letter
Section E	Surety Letter
Volume 5 – Confidential Information (optional)	

RFQ Part B, Volume 1, Section A

RFQ Part B, Volume 1, Section A is revised as shown below (deleted language in ~~red strike-through text~~, and new language in **bolded, double-underlined blue text**).

Section A Form A – Transmittal Letter

A duly authorized official of the Respondent must execute the transmittal letter in blue ink. For Respondents that are (or are expected to be) joint ventures, partnerships, limited liability companies, or other associations, the transmittal letter shall have appended to it letters on the letterhead stationery of each Equity Member, executed in blue ink by authorized officials of each Equity Member, stating that representations, statements, and commitments made in the SOQ on behalf of the Equity Member's firm have been authorized by, are correct, and accurately represent the role of the Equity Member's firm in the Respondent team. [See Part A, Section 6.2\(b\) for requirements regarding signatures.](#)

RFQ Part B, Volume 1, Section C(1)

RFQ Part B, Volume 1, Section C(1) is revised as shown below (deleted language in ~~red strike-through text~~, and new language in **bolded, double-underlined blue text**).

Section C Respondent Information

(1) Forms B-1 and B-2

Provide a completed Form B-1 for the Respondent. If Respondent anticipates that operations and maintenance work required under the PPA will be self-performed by the Developer, Respondent shall indicate as such on Respondent's Form B-1, listing such Equity Member(s) as the Respondent's "Lead Maintenance and Operations Firm" for the purpose of this RFQ.

Provide an executed original [\(or an executed copy in accordance with Part A, Section 6.2\(b\)\)](#) of Form B-2 for the Respondent, each Equity Member, each Affiliate completing Form E (if any), each Guarantor (if any), and each Major Non-Equity Member, and including all Lead Firms. *Respondents are advised that Form B-2 may be released to the public and media.*

RFQ Part B, Volume 1, Section C(2)

RFQ Part B, Volume 1, Section C(2) is revised as shown below (deleted language in ~~red strike-through text~~, and new language in **bolded, double-underlined blue text**).

(2) Information Regarding Equity Members and Major Non-Equity Members

The information submitted in response to this Paragraph (2) shall be limited to a maximum of one page each for the Respondent, each Equity Member and each Major Non-Equity Member (including all Lead Firms).

(a) The Respondent

Identify the legal name of the Respondent. If the name is a “doing business as” or “DBA,” identify underlying names. If the Respondent entity has not been legally formed yet, state that a legal entity has not yet been created, provide a proposed name (if any) or a temporary name for the Respondent, and describe the expected timing for creating a legal entity for the Respondent. Identify the legal name and nature of the Respondent and the state within which it was organized, or for Respondents that have not formed a legal entity yet, identify the proposed legal name and nature of the Respondent and the state within which Respondent expects to organize the entity.

Identify a sole point of contact and include the following information: individual's name, title, address, telephone and fax numbers, and email address.

If the Respondent is a consortium, partnership, or any other form of joint venture, provide a summary of the key terms of the executed or anticipated teaming agreement, including percentages of ownership, roles of the various parties, and execution date (actual or anticipated). [Such summary of key terms will be excluded from the one-page limit.](#)

(b) Equity Members (and Applicable Guarantors)

For each Equity Member of the Respondent, identify the entity's role and the entity's legal nature and state within which it was organized.

If any Equity Member is a consortium, partnership, or any other form of joint venture, provide a summary of the key terms of the executed or anticipated teaming agreement, including percentages of ownership, roles of the various parties, and execution date (actual or anticipated). [Such summary of key terms will be excluded from the one-page per entity limit.](#)

(c) Major Non-Equity Members (and Applicable Guarantors)

Identify each Major Non-Equity Member of the Respondent and for each such Major Non-Equity Member, identify the entity's role and the entity's legal nature and state within which it was organized.

If any Lead Firm is a consortium, partnership, or any other form of joint venture, provide a summary of the key terms of the executed or anticipated teaming agreement, including percentages of ownership, roles of the various parties, and execution date (actual or anticipated). [Such summary of key terms will be excluded from the one-page per entity limit.](#)

RFQ Part B, Volume 1, Section D

RFQ Part B, Volume 1, Section D is revised as shown below (deleted language in ~~red strike-through text~~, and new language in [**bolded, double-underlined blue text**](#)).

Section D Form C – Certification

Provide an executed original [\(or an executed copy in accordance with Part A, Section 6.2\(b\)\)](#) of Form C for the Respondent, each Equity Member, each Lead Firm, and each Guarantor (if any).

RFQ Part B, Volume 2, Section B(2)(a)

RFQ Part B, Volume 2, Section B(2)(a) is revised as shown below (deleted language in ~~red strike-through text~~, and new language in **bolded, double-underlined blue text**).

(a) List of Key Personnel

Key Personnel shall be named by position and firm affiliation in a list printed on a separate 8-1/2" x 11" sized white paper as follows:

Position	Description
<u>Developer's</u> Project Manager	Responsible for leading the Developer's efforts and be responsible for overall design, construction, operation, maintenance, and contract administration on behalf of the Developer, including safety and environmental compliance. Assigned to the Illinois Project full-time and co-located / on-site until final acceptance of construction of the Illinois Project.
Design Manager	Responsible for ensuring that the overall Illinois Project design is completed and design criteria requirements are met.
Construction <u>Design-Build</u> <u>Project</u> Manager	Responsible for ensuring that the Illinois Project <u>is designed and</u> constructed in accordance with the Illinois Project requirements. Assigned to the Illinois Project full-time and co-located/on-site until substantial completion of the Illinois Project.
Quality Manager	Responsible for the overall design, construction, and life-cycle quality of the Illinois Project, implementing quality planning and training, and managing the team's quality management processes. Independent of Lead Contractor and has the authority to stop work.
O&M Manager	Prior to commencement of service on the Illinois Project, responsible for maintenance during construction. After service commencement, responsible for overall operation, design, construction, maintenance, and contract administration matters on behalf of the Developer, including safety and environmental compliance, in compliance with the Developer's O&M obligations under the PPA.

Only one individual shall be designated to fill each position.

RFQ Part B, Volume 2, Section B(3)

RFQ Part B, Volume 2, Section B(3) is revised as shown below (deleted language in ~~red strike-through text~~, and new language in **bolded, double-underlined blue text**).

(3) Management Structure

For each SOQ, provide a narrative of no more than five pages (8.5" x 11") describing the Respondent's teaming arrangements and its management structure. The narrative should include at a minimum a discussion of the following:

- How the Respondent will institutionally operate, particularly in light of the complexity and phasing of project development;
- The experience of team members working together on other projects and the results of that experience; and
- How the management structure will facilitate the management of Illinois Project risks, resolve issues, and work with IDOT to achieve timely delivery of a high-quality Illinois Project.

The narrative will be supported by up to three additional charts, not included in the five-page limit, on paper up to 11" x 17" size, as follows:

- Organization chart showing the Respondent's Equity and Major Non-Equity Members (and any Guarantor, if applicable). Indicate the percentage of shareholding among the Equity Members.
- Organization chart showing the Respondent's management structure and "chain of command" with Key Personnel shown together with any other relevant personnel the Respondent wishes to identify at this time, and identifying major functions to be performed and their reporting relationships in managing, designing, constructing, operating and maintaining the Illinois Project. Respondents may submit separate organizational charts for the construction period and the operation and maintenance period of the Illinois Project, if needed.

RFQ Part B, Volume 3, Section B

RFQ Part B, Volume 3, Section B is revised as shown below (deleted language in ~~red strike-through-text~~, and new language in **bolded, double-underlined blue text**).

Section B Detailed Project Descriptions

As an attachment to Form E, the SOQ shall include narrative project descriptions for at least three and up to four of the most relevant project financing experiences listed in Table 1 of Form E. The attachment shall be a maximum of three pages, covering all three to four narrative project descriptions, provided on separate 8-1/2" x 11" sized white paper. ~~The~~ Each description should, at a minimum, give an overview of the project and explain why the experience gained on the project is relevant to the evaluation criteria provided in Part A, Section 7.

RFQ Part B, Volume 4, Section A, Paragraph (f)

RFQ Part B, Volume 4, Section A, Paragraph (f) is revised as shown below (deleted language in ~~red strike-through-text~~, and new language in **bolded, double-underlined blue text**).

- (f) Format: In addition to all other electronic information requested in this RFQ, each Respondent must submit a copy of all financial statements electronically in searchable PDF format on one or more CDs, DVDs or on a USB flash drive. Respondents must also submit standard unlocked Microsoft Excel workbooks containing the balance sheet, income statement and statement of cash flows as disclosed in the audited financial statements. For each entity providing financial statements, one worksheet should be used for each of the balance sheet, income statement and statement of cash flows, with figures for each of the three most recent years in separate columns, in chronological order, from left to right.

RFQ Part B, Volume 4, Section B

RFQ Part B, Volume 4, Section B is revised as shown below (deleted language in ~~red strike-through-text~~, and new language in **bolded, double-underlined blue text**).

Section B CFO Certificate

Provide a certificate ("CFO Certificate") from each of the following entities: (1) the Respondent, **if the Respondent has been formed as a legal entity**; (2) all Equity Members; (3) the Lead Contractor (and if the Lead Contractor is a joint venture (unincorporated or incorporated), all entities comprising the joint venture); (4) the Lead Operations and Maintenance Firm, if and only if the Developer is anticipated to pass down the full operations and maintenance scope of the Illinois Project to the Lead Operations and Maintenance Firm for the entire term of the PPA through a back-to-back subcontract; and (5) each Guarantor (if any).

Each CFO Certificate must be signed by the chief financial (or equivalent) officer of the relevant entity, **be** dated ~~the date of~~ **no earlier than two weeks prior to** the SOQ ~~submission~~ **Due Date**, and confirm the following information:

- (1) Credit Ratings: The most recent credit rating(s) by the major credit rating agencies (i.e., Moody's, S&P, and Fitch) (if any) for the debt of the relevant entity. If the relevant entity's debt is not rated by any such rating agency, include a certification to that effect.
- (2) Bankruptcy/insolvency proceedings: Information regarding any voluntary or involuntary proceeding commenced by or against the relevant entity within the most recent three fiscal years (whether or not such proceeding was ultimately dismissed) under any law relating to bankruptcy, insolvency, reorganization, or the composition or re-adjustment of debt. If there are no such proceedings, include a certification to that effect.
- (3) Material Changes in Financial Conditions: Information regarding material changes in the financial condition of the relevant entity for the three-year period prior to the SOQ submission date and as projected for the next fiscal quarter. If no material change has occurred and none is pending, include a certification to that effect.

Information regarding any material change that has occurred, or is projected, must include, at a minimum:

- (a) a description of each material change, actual and projected, and any related changes or disruptions in executive management;
- (b) actual and projected impacts on the affected entity's organizational and financial capacity and its ability to remain engaged in this procurement and submit a responsive proposal; and
- (c) a detailed description of any other projected impacts, positive and negative, of the changes experienced and anticipated to be experienced in the periods ahead; including the likelihood that the circumstances of the change or impacts thereof will continue during the Illinois Project term.

Estimates of the impact on revenues, expenses and the change in equity must be provided separately for each material change. References to the notes in the financial statements are not sufficient to address the requirement to discuss the impact of material changes. Where a material change will have a negative financial impact, the affected entity must describe measures that would be undertaken to insulate the Illinois Project from any recent material changes, and those currently in progress or reasonably anticipated in the future.

If its financial statements indicate that expenses and losses exceed income in each of the three completed fiscal years (even if there has not been a material change), the affected entity must describe measures that will be undertaken to make the entity profitable in the future and an estimate of when the entity will be profitable.

Set forth below is a list of examples of what IDOT considers to be material change in financial condition. At the discretion of IDOT, any failure to disclose a prior or pending material change may result in disqualification from the procurement process.

- An event of default or bankruptcy involving the affected entity, its parent company or Guarantor, or any of its controlled subsidiary or other affiliates.
- A change in the tangible net worth of 10% or more of shareholder equity.
- A sale, merger or acquisition exceeding 10% of the value of shareholder equity prior to the sale, merger or acquisition which in any way involves the affected entity or its parent company or Guarantor.
- A change in credit rating for the affected entity or its parent company or Guarantor.
- Inability to meet material conditions of loan or debt covenants by the affected entity or its parent company or Guarantor that has required or will require a waiver or modification of agreed financial ratios, coverage factors or other loan stipulations, or additional credit support from shareholders or other third parties.
- In the current and three most recent completed fiscal years, the affected entity or its parent company or Guarantor either: (i) incurs a net operating loss; (ii) sustains charges exceeding 5% of the then shareholder equity due to claims, changes in accounting, write-offs or business restructuring; or (iii) implements a restructuring/reduction in labor force exceeding 200 positions or involves the disposition of assets exceeding 10% of the then shareholder equity.

- (4) Guarantor Support: To the extent that a CFO Certificate is from a Guarantor, provide confirmation of such Guarantor's intention to support the Respondent, Equity Member, or Lead Contractor, as

applicable, with the financial support and human resources needed by such entity to successfully satisfy its obligations in respect of the Illinois Project, including to complete construction of the Illinois Project. Such confirmation may be provided in the CFO Certificate, signed by the chief financial (or equivalent) officer of the Guarantor, or may be provided by a separate certification signed by the chief executive officer or other officer of the Guarantor authorized to make such certification, dated no earlier than two weeks prior to the SOQ Due Date.

RFQ Part B, Volume 4, Section E

RFQ Part B, Volume 4, Section E is revised as shown below (deleted language in ~~red strike-through text~~, and new language in **bolded, double-underlined blue text**).

Section E – Surety Letter

Provide a letter from a surety duly authorized in the State of Illinois, stating without conditions or qualification that the ~~Respondent or~~ Lead Contractor, ~~as applicable~~, is capable as of the date of the SOQ submission of obtaining a payment bond (or bonds) and a performance bond (or bonds), in an aggregate stated amount of \$500 million for the Illinois Project. The letter must specifically state that the surety has reviewed this RFQ and is familiar with the contractual structure and financial structure described in Part A (including the anticipated security requirements described in Part A, Section 3.6) and has evaluated the ~~Respondent's~~ Lead Contractor's backlog and work-in-progress in determining its bonding capacity. Letters stating that the ~~relevant entity~~ Lead Contractor has “unlimited” bonding capacity are not acceptable. The letter must specify any assumptions regarding the provision of support.

Any surety company providing such letter must be rated at least “A” or better and “Class VIII” or better by A.M. Best and Company, and must be listed on U.S. Treasury Department Circular 570. Evidence of the surety's rating must be attached to the letter.

The requirement to provide the surety letter and the bond amounts referenced above are solely for the purposes of evaluating the Respondent's financial qualifications and should not be construed as an indication of the ultimate security requirements for the Illinois Project.

RFQ Part D, Definition of “Affiliate”

The definition of “Affiliate” in RFQ Part D is revised as shown below (deleted language in ~~red strike-through text~~, and new language in **bolded, double-underlined blue text**).

Affiliate –

- For the purposes of Form C, with respect to each entity completing Form C, all parent companies at any tier, subsidiary companies at any tier, entities under common ownership, and joint ventures and partnerships involving such entities (but, with respect to joint ventures and ~~joint venture members and partners in which the entity has more than a 15% financial interest~~ joint ventures and partnerships involving such entities (but, with respect to joint ventures and

partnerships, only as to activities of joint ventures and partnerships involving Respondent, any Equity Member, any Lead Firm, or any Guarantor as a joint venturer or partner and not to activities of other joint venturers or partners not involving Respondent, any Equity Member, any Lead Firm, or any Guarantor), that, in each case, (a) within the past five years (measured from the date of issuance of this RFQ) have engaged in business or investment in North America or (b) have been involved, directly or indirectly, in the debt or equity financing, credit assistance, design, construction, management, operation or maintenance for any project listed by an entity pursuant to RFQ Part B, Volume 2, Section B and Part B, Volume 3, Section A.

- For the purposes of Form E, with respect to each Equity Member, any other entity that directly, or indirectly through one or more intermediaries, Controls or is Controlled by or is under common Control with such Equity Member. If such Equity Member is an investment fund, "Affiliate" includes such Equity Member's general partner and any other investment fund in which its general partner is an equity investor as a general partner.

CHANGES TO RFQ Form C

RFQ Part C, Form C

RFQ Part C, Form C is revised as shown on the following pages (deleted language in ~~red strike-through text~~, and new language in **bolded, double-underlined blue text**).

[See revised Form C, attached]

FORM C

CERTIFICATIONS AND DISCLOSURES

Name of Respondent _____

Name of Entity Completing this Form C _____

Entity Type (check one box for entity completing this Form C, as applicable):

Respondent Equity Member Guarantor Lead Firm Other Mayor Non-Equity Member

1. Has the firm or any affiliate* or any current officer thereof, been indicted or convicted of bid (i.e., fraud, bribery, collusion, conspiracy, antitrust, etc.) or other contract-related crimes or violations or any other felony or serious misdemeanor within the past 10 years?

Yes No

If yes, please explain:

2. Has the firm or any affiliate* ever been disqualified, removed, debarred or suspended from performing work for the federal government, any state or local government, or any foreign governmental entity within the past 10 years?

Yes No

If yes, please explain:

3. Has the firm or any affiliate* ever been found liable in a civil suit or found guilty in a criminal action for making any false claim or other material misrepresentation to a public entity within the past 10 years?

Yes No

If yes, as to each such inquiry, state the name of the public agency, the date of the inquiry, the grounds on which the public agency based the inquiry, and the result of the inquiry.

4. Has any construction project performed or managed by the firm or, to the knowledge of the undersigned, any affiliate* involved repeated or multiple failures to comply with safety rules, regulations, or requirements?

Yes No

If yes, please identify the team members and the projects, provide an explanation of the circumstances, and provide owner contact information including telephone numbers.

5. Has the firm or any affiliate* been found, adjudicated or determined by any federal or state court or agency (including, but not limited to, the Equal Employment Opportunity Commission, the Office of Federal Contract Compliance Programs or any applicable Illinois governmental agency) to have violated any laws or Executive Orders relating to employment discrimination or affirmative action, including but not limited to Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. Sections 2000 *et seq.*); the Equal Pay Act (29 U.S.C. Section 206(d)); and any applicable or similar Illinois law?

Yes No

If yes, please explain:

6. Has the firm or any affiliate* been found, adjudicated, or determined by any state court, state administrative agency, including, but not limited to, the Illinois Department of Labor (or its equivalent), federal court or federal agency, to have violated or failed to comply with any law or regulation of the United States or any state governing prevailing wages (including but not limited to payment for health and welfare, pension, vacation, travel time, subsistence, apprenticeship or other training, or other fringe benefits) or overtime compensation?

Yes No

If yes, please explain:

7. With respect to each of Questions 1-6 above, if not previously answered or included in a prior response on this form, is any proceeding, claim, matter, suit, indictment, etc. currently pending against the firm that could result in the firm being found liable, guilty or in violation of the matters referenced in Questions 1-6 above and/or subject to debarment, suspension, removal or disqualification by the federal government, any state or local government, or any foreign governmental entity?

Yes No

If yes, please explain and provide the information requested as to such similar items set forth in Questions 1-6 above.

*The term "affiliate" as used herein includes parent companies [at any tier](#), subsidiary companies [at any tier, entities under common ownership, and ~~joint venture members and partners in which the entity has more than a 15% financial interest~~ joint ventures and partnerships involving such entities \(but, with respect to joint ventures and partnerships, only as to activities of joint ventures and partnerships involving Respondent, any Equity Member, any Lead Firm, or any Guarantor, as a joint venturer or partner and not to activities of other joint venturers or partners not involving Respondent, any Equity Member, any Lead Firm, or any Guarantor\), that, in each case, \(a\) within the past five years \(measured from the date of issuance of this RFQ\) have engaged in business or investment in North America or \(b\) have been involved, directly or indirectly, in the debt or equity financing, credit assistance, design, construction, management, operation or maintenance for any project listed by an entity pursuant to RFQ Part B, Volume 2, Section B and Part B, Volume 3, Section A.](#)

Under penalty of perjury, I certify that the foregoing is true and correct, and that I am an official representative of [insert name of entity] duly authorized to execute this Form C on behalf of such entity:

By: _____ Printed Name: _____
Title: _____ Date: _____

[Please make additional copies of this form as needed.]