

ADDENDUM TO THE RFP RULES

The Addendum to the RFP Rules is being issued in response to measures enacted in the wake of COVID-19 and contains non-material modifications to the processing of Proposals that would be expected to improve potential participation by suppliers that are unable to work from their usual place of business.

In the event of conflict between the RFP Rules and the modifications issued in this Addendum, the modifications issued in this Addendum will govern. This Addendum is applicable to the September 2020 Solicitation only.

1.1. Digital Signatures

RFP Bidders have an additional option to use digital signatures for completing the Inserts to the Part 1 Form and Part 2 Form that require a signature. These Inserts may be completed either by:

1. Filling in each applicable Insert, printing and signing the Insert using a wet signature (and have the signature notarized when instructed), and scanning the signed and completed Insert; or by:
2. Filling in each applicable Insert, digitally signing the Insert and providing along with the completed Insert an additional document or information that verifies the identity of the signatory. Additional documentation or information may include: (i) a certificate of completion if the signatory uses DocuSign; (ii) a Final Audit Report if the signatory uses Adobe Sign; (iii) evidence that the digital signature has been certified by the signatory using a document signing certificate; or (iv) other documentation or information produced by a commercially available software that can be used by the Independent Evaluator to verify the identity of the signatory. For Inserts that require the signature to be notarized, notarization is not required if the Insert is digitally signed.

Digital signatures without a document or information verifying the identity of the signatory are not acceptable; signature images and other electronic signatures are not acceptable.

Inserts may be uploaded to the Proposal submission website or sent to the Independent Evaluator by email at PECOProcurement@nera.com. The Independent Evaluator will post a guide for using digital signatures including screenshots of acceptable signatures on the Supplier Documents page of the procurement website.

1.2. Contract Execution Process

The contract execution procedure is provided in paragraphs VII.3.10 – VII.3.15 of the RFP Rules. RFP Bidders should expect that the Independent Evaluator, as necessary, will issue additional instructions with the Part 1 Notification.

1.3. Submitting the Pre-Bid Letter of Credit as an Electronic PDF file

1.3.1. Pre-Bid Letter of Credit

The requirements for the Pre-Bid Letter of Credit provided in Section V.2 of the RFP Rules state that RFP Bidders should have their banks deliver a hard copy executed Pre-Bid Letter of Credit to the office of the Independent Evaluator. To accommodate both personnel at financial institutions and personnel of the Independent Evaluator working remotely, these requirements are entirely superseded by the following:

- The Pre-Bid Letter of Credit must be submitted as an electronic PDF file via electronic means to the Independent Evaluator at PECOProcurement@nera.com.
- In Section 2 of the Part 2 Form, RFP Bidders may provide special instructions for the return of the Pre-Bid Letter of Credit. The Independent Evaluator will work with the RFP Bidder to accommodate such special instructions as long as it is practicable given emergency measures currently in place.

A Pre-Bid Letter of Credit sent in hardcopy cannot be accepted. The Standard Pre-Bid Letter of Credit provided in Appendix 9 of the RFP Rules has been amended to accommodate submission by electronic means.

1.3.2. Comment Process on the Letters of Credit

RFP Bidders have an opportunity to propose modifications to the Standard Pre-Bid Letter of Credit and Standard Post-Bid Letter of Credit. The process for requesting modifications to the Standard Pre-Bid Letter of Credit and Standard Post-Bid Letter of Credit is provided in paragraphs IV.3.1 and IV.3.2 of the RFP Rules. This process is being amended to provide additional time for RFP Bidders and their financial institutions to submit proposed modifications in view of the amended form of the Standard Pre-Bid Letter of Credit. RFP Bidders may submit requests from the date of publication of this Addendum through the Part 1 Date of September 15, 2020.

1.4. Bid Submission Procedures

The requirements pertaining bid submission, processing, and evaluation are described in Article VI and Section VII.2. of the RFP Rules. The requirements are amended as follows to provide more time for evaluation of the Bid Form by the Independent Evaluator and greater flexibility in resubmission of the Bid Form by RFP Bidders:

- The Independent Evaluator acknowledges receipt of the Bid Form within thirty (30) minutes by phone. RFP Bidders may email the Independent Evaluator at PECOProcurement@nera.com to ask for confirmation of receipt of the Bid Form.

- In the case where the Independent Evaluator provides the evaluation of a Bid Form with at least ten minutes left in the Bid Window for that Bid Form, the requirements are unchanged. If the Bid Form is incomplete or inconsistent with the RFP Rules, or if the Pre-Bid Letter of Credit is insufficient to support the number of tranches bid by the RFP Bidder, then the RFP Bidder may correct and resubmit that Bid Form as long as it is received between 10 AM and 12 PM (noon) on the Bid Date.
- In the case where the Independent Evaluator provides the evaluation of a Bid Form with less than ten minutes left in the Bid Window, or after the Bid Window has closed, the following will apply. If the Bid Form is incomplete or inconsistent with the RFP Rules, or if the Pre-Bid Letter of Credit is insufficient to support the number of tranches bid by the RFP Bidder, the RFP Bidder will have ten minutes to resubmit the Bid Form strictly for the purpose of addressing the deficiencies identified by the Independent Evaluator. Only one such resubmission will be considered. The Independent Evaluator will reject a resubmitted Bid Form that modifies Bids that were consistent with the RFP Rules as originally submitted.

The backup submission procedure for an RFP Bidder experiencing technical difficulties will be to submit the Bid Form by email. Submission by fax will not be available.

As stated in the RFP Rules, RFP Bidders will receive the Part 1 Materials with the Part 1 Notification, including instructions for completion of the Bid Form, for the optional encryption of the Bid Form, for electronic transfer of the completed Bid Form to the Independent Evaluator, for an alternate submission method for Bids in case of technical difficulties with the electronic transfer, as well as information used for authenticating the Bids. The Independent Evaluator will hold a training session for RFP Bidders to practice the Bid submission process.