

Appendix A

Proposer Certification Form

All Proposals submitted by a Proposer will be considered incomplete unless the required signature is provided.

Proposer Name: _____

I, the undersigned certify that I am an Officer or otherwise authorized representative of the Proposer ("Authorized Agent"), that I am authorized to commit my organization to all Proposals submitted by the Proposer, and that all statements herein are true and accurate.

I understand that NYSERDA reserves the right to request additional information to confirm or clarify the information reported in all Proposals submitted by the Proposer, and I agree to provide any such information promptly. I also understand that NYSERDA or its authorized agents may audit any applicant to verify the accuracy of any information included as part of the Proposals submitted by the Proposer. I further understand that NYSERDA must be notified promptly of any material change in the information provided in any Proposal submitted by the Proposer. I understand that final verification of this information will be required before the first payment under any contract awarded with NYSERDA can be made. I understand that failure to provide information as requested by NYSERDA, to allow an audit, or to accurately complete NYSERDA's evaluation of any Proposal submitted by the Proposer may disqualify that Proposal from consideration under OSWSCRFP24-1.

I understand that confidential information about any Proposal submitted by the Proposer may be shared with New York State and federal agencies who have jurisdiction over the permitting of the Project and the development and construction activities necessary to implement the Project.

The Proposer is not requesting any changes to the Funding Agreement other than the redline comments, if any, to the Funding Agreement included in the Submission.

I confirm that Proposer, and the directors, employees and agents of Proposer and any parent company of Proposer are, to the best of the Proposer's knowledge, not currently under investigation by any governmental agency and have not in the last four years been convicted or found liable for any act prohibited by State or Federal law in any jurisdiction involving conspiracy, collusion or other impropriety with respect to offering on any contract or have been the subject of any debarment action (detail any exceptions).

I understand that if a Proposal submitted by Proposer is awarded in OSWSCRFP24-1, Proposer will be required to rescind any proposal from any other solicitation to the extent the proposal is mutually exclusive with the Proposal awarded in OSWSCRFP24-1. I further understand that if Proposer accepts an award of any proposal under another solicitation that is mutually exclusive with any Proposal submitted in OSWSCRFP24-1, Proposer must notify NYSERDA within 24 hours of the withdrawal of the affected Proposal from OSWSCRFP24-1 due to acceptance of another award.

I certify that the above information, and all information submitted in connection with State Finance Law §139-j and §139-k, is complete, true, and accurate, and that I have read and reviewed the Standard Form Supply Chain Funding Agreement issued as a part of OSWSCRFP24-1. I affirm that I understand and will comply with NYSERDA's procedures under §139-j(3) and §139-j(6)(b) of the State Finance Law. I certify that I will comply with Tax Law Section 5-a prior to contracting with NYSERDA. I understand that this application may be disqualified if the requirements are not met.

In accordance with Section 2878 of the New York State Public Authorities Law, Proposer warrants, under penalty of perjury, that its Proposals were arrived at independently and without collusion aimed at restricting competition; and that the proposal constitutes a firm and binding offer, for a period of at least 180 days from the date that Proposals are due under OSWSCRFP24-1.

Proposer's Authorized Agent Name: _____

Authorized Agent Title: _____

Authorized Agent Signature: _____

Date of Signature: _____