

Slice Contract Prequalification Application

The Applicant whose true and correct legal name is _____, (“Applicant”) is a _____ [Insert type of legal entity i.e. sole proprietorship, partnership, corporation or other] organized and existing under the laws of the state of _____.

Applicant desires to be prequalified to allow it to submit a bid for the purchase of Slice Product XX pursuant to the Contract for Sale of Output from the Rocky Reach Project and Rock Island Project (“Contract”). In order for the District to prequalify Applicant, and in consideration of the District’s receipt and consideration of a bid from Applicant, Applicant hereby covenants, represents and warrants to Public Utility District No. 1 of Chelan County, Washington (the “District”), that:

- (a) Applicant is duly organized and in good standing under the laws of the jurisdiction of its formation.
- (b) Applicant’s submittal of a bid (if any) and its execution, delivery and performance of the Contract, Collateral Annex, Cover Sheet Elections and Master Confirmation Agreement to WSPP Agreement, and other necessary documents are and will be within its powers, and that it has been duly authorized by all necessary action to enter into such Contract, Collateral Annex, Cover Sheet Elections, Master Confirmation Agreement to WSPP Agreement and other agreements and by doing so does and will not violate any of the terms and conditions of its governing documents, any contracts to which it is a party or any law, rule, regulation, or order applicable to it. Applicant shall provide a true and correct copy of a duly adopted corporate resolution or other satisfactory evidence of corporate and signature authority at the time a bid is submitted.
- (c) In the event Applicant is notified by the District that its bid has been accepted, Applicant has the legal ability and shall within two (2) business days of such notice: post the Independent Amount if required in the Cover Sheet Elections, properly execute and return to the District a signed copy of the Contract, Collateral Annex and Cover Sheet Elections, the Master Confirmation Agreement to WSPP Agreement and other necessary documents.
- (d) Bid submitted by Applicant constitutes an offer to the District and is irrevocable until 12:00 PM PPT on bid date.
- (e) Applicant’s current lowest credit rating on long-term unsecured debt, as represented by S&P, Moody’s and/or Fitch as of the date of this form submittal, is as follows:

In the event that the Applicant has a Guarantor, please provide the name of the Guarantor and its current lowest credit rating on long-term unsecured debt, as represented by S&P, Moody’s and/or Fitch as of the date of this form submittal:

Guarantor

Guarantor's Credit Rating

- (f) The representations, warranties and covenants set forth in this Application shall remain in full force and effect throughout the bid process and if Applicant is awarded the Contract, throughout completion of performance of the Contract.
- (g) The Applicant fully understands that the District's request for bid is not an offer to sell Output to any bidder, and in no event will the District be obligated to enter into a contract or sell output to anyone responding to this application. Any sale of Output will be subject to the District's determination, in its sole discretion, that such transaction will be in the best interests of the District's customers.
- (h) The Applicant understands and agrees that the District shall have the right, but not the obligation, to waive any errors or irregularities in any bid. Applicant further understands and agrees that bid amounts are entirely the responsibility of the Bidder and that the District has no responsibility for reviewing the appropriateness of any bid.
- (i) The Applicant has read and understands the documents provided and has sought independent legal counsel.
- (j) The Applicant has made its own independent decision to submit this Application and bid, if any, and is not relying upon the advice, oral representations or recommendations of the District in doing so.

Applicant (Entity Name)

Date

Name and Title of Authorized Representative
of Applicant

Address of Applicant

Signature of Authorized Representative
