

Exhibit A

DEFINITIONS AND ACRONYMS

“**Addenda/Addendum**” means supplemental additions, deletions, and modifications to the provisions of the RFP after the release date of the RFP.

“**Alternative Technical Concepts**” or “**ATCs**” means the concepts described in ITP Section 3.1.

“**Authorized Representative**” has the meaning set forth in ITP Section 2.2.1.

“**BAFO**” means Best and Final Offer, as described in ITP Section 9.0.

“**BAFO Due Date**” means the deadline (date and time) for submission of BAFOs identified in ITP Section 1.6.

“**Code**” has the meaning set forth in ITP Section 1.7.4.

“**Commission**” means the Texas Transportation Commission.

“**Configuration(s) 1, 2 or 3**” mean the Project configuration(s), individually or collectively as applicable, described in ITP Section 1.3.

“**Developer**” has the meaning set forth in ITP Section 1.1.

“**Development Price**” has the meaning set forth in Section 3.1 of Exhibit C to the ITP.

“**Development Plan Evaluation Subcommittee**” or “**DPES**” means the subcommittee that performs the initial review of the Technical Proposal and provides evaluation recommendations to the ESRC as set forth in ITP Section 5.0.

“**Disadvantaged Business Enterprise**” or “**DBE**” has the meaning set forth in 49 CFR Part 26.

“**EPDs**” has the meaning set forth in ITP Section 4.3.2.

“**Equity Participant**” means (a) each entity with a direct equity interest in Proposer (whether as a member, partner, joint venture member or otherwise), (b) each entity proposed to have a direct equity interest in Developer, and (c) each entity that will hold a 10% or greater indirect interest in Proposer. Notwithstanding the foregoing, if Proposer is a publicly traded company, shareholders with less than a 10% interest in Proposer shall not be considered Equity Participants.

“**Escrow Agent**” means the individual or entity designated in the Escrow Agreement who is authorized to act as the escrow holder with respect to the Escrowed Materials.

“Escrow Agreement” means the agreement entered into between Proposer and Escrow Agent, with TxDOT as a named, intended third party beneficiary, concerning the protection of the Escrowed Materials in the form of Form L.

“Evaluation and Selection Recommendation Committee” or **“ESRC”** means the committee that will review and evaluate the Proposals and make a recommendation to the Texas Turnpike Authority Director as set forth in ITP Section 5.1.

“Financial Proposal” means the financial proposal submitted by a Proposer providing the information requested in Exhibit C of the ITP, including the revised Development Price for Configuration 1 required to be submitted pursuant to Addendum 8, which shall supersede and replace the previously submitted Development Price for Configuration 1.

“Financial Proposal Evaluation Subcommittee” or **“FPES”** means the subcommittee that performs the initial evaluation of the Financial Proposal and provides evaluation recommendations to the ESRC as set forth in ITP Section 5.0.

“FTP site” has the meaning set forth in ITP Section 2.2.

“Instructions to Proposers” or **“ITP”** means those documents, including exhibits and forms in Exhibit D, included in the RFP containing directions for the preparation and submittal of information by the Proposers in response to the RFP.

“ITP Forms” means the forms provided in Exhibit D of the ITP.

“Key Personnel” means the individuals designated by a Proposer pursuant to Section 3.2.5 of Exhibit B to the ITP.

“Maintenance Price” has the meaning set forth Section 3.2 of Exhibit C to the ITP.

“Major Participant” means each Equity Participant and each member of Proposer’s organization with: (a) primary responsibility for design; (b) primary responsibility for construction; (c) primary responsibility for capital maintenance; or (d) a proposed subcontract with a value greater than or equal to \$10 million (excluding subcontracts with Suppliers).

“Major Professional Services Firm” has the meaning set forth in Section 3.2.2 of Exhibit B to the ITP.

“NTTA” means the North Texas Tollway Authority.

Option Notice to Proceed means the notice to be issued by TxDOT in order to exercise an Option pursuant to Section 4.1.5 of the Agreement.

Option Price means the Proposer’s Development Price for Configuration 2 or Configuration 3, reflected in Form N-1.b or N-1.c, as applicable, with ATC adjustments reflected in Form N-1.2.b or N-1.2.c, as applicable, and Maintenance Price reflected in Form O.b or O.c, as applicable.

“Post-Selection Deliverables” has the meaning set forth in ITP Section 5.12.

“Preliminary Baseline Schedule” means the Project schedule required to be submitted with the Proposal and meeting the requirements set forth in Section 4.1.3 of Exhibit B to the ITP.

“Pre-Proposal Submittal” has the meaning set forth in ITP Section 2.4.

“Project Development Plan” means the plan submitted by a Proposer in accordance with Section 4.0 of Exhibit B to the ITP.

“Project Management Plan” means the portion of the Project Development Plan providing the information requested in Section 4.2 of Exhibit B to the ITP.

“Proposal” means the original Proposal submitted by a Proposer in response to the RFP, as modified by the BAFO and all other Proposal Revisions in accordance with ITP Section 5.8.

“Proposal Due Date” means the deadline (date and time) for submission of Proposals identified in ITP Section 1.6.

“Proposal Revisions” have the meaning set forth in ITP Section 5.8.

“Proposal Security” means the proposal bond or letter of credit as described in Section 3.3 of Exhibit B to the ITP.

“Proposer” means the entity submitting a Proposal for the Project in response to the RFP.

“Proposer Authorized Representative” has the meaning set forth in ITP Section 2.2.2.

“Qualifications Submittal” or **“QS”** means the submission made by a Proposer in response to the RFQ, including all clarifications thereto submitted in response to requests by TxDOT.

“Quality Management Plan” means the portion of the Project Development Plan providing the information requested in Section 4.3 of Exhibit B to the ITP.

“Reference Information Documents” means the documents and information included in Volume IV and described in ITP Section 1.4.

Request for Best and Final Offer or **Request for BAFO** means Addendum 7 to the RFP.

“Request for Qualifications” or **“RFQ”** means TxDOT’s Request for Qualifications issued on December 29, 2006, as amended.

“Request for Proposals” or **“RFP”** means the set of documents identifying the Project and the work to be performed and materials to be furnished in response to which a Proposal may be submitted by a Proposer/Developer. The RFP includes the ITP, CDA Documents, CMA Documents and Reference Information Documents. The RFP is issued only to Proposers that have been shortlisted following RFQ review.

“Rules” has the meaning set forth in ITP Section 2.1.

“Stakeholder” means parties that may have a stake in the Project by virtue of their location or funding, including the North Central Texas Council of Governments (“NCTCOG”), NTTA, DFW International Airport, Dallas Area Rapid Transit, Fort Worth Transportation Authority, cities, counties, United States Department of Transportation, and FHWA and their officers, directors, and employees.

“Surety” means the individual or entity committing to provide any of the bonds identified in the RFP.

“Technical Proposal” means the technical proposal submitted by a Proposer providing the information requested in Exhibit B of the ITP.

“Technical Solutions” means the portion of the Project Development Plan providing the information requested in Section 4.1 of Exhibit B to the ITP.

For definitions of other initially capitalized terms, please refer to the CDA Documents and CMA Documents, as applicable.

Exhibit C

FINANCIAL PROPOSAL INSTRUCTIONS

1.0 General Instructions

This Exhibit C describes the submission format for Financial Proposals and outlines the required information that will comprise the Financial Proposal.

Proposer shall submit the information required by this Exhibit C in the organization and format specified herein. The Financial Proposal shall be organized in the order listed in Exhibit E, and shall be clearly indexed. Each component of the Financial Proposal shall be clearly titled and identified.

All forms named herein are found in Exhibit D, unless otherwise noted. All blank spaces in the Proposal forms must be filled in as appropriate. No substantive change shall be made in the Proposal forms.

1.1 Format of Financial Proposal

All price, cost and financial information provided in the Financial Proposal shall be in U.S. Dollar currency only and all amounts, except the amounts on Form O, shall be stated as nominal dollars. Form O amounts shall be stated as 2008 dollars.

If there are any discrepancies between the hard copy and electronic copy of any quantitative information provided in the Financial Proposal, the hard copy version will prevail. If there are any differences between individual line amounts and totals, the individual line amounts will prevail.

1.2 Contents of Financial Proposal

All parts of the Proposal that indicate price and financial information are to be included in the Financial Proposal.

The required contents and organization of the Financial Proposal are presented in this Exhibit C and summarized in the Proposal checklist provided in Exhibit E. Proposers are to provide all the information set out in this Exhibit C. A copy of the checklist for the Financial Proposal shall be included in the Financial Proposal. Proposer shall not amend the order or change the contents of the checklist except to provide the required cross reference to its Proposal.

2.0 Financial Capacity Information

Proposers shall clearly identify any differences between the financial capacity information submitted in the Proposal and the information submitted in the QS. For Proposal Revisions submitted as part of a BAFO, in lieu of updated financial capacity information, Proposers may submit a letter from the chief financial officer or treasurer for each equity member and guarantor, certifying that there have been no material adverse

changes in financial condition since submission of Proposer's July 15, 2008 Proposal. However, if there have been material adverse changes in financial condition since submittal of the original Proposal for any of the equity members or guarantors, Proposers shall submit a letter from the chief financial officer or treasurer of such equity member(s) and guarantor(s), providing information on those material changes in financial condition as set forth in paragraph 3.e of this Section 2.0.

The Financial Proposal shall include the following information for Proposer, all Equity Participants and any required guarantors:

- Audited financial statements for all periods subsequent to those included in the QS.
- In addition, interim unaudited financial statements for the period since the most recent completed fiscal year for Proposer, Equity Participants and any required guarantors are to be provided.

The financial statements, whether for the most recent completed fiscal year or for the period since the most recent completed fiscal year, must meet the following requirements:

1) Financial statement information must include:

- i. Opinion Letter (Auditor's Report)
- ii. Balance Sheet
- iii. Income Statement
- iv. Statement of Changes in Cash Flow
- v. Footnotes.

2) Financial statements must meet the following requirements:

- a. **GAAP** – Financial statements must be prepared in accordance with U.S. Generally Accepted Accounting Principles (“U.S. GAAP”). If financial statements are prepared in accordance with principles other than U.S. GAAP, a letter from the certified public accountant of the applicable entity, discussing the areas of the financial statements that would be affected by a conversion to U.S. GAAP.
- b. **U.S. Dollars** - Financial statements must be provided in U.S. dollars. If financial statements are not available in U.S. dollars, Proposer must include summaries of the Income Statements and Balance Sheets for the applicable time periods converted to U.S. dollars by a certified public accountant.

- c. **Audited** – Fiscal year end financial statements must be audited by an independent party qualified to render audit opinions (e.g. certified public accountant). If audited financials are not available for an Equity Participant and any required guarantors, the Financial Proposal shall include unaudited financial statements for such member, certified as true, correct and accurate by the chief financial officer or treasurer of the entity.
 - d. **English** – Financial statement information must be prepared in English. If audited financial statements are prepared in a language other than English, translations of all Financial statement information must be accompanied with the original financial statement information.
- 3) Other information and requirements:
- a. **Newly Formed Entity** - If Proposer is a newly formed entity and does not have independent financial statements, financial statements for the Equity Participants and any required guarantors shall be provided (and Proposer shall expressly state that Proposer is a newly formed entity and does not have independent financial statements).
 - b. **Guarantor Letter of Support** - A guaranty regarding Developer obligations under the CMA is required from all Proposers. A guaranty regarding Developer obligations under the CDA may also be required by ITP Section 3.2.13. The letter from the guarantor must confirm unequivocally that it will guarantee all the obligations of Proposer or Equity Participants with respect to the CMA or CDA or both, as applicable. Proposers are advised that TxDOT may, in its discretion based upon the review of the information provided, specify that an acceptable guarantor is required as a condition to eligibility for award.
 - c. **SEC Filings** - If the team or any other entity for whom financial information is submitted hereby files reports with the Securities and Exchange Commission, then such financial statements shall be provided through a copy of their annual report on Form 10K. For all subsequent quarters, provide a copy of any report filed on Form 10Q or Form 8-K which has been filed since the latest filed 10K.
 - d. **Credit Ratings** - Appropriate credit ratings must be supplied for each Proposer and Equity Participant, and guarantor to the extent such entities have credit ratings. If no credit ratings exist, include a statement specifying that no credit ratings exist for that entity.
 - e. **Material Changes in Financial Condition** - A letter from the chief financial officer or treasurer, providing information on any material changes in financial condition since submission of the QS and those that are pending. Additionally, Proposers shall be required to provide updated information

following the Proposal Due Date as long as the dissemination of such information is permitted by law.

The following list identifies certain items that TxDOT would consider a material change in financial condition. This list is intended to be indicative only. At the discretion of TxDOT, any failure to disclose a prior or pending material change may result in disqualification from further participation in the selection process. In instances where a material change has occurred, or is anticipated, the affected entity shall provide a statement describing each material change in detail, the likelihood that the developments will continue during the period of performance of the Project development, and the projected full extent of the changes likely to be experienced in the periods ahead. Estimates of the impact on revenues, expenses and the change in equity shall be provided separately for each material change as certified by the CFO or treasurer. References to the notes in the financial statements are not sufficient to address the requirement to discuss the impact of material changes. The affected entity shall also provide a discussion of measures that would be undertaken to insulate the Project from any recent material adverse changes, and those currently in progress or reasonably anticipated in the future. If the financial statements indicate that expenses and losses exceed income in the fiscal periods between submission of the QS and the most recent completed periods (even if there has not been a material change), the affected entity shall provide a discussion of measures that will be undertaken to make the entity profitable in the future and an estimate of when the entity will be profitable.

List of Representative Material Changes

- A. An event of default or bankruptcy involving the affected entity, a related business unit within the same corporation, or the parent corporation of the affected entity;
- B. A downward change in tangible net worth of 10% of shareholder equity;
- C. 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, a related business unit, or parent corporation of the affected entity;
- D. A downward change in credit rating for the affected entity, a related business unit, or parent corporation of the affected entity;
- E. Inability to meet conditions of loan or debt covenants by the affected entity, a related business unit or parent corporation of the affected entity which 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;

- F. The affected entity, a related business unit in the same corporation, or the parent corporation of the affected entity either: (i) incurred a net operating loss; (ii) sustained charges exceeding 5% of the then shareholder equity due to claims, changes in accounting, write-offs or business restructuring; or (iii) implemented a restructuring/reduction in salaried personnel exceeding 200 positions or involving the disposition of assets exceeding 10% of the then shareholder equity; and
 - G. Other events known to the affected entity, a related business unit or parent corporation of the affected entity which represents a material change in financial condition since submission of the QS or may be pending for the next reporting period.
- f. **Off-Balance Sheet Liabilities** - A letter from the certified public accountant, chief financial officer, treasurer or certified public accountant for each entity for which financial information is submitted, identifying all material off balance sheet liabilities

The information required under this Section 2.0 (for Proposer, all Equity Participants and any required guarantors) shall be packaged separately for each separate entity with a cover sheet identifying the name of the organization and its role in Proposer's organization (i.e., Equity Participant, lead design firm, subcontractor, etc.).

3.0 Price Information

3.1 Development Price and Cash Flow Adjustment Table/Maximum Payment Curve

(a) Proposer shall submit a Development Price for Configurations 1, 2 and 3, using Forms N-1.a, N-1.b and N-1.c, respectively, setting forth the total price for the work required under the CDA, and using Forms N-1.1.a, N-1.1.b, and N-1.1.c showing an itemized breakdown of the Development Price for each Configuration, and also including pricing adjustments for any approved (or conditionally approved) ATCs incorporated in the Proposal, using Forms N-1.2.a, N-1.2.b and N-1.2.c. Forms N-2.a, N-2.b and N-2.c shall set forth the cash flow for each Configuration corresponding to the anticipated draw requests for the work required under the CDA and shall not exceed the maximum payment curve set forth as Form N-2.a, N-2.b or N-2.c, as applicable, at any point in time for the Configuration covered by the applicable maximum payment curve form. The monthly draw requests shall be established by the amount of Work anticipated to be completed on a monthly basis, and shall be limited to the lesser of the anticipated cash flow or the applicable maximum payment curve, both shown on Forms N-2.a, N-2.b and N-2.c.

(b) Notwithstanding the foregoing, or anything to the contrary contained elsewhere in the RFP documents, the only submittals required or allowed from Proposers for purposes of this Addendum 8 are the following:

(1) revised Development Price for Configuration 1, using Forms N-1.a and N-1.1.a, and (2) revised cash flow for Configuration 1, using revised Form N-2.a. The revised Development Price forms and cash flow forms for Configuration 1 submitted in response to Addendum 8 shall supersede and replace the Development Price forms and cash flow forms previously submitted by Proposers for Configuration 1, and shall be accompanied by a revised executed Form A (Proposal Letter).

3.2 Maintenance Price

The Financial Proposal shall include Forms O.a, O.b, and O.c for Configurations 1, 2 and 3, respectively, setting forth the annual lump sum price, in year 2008 dollars, for maintenance services for the years 1 through 5, 6 through 10 and 11 through 15 of the Capital Maintenance Agreement, as well as a breakdown of such price into (1) roadway, (2) drainage facilities, (3) structures, and (4) earthworks, embankment and cuttings as such concepts are described in the Capital Maintenance Agreement. The Capital Maintenance Agreement provides for the adjustment procedures and index for annual adjustments in the price for maintenance services.

In developing the Maintenance Price, the Proposers shall consider the limitations on private use under Section 141 of the Internal Revenue Code of 1986, as amended, and the management contract rules under Section 1.141-3(b)(4) of the Regulations of the Treasury Department.

3.3 EPDs

The Proposer's EPDs shall be delivered separately into escrow as provided in ITP Section 4.3.2.

Exhibit E

SUMMARY AND ORDER OF PROPOSAL CONTENTS

Proposal Component	Form (if any)	ITP Section Cross-Reference
Technical Proposal		
Proposers shall follow the order of this checklist in their submissions. A referenced copy of this document shall be submitted with the Technical Proposal.		
A. Executive Summary		
Executive Summary (Exclude price information)	No forms are provided	<u>Exhibit B, Section 3.1</u>
B. Proposer Information, Certifications & Documents		
Proposal Letter	<u>Form A</u>	<u>Exhibit B, Section 3.2.1</u>
Authorization Documents	No forms are provided	<u>Exhibit B, Section 3.2.1</u>
Identification of Proposer and Equity Participants	<u>Form B-1</u>	<u>Exhibit B, Section 3.2.2</u>
Information About Proposer Organization	<u>Form B-2</u>	<u>Exhibit B, Section 3.2.2</u>
Information About Major Participants, Major Professional Services Firms and Identified Subcontractors	<u>Form B-3</u>	<u>Exhibit B, Section 3.2.2</u>
Responsible Proposer and Major Participant Questionnaire	<u>Form C</u>	<u>Exhibit B, Section 3.2.3</u>
Industrial Safety Record for Team Members Performing Installation or Construction Work	<u>Form D</u>	<u>Exhibit B, Section 3.2.4</u>
Personnel Work Assignment Form	<u>Form E</u>	<u>Exhibit B, Section 3.2.5</u>
Key Personnel statement of availability	No forms are provided	<u>Exhibit B, Section 3.2.5</u>
Letters Approving Key Personnel	No forms are provided	<u>Exhibit B, Section 3.2.6</u>

Proposal Component	Form (if any)	ITP Section Cross-Reference
Letters Approving Changes in Proposer's Organization	No forms are provided	<u>Exhibit B, Section 3.2.6</u>
Non-Collusion Affidavit	<u>Form F</u>	<u>Exhibit B, Section 3.2.7</u>
Buy America Certification	<u>Form G</u>	<u>Exhibit B, Section 3.2.8</u>
DBE Certification	<u>Form H</u>	<u>Exhibit B, Section 3.2.9</u>
Child Support Statement for State Grants, Loans and Contracts	<u>Form I</u>	<u>Exhibit B, Section 3.2.10</u>
Conflict of Interest Disclosure Statement	<u>Form J</u>	<u>Exhibit B, Section 3.2.11</u>
Equal Employment Opportunity Certification	<u>Form Q</u>	<u>Exhibit B, Section 3.2.12</u>
Guarantor Letter (if required)	No forms are provided. If a guaranty is required, <u>Form B-1</u> is required for the guarantor.	<u>Exhibit B, Section 3.2.13</u>
Surety Information	No forms are provided.	<u>Exhibit B, Section 3.2.14</u>
Debarment and Suspension Certification	<u>Form R</u>	<u>Exhibit B, Section 3.2.15</u>
Certification Regarding Use of Contract Funds for Lobbying	<u>Form S</u>	<u>Exhibit B, Section 3.2.16</u>
C. Project Development Plan		
Technical Solutions	No forms are provided	<u>Exhibit B, Section 4.1</u>
Project Baseline Schedule	<u>Form P</u>	<u>Exhibit B, Section 4.1.3</u>
Project Management Plan	No forms are provided	<u>Exhibit B, Section 4.2</u>
Quality Management Plan	No forms are provided	<u>Exhibit B, Section 4.3</u>
D. Appendices		
Key Personnel Resumes and References	No forms are provided	<u>Exhibit B, Section 3.2.5.1</u>
Technical Drawings, Graphs and Data	No forms are provided	<u>Exhibit B, Section 4.1</u>
Project Schedules	No forms are provided	<u>Exhibit B, Section 4.1.3</u>

Proposal Component	Form (if any)	ITP Section Cross-Reference
E. Proposal Security (Proposal Bond or Letter of Credit)		
Proposal Bond	<u>Form K-1</u>	<u>Exhibit B, Section 3.3.1</u>
Letter of Credit	<u>Form K-2</u>	<u>Exhibit B, Section 3.3.2</u>
F. Escrow Agreement		
Escrow Agreement	<u>Form L</u>	<u>Exhibit B, Section 3.4</u>

Proposal Component	Form (if any)	ITP Section Cross-Reference
Financial Proposal		
Proposers shall follow the order of this checklist in their submissions. A referenced copy of this document shall be submitted with the Financial Proposal.		
A. Updated Financial Information		
Audited fiscal financial statements for all periods subsequent to the QS and unaudited interim financial statements	No forms are provided	<u>Exhibit C, Section 2.0</u>
Guarantor letters of support (as required)	No forms are provided	<u>Exhibit C, Section 2.0</u>
For publicly held companies, most recent SEC 10-K and 10-Q reports and any 8-Ks filed since the QS	No forms are provided	<u>Exhibit C, Section 2.0</u>
Credit ratings	No forms are provided	<u>Exhibit C, Section 2.0</u>
Letter regarding material change in financial condition since submission of the QS and for next reporting period	No forms are provided	<u>Exhibit C, Section 2.0</u>
Letter disclosing all material off balance sheet liabilities	No forms are provided	<u>Exhibit C, Section 2.0</u>
B. Price Information		
Development Price	<u>Form N-1</u>	<u>Exhibit C, Section 3.1</u>

Proposal Component	Form (if any)	ITP Section Cross-Reference
Cash Flow Adjustment Table/Maximum Payment Curve	<u>Form N-2</u>	<u>Exhibit C, Section 3.1</u>
Maintenance Price	<u>Form O</u>	<u>Exhibit C, Section 3.2</u>
EPDs (to be delivered separately into escrow as provided in ITP <u>Section 4.3.2</u>)	No forms are provided	<u>Exhibit C, Section 3.3</u>

Proposal Component	Form (if any)	ITP Section Cross-Reference
Revised Proposal For BAFO		
Proposers shall follow the order of this checklist in their submissions. A reference copy of this document shall be submitted with the Financial Proposal.		
A. Executive Summary		
Executive Summary for BAFO (Exclude price information)	No forms are provided	<u>Exhibit B, Section 3.1</u> , and instructions in the Request for BAFOs
B. Proposer Information, Certifications & Documents		
Revised Proposal Letter For BAFO	<u>Form BAFO - A</u>	<u>Exhibit B, Section 3.2.1</u> , and instructions in the Request for BAFOs
Revised Forms B-1, B-2, B-3, C, D, E, F, I, J, Q, R and S (If any)	<u>Provide new information on original forms</u>	<u>ITP Section 9.2</u>
C. Project Development Plan		
Narrative Explanation of BAFO Revisions to Technical Solutions, Project Management Plan and Quality Management Plan	No forms are provided	<u>Exhibit B, Sections 4.1, 4.2 and 4.3</u> , and instructions in the Request for BAFOs
BAFO Project Baseline Schedule for each Configuration	<u>Form BAFO P</u>	<u>Exhibit B, Section 4.1.3</u> , and instructions in the Request for BAFOs

Proposal Component	Form (if any)	ITP Section Cross-Reference
Revised Drawings See Attachment 1 to this ITP <u>Exhibit E</u>	No forms are provided	<u>Exhibit B, Section 4.1</u> , and instructions in the Request for BAFOs
E. Proposal Security (Proposal Bond or Letter of Credit)		
Replacement Proposal Bond, or an executed rider to the proposal bond evidencing that the term of the original proposal bond has been extended to accommodate the BAFO timeframe (i.e., up to 270 days from BAFO Due Date).	<u>Form BAFO K-1, or Form BAFO K-1.a</u>	<u>Exhibit B, Sections 3.3 and 3.3.1</u>
Replacement Letter of Credit or amendment to the letter of credit, evidencing that the term of the original proposal letter of credit has been extended to accommodate the BAFO timeframe (i.e., up to 270 days from BAFO Due Date).	<u>Form BAFO K-2 or Form BAFO K-2.a</u>	<u>Exhibit B, Sections 3.3 and 3.3.2</u>
F. Escrow Agreement		
Amendment No. 1 to Escrow Agreement	<u>Form BAFO L-1</u>	<u>ITP Section 4.3.2 and Exhibit B, Section 3.4</u> , and instructions in the Request for BAFOs

Proposal Component	Form (if any)	ITP Section Cross-Reference
Financial Proposal		
BAFO Development Price for Configurations 1, 2 and 3	<u>Forms BAFO N-1.a, BAFO N-1.b, BAFO N-1.c, BAFO N-1.1a, BAFO N-1.1b, BAFO N-1.1c, BAFO N-1.2.a, BAFO N-1.2.b, and BAFO N-1.2.c</u>	<u>Exhibit C, Section 3.1, and instructions in the Request for BAFOs</u>
BAFO Cash Flow Adjustment Table/Maximum Payment Curve	<u>Forms BAFO N-2.a, BAFO N-2.b, and BAFO N-2.c</u>	<u>Exhibit C, Section 3.1, and instructions in the Request for BAFOs</u>
BAFO Maintenance Price	<u>Forms BAFO O.a, BAFO O.b, and BAFO O.c</u>	<u>Exhibit C, Section 3.2, and instructions in the Request for BAFOs</u>
Supplemental or replacement EPDs (to be delivered separately into escrow as provided in ITP <u>Section 4.3.2</u>)	No forms are provided	<u>Exhibit C, Section 3.3, and instructions in the Request for BAFOs</u>

Proposal Component	Form (if any)	ITP Section Cross-Reference
Revised Forms Required for Addendum 8		

Proposal Letter	<u>Form A (Addendum 8)</u>	<u>ITP Section 1.1</u>
Revised Development Price for Configuration 1, pursuant to Addendum 8	<u>Forms N-1.a and N-1.1.a (Addendum 8)</u>	<u>ITP Sections 1.1, 4.3, and Exhibit C, Section 3.1(b)</u>
Revised Cash Flow Adjustment Table/Maximum Payment Curve for Configuration 1, pursuant to Addendum 8	<u>Form N-2.a (Addendum 8)</u>	<u>ITP Section 1.1, 4.3 and Exhibit C, Section 3.1(b)</u>