

# VANCOUVER ISLAND – CALL FOR TENDERS

## ADDENDUM

**Addendum Number:** 18  
**Date of Issue:** 30 June 2004  
**Subject:** Tender Options  
Tender Form and Related Documents

1. This Addendum is issued pursuant to the BC Hydro Call for Tenders for Capacity and Associated Energy Supply on Vancouver Island, issued 31 October 2003, as amended (“CFT”).

2. Words and phrases defined in the CFT and used herein have the meanings given in the CFT. Refer to Appendix 1 of the CFT for definitions.

3. **Tender Options:** In order to consolidate, clarify and confirm tender options available to pre-qualified bidders, sections 4.1 to 4.4 of the CFT are deleted and replaced with the following:

“4.1 **Supply:** Tenders must reflect only offers of New, Dependable Capacity, comprised of Dispatchable Capacity or Must Run Capacity, and otherwise meeting the Mandatory Criteria.

4.2 **Bidders and Projects:** Bidders must be pre-qualified, or, at the Tender Closing Time, be an Affiliate of a pre-qualified bidder. A bidder may be a corporation, general or limited partnership or other legal entity, or a contractual joint venture. General partners or contractual joint venturers will be jointly and severally liable on each Tender submitted by the partnership or joint venture and on each EPA awarded in respect of that Tender. Projects must be pre-qualified and meet the project definition provided to bidders by BC Hydro pursuant to section 5 of Addendum 14.

4.3 **Tender Options:** Tenders must conform to the following options:

- A bidder may submit a Tender or Tenders in respect of one or more projects.
- If a bidder tenders only one project, then that bidder may submit only one Tender in respect of that project.
- If a bidder tenders more than one project, then the bidder may submit one separate Tender for each project. In that case, a bidder may designate two or more of such Tenders as mutually exclusive. If two or more Tenders are submitted and not properly designated as mutually exclusive, then the Tenders will be deemed to be not mutually exclusive, unless BC Hydro, in its sole and unfettered discretion, determines that such Tenders must be treated as mutually exclusive because not more than one of them can be accepted for reasons that would render acceptance of both or all such Tenders and performance of the resulting EPAs impracticable. Also, if a bidder tenders more than one project,

then the bidder may also submit one or more Tenders, each of which is in respect of two or more such projects, provided however that a bidder may submit only one Tender in respect of each combination of projects. If one Tender is submitted in respect of two or more projects, separate pricing and other tendered data must be submitted in respect of each such project, and if that Tender is accepted, separate EPAs will be awarded in respect of each such project, and Part A of Appendix 17 of the Final Form EPA will apply to each such EPA.

- Additional tender options for projects with dual fuel capability and duct firing are set out in Addenda 13 and 17 and sections 4.3.5 and 4.3.6 of the QEM.
- For greater certainty, “project” as used in the foregoing means a pre-qualified project meeting the project definition provided to bidders by BC Hydro pursuant to section 5 of Addendum 14, as further defined by Appendix 5 to the EPA in the form accepted by BC Hydro pursuant to section 9 of Addendum 17.

4.4 **Pricing:** Tenders must reflect the price structure set out in the Final Form EPA and the Tender Form. A bidder may submit only one price offer in each Tender in respect of each project included in the Tender. If a project is included in more than one Tender, then the price offer in respect of that project may differ as between Tenders. A Tender containing a price offer that does not conform to the price structure in the Final Form EPA will be rejected.”

4. **Tender Form:** All Tenders must be submitted using the prescribed Tender Form and in conformity with the instructions issued and posted with, or shown on, the form. This form, including instructions, is issued and posted with this Addendum in Word format. The Tender General Instructions in PDF and the Tender Form in Word format may be downloaded at <http://www.bchydro.com/vicft>. Bidders should review carefully the representations and warranties to be given by them as set out on the Tender Form. BC Hydro may reject any Tender in respect of which the bidder is in breach of any representation or warranty contained in the Tender.

5. **Agreement Information Form and Price Information Form:** As indicated in the Tender General Instructions, a complete Tender must include a properly completed Agreement Information Form and a Price Information Form for each project tendered. These documents must be submitted using the prescribed forms and in conformity with the instructions shown on the Agreement Information Form and the Pricing Information Form issued and posted with this Addendum. These forms may be downloaded in Word format at <http://www.bchydro.com/vicft>. To facilitate completion of these forms, the Final Form EPA will be reissued in a form that includes a tender data number (TD#) indicating the location in the EPA of each item of tender data.

6. **Tender Security:** As indicated in the Tender General Instructions, each Tender must be accompanied by a Tender Security in the prescribed form and amount. The prescribed Tender Security Form is issued and posted with this Addendum and is available at <http://www.bchydro.com/vicft>.

7. **Mandatory Criteria/Development Risk Information:** Bidders must submit Mandatory Criteria/Development Risk Information in four parts, as further described in the Tender General Instructions. This information must be prepared in accordance with the following guidelines:

<b>Part 1 – Bidder and Project Information</b>	Mandatory Criteria and Information Requirements, issued 14 November 2003 and revised 5 March 2004 (Note that an addendum updating information contained in the Pre-qualification Submission may be submitted in lieu of a complete, new submission, as provided in the Tender General Instructions.)
<b>Part 2 - Supplementary Financial Information</b>	Supplementary Financial Information Guidelines, issued 30 June 2004
<b>Part 3 – Development Risk Information</b>	Development Risk Guidelines, issued 20 November 2003 and revised 30 June 2004
<b>Part 4 – Fuel Supply Certainty Information</b>	Fuel Supply Certainty Guidelines, issued 6 January 2004 and revised 30 June 2004

Each of the foregoing guidelines is available at <http://www.bchydro.com/vicft>.

8. **Tender Clarifications:** BC Hydro may, but is not obliged to, seek from any bidder, prior to carrying out the QEM, clarification regarding any apparent conflict or discrepancy in a Tender, and any clarification given in writing by a bidder in response to BC Hydro’s written request shall form part of the Tender only if approved by BC Hydro in writing.

9. **Tender Completeness and Compliance:** Tenders that are incomplete in any material respect or that contain material amendments, modifications or conditions that are not authorized by the CFT, including any material amendment or modification to a prescribed form, or that otherwise do not conform in a material respect to the requirements of the CFT, will be rejected. Bidders are referred to section 18.17 of the CFT for further detail on non-compliant Tenders.

10. **Documents Issued Concurrently:** The following documents referenced herein are issued concurrently with this Addendum and are available at <http://www.bchydro.com/vicft>.

- Tender General Instructions (PDF)
- Tender Form (Word)
- Agreement Information Form (Word)
- Price Information Form (Word)
- Tender Security Form (PDF)
- Development Risk Guidelines, issued 20 November 2003 and revised 30 June 2004 (PDF)
- Supplementary Financial Information Guidelines, issued 30 June 2004 (PDF)
- Fuel Supply Certainty Guidelines, issued 6 January 2004 and revised 30 June 2004 (PDF)