



Request for Offers MCE 2026 Disadvantaged Communities Green Tariff February 23, 2026 Procedural Overview & Instructions

MCE, a California joint powers authority, seeks qualified suppliers of various renewable energy products to participate in MCE's 2026 Disadvantaged Community Green Tariff ("DAC-GT") procurement process ("2026 Green Tariff"). The purpose of MCE's 2026 Green Tariff is to fulfill the requirements of Assembly Bill ("AB") 327, California Public Utilities Commission ("CPUC") Decision ("D.") 18-06-027¹, D.18-10-007², D.24-05-065³, Resolution E-4999⁴, Resolution E-5102⁵, Resolution E-5124⁶ and Resolution E-5367⁷ (collectively the "Green Tariff policy"). The Green Tariff policy is intended to promote the installation of renewable generation among residential customers in disadvantaged communities ("DACs"). This document outlines the parameters governing this solicitation and provides the procedural overview and instructions for interested parties ("bidders") to submit an offer into MCE's 2026 DAC-GT Request for Offers ("RFO").

Offers pursuant to this RFO must be received by MCE not later than 5:00 P.M. Pacific Prevailing Time on the dates outlined in Section VI.

I. About MCE

MCE is a public, not-for-profit agency that has been setting the standard for clean energy in California since 2010. MCE procures retail electric power on behalf of more than 585,000 customer accounts, serving 1.5 million residents and businesses in 37 communities across four Bay Area counties: Contra Costa, Marin, Napa, and Solano. MCE serves a 1,400 MW peak load and offers 60-100% renewable power at stable rates, significantly reducing greenhouse emissions and reinvesting millions in local programs. For more information about MCE, visit [mceCleanEnergy.org](https://www.mcecleanenergy.org), or follow us on your preferred social platform @mceCleanEnergy.

MCE's audited financial statements are available at <https://www.mcecleanenergy.org/key-documents/>.

¹ D.18-06-027, Alternate Decision Adopting Alternatives to Promote Solar Distributed Generation in Disadvantaged Communities, from June 22, 2018

² D.18-10-007, Decision Correcting And Clarifying Decision 18-06-027, from October 18, 2018

³ D.24-05-065, Decision Modifying Green Access Program Tariffs and Adopting a Community Renewable Energy Program, from June 7, 2024

⁴ Resolution E-4999, Approving, With Modification, Tariffs to Implement the Disadvantaged Communities Green Tariff and Community Solar Green Tariff Programs (for the IOUs), from May 30, 2019

⁵ Resolution E-5102, Approving, With Modification, Clean Power Alliance's Tariffs to Implement the Disadvantaged Communities Green Tariff and Community Solar Green Tariff Programs, from November 5, 2020

⁶ Resolution E-5124, Approving, With Modification, Community Choice Aggregator Tariffs to Implement the Disadvantaged Communities Green Tariff and Community Solar Green Tariff Programs, from April 15, 2021

⁷ Resolution E-5367, Approving with Modifications Pacific Gas & Electric Company's and Southern California Edison Company's DAC-GT Cost Containment Cap Proposal Update, from July 24, 2025.

II. RFO Objective

In order to comply with the Green Tariff policy, MCE will procure under the DAC-GT program. MCE will plan to hold one solicitation annually until the program's capacity obligation is met. Any unmet and remaining capacity from this solicitation will be rolled into the following year's solicitation until the capacity obligations are met. MCE's 2026 program and project capacity limits can be seen below.

MCE's DAC-GT 2026 solicitation includes a request for the following products:

- i. Photovoltaic Renewable Energy. PCC1-eligible Renewable Energy, Green Attributes/Renewable Energy Credits and Capacity Attributes (RA).
- ii. Photovoltaic Renewable Energy Paired with Energy Storage. In addition to the requirements for the Renewable Energy Product, MCE is interested in proposals that also include a four hour energy storage component.

By participating in the DAC-GT 2026 solicitation process, the Respondent acknowledges that they have read, understand, and agree to the terms and conditions set forth in these Procedural Overview & Instructions. MCE reserves the right to reject any offer that does not comply with the requirements identified herein. Furthermore, MCE may, in its sole discretion and without notice, modify, suspend, extend or terminate the DAC-GT 2026 solicitation without further liability to any organization or individual. The DAC-GT 2026 solicitation does not constitute an offer to buy or create an obligation for MCE to enter into an agreement with any party, and MCE shall not be bound by the terms of any offer until MCE has entered into a fully executed power purchase agreement.

2026 Program Capacity Allocation and Remaining Capacity

2026 Program Capacity Allocation (MW)	3.6
Remaining Capacity (MW)	3.6

III. Eligibility and Bid Requirements

MCE will only consider complete offers that conform to the product-specific requirements outlined in Appendix A. Offers must include all of the following components with sufficient detail to support MCE's evaluative process (using the criteria in Section V):

To be deemed a complete, conforming offer, each offer shall:

- a. Be submitted electronically (uploaded using the "Proposal Submission" link located on the website: <http://mcecleanenergy.org/energy-procurement/>) by 5:00 P.M. Pacific Prevailing Time on the due date as shown in Section VI;
- b. Include a completed 2026 Green Tariff Offer Form, which is available on MCE's website via the following link: <http://mcecleanenergy.org/energy-procurement/>. The Offer Form has been

- prepared uniquely for the DAC-GT program, and respondents should carefully review the Offer Form and associated instructions to ensure submittal of conforming responses.
- c. Indicate acceptance of MCE's Term Sheet(s) in the Instructions & Acknowledgments section of the Offer Form or include a redlined markup, in tracked changes format within a MS Word document, reflecting all requested changes to the applicable Term Sheet(s) as Attachment I to the offer submittal. Please include sufficient detail so that MCE can understand the nature of the requested changes. Redlined comments that simply state "discuss" or "to be discussed" or similarly non-specific edits that lack further detail will be disregarded and may be rejected as insufficiently complete to be evaluated. Notwithstanding anything to the contrary, MCE shall be under no obligation to accept PPA revisions beyond what bidders submit with their term sheet redlines.
 - d. Final selection(s) will be contingent upon negotiation and execution of a power purchase agreement ("PPA"). MCE's DAC-GT PPA is available on its website via the following link: <http://mcecleanenergy.org/energy-procurement/>.
 - e. A complete offer package must include the following Attachments:
 - Completed Offer Form
 - Attachment A – Financing Plan
 - Attachment B – Financial Statements
 - Attachment C – Organizational Chart
 - Attachment D – Interconnection Study or Interconnection Application
 - Attachment E – Project Development Timeline
 - Attachment F – Permitting, Use and Zoning
 - Attachment G – Site Plan
 - Attachment H – Single Line Diagram
 - Attachment I – Requested changes via tracked changes edits, to MCE's Term Sheet(s).
 - Attachment J – Pollinator Scorecard
 - Attachment K – Optional Elements

MCE encourages 2026 Green Tariff respondents to emphasize quality as opposed to quantity when considering the submittal of multiple responses. No more than three permutations per project will be considered, per respondent; multiple pricing offers (e.g., different COD-dependent prices for the same project) will not be considered independent projects for the sake of this limitation. Respondents may submit more than one project.

IV. Optional Elements

In addition to the required contents outlined in Section III above, there are a number of project characteristics that are of particular interest to MCE. While these elements are not required, MCE has a preference for projects that include the following:

- a. PPAs that include an ownership option.
- b. Projects that do not share capacity on a single point of interconnection (POI).
- c. Projects with a POI capacity that is equal to or greater than the combined nameplate capacity of the project's generation and storage components.
- d. Participation of contractors, subcontractors or businesses that are owned by Disabled Veterans

- e. Participation of contractors, subcontractors or businesses that are located in or employ workers living in a Disadvantaged Community (DAC Zone) as identified by California Environmental Protection Agency's ("CalEPA") CalEnviroScreen 4.0 or any subsequent version of the Tool⁸
- f. A plan that includes the participation of local residents in the construction of the project, as well as the ongoing operations and maintenance of the facility after completion. The plan should include permanent residents who live within the jurisdictional county and/or those who reside within a 50-mile radius of the installation.
- g. Projects that commit to sourcing a high percentage of materials and components from suppliers located within the jurisdictional county or within a 50-mile radius of the installation
- h. Projects that commit to including components and materials manufactured and/or assembled in the United States
- i. Projects that provide benefits to the local community including financial contributions, volunteer hours and in-kind contributions. Examples include, but are not limited to:
 - Support of educational programs
 - Classroom equipment
 - Scholarships to college-bound students
 - Support of climate and energy education
 - Support of Environmental Justice Initiatives:
 - Installation of solar panels and energy efficiency upgrades for low-income households or non-profit institutions
 - Partnering with environmental justice nonprofits to address air pollution and other environmental burdens
 - Support of Workforce Development Initiatives:
 - Partnering with nonprofits that provide classroom or on-the-job training to local residents
 - Offer apprenticeships or summer internships for local youth
 - Other:
 - Open space preservation
 - Habitat restoration
 - Food programs

As part of bidders' offer submission, bidders are encouraged to provide a detailed description of each proposed element. Please include a specific commitment for each item. As a condition precedent to commencement of the delivery term under the PPA, Seller must certify that it complied with the commitments and be able to demonstrate, upon request, compliance with these commitments. **This information should be completed in a separate attachment and labeled Attachment K – Optional Elements.**

⁸ See at <https://oehha.ca.gov/calenviroscreen>.

V. Evaluation Criteria

MCE will evaluate responses in consideration of a common set of criteria, a partial list of which is included below. This list may be revised at MCE’s sole discretion and includes:

- a. Overall quality of response, inclusive of completeness, timeliness, and conformity;
- b. Price and relative value within MCE’s supply portfolio;
- c. Project location and local benefits, including Optional Elements and Workforce Development Initiatives;
- d. Project development status, including but not limited to progress toward interconnection, deliverability, siting, zoning, permitting, and financing requirements;
- e. Qualifications, experience, financial stability, and structure of the prospective project team (including its ownership);
- f. Environmental impacts and related mitigation requirements;
- g. Acceptance of MCE’s standard contract terms; and
- h. Development milestone schedule, if applicable;

VI. Key Deadlines and Submission Requirements

MCE’s 2026 Green Tariff RFO will be administered based on the following schedule:

Issue RFO	2/23/2026
Vendor Q&A Window	2/23/2026 – 3/27/2026
Submission Deadline	4/3/2026, 5:00 P.M. Pacific Prevailing Time
Short-list Notification	April, 2026 (estimate)
Final Selection(s)	May, 2026 (estimate)
Finalize Contract(s)	June, 2026 (estimate)

- a. *Deadline for Questions.* Any questions related to the content of this RFO must be submitted to the RFO Manager at greentariiffo@mcecleanenergy.org during the “Vendor Q&A window”. Please see Section XII, below, for additional information regarding questions submitted to MCE regarding the 2026 Green Tariff RFO.
- b. *Deadline for Responses.* MCE Responses to all questions will be posted weekly.
- c. *Submission Deadline.* To be eligible for consideration, offers must be uploaded via the “Proposal Submission” link on MCE’s website no later than 5:00 P.M. Pacific Prevailing Time on the above due date.

Below is a screenshot of the link to upload responses. In the “Name” field please enter the counterparty name (used on line 19, tab 2 of the Offer Form) – NOT your personal name. Then enter your counterparty email address. The “Company (optional)” field, please re-enter the counterparty name. At any time prior to the Submission Deadline, Respondent can upload documents as long as the same counterparty name and email address are used.

Send files to MCE

MCE RFO has invited you to send files

- d. *Supplier Interviews/Q&A.* As necessary, MCE may submit clarifying questions to certain respondents or conduct interviews, based on information provided in the Offer Form. MCE shall retain the right, in its sole discretion, to request information without notifying other respondents. MCE shall establish due dates for any request(s) for additional information, which shall be communicated to the affected respondent(s).
- e. *Response Evaluation and Supplier Notification.* Following its review of proposed responses and clarifying materials, as well as any interview(s) that may be conducted during this process, MCE will notify all selected suppliers of its intent to pursue contract negotiations. Those suppliers not selected during this process will be notified accordingly.
- f. *Contract Approval and Execution.* MCE anticipates that the selection process will be completed by approximately as indicated above. Please note that full execution of a contract is likely to occur after this date and is subject to MCE Board and CPUC approval.

VII. Supplier Diversity and Labor Practices

Consistent with the California Public Utilities Code and California Public Utilities Commission policy objectives, MCE collects information regarding supplier diversity and labor practices from project developers and their subcontractors regarding past, current and/or planned efforts and policies. Pursuant to Senate Bill 255, which imposes supplier diversity reporting requirements on CCAs, Respondents that execute a PPA with MCE will be required to complete a Supplier Diversity questionnaire.

MCE does not give preferential treatment based on race, sex, color, ethnicity, or national origin; providing such information to MCE will not impact the selection process or good standing of executed PPAs.

VIII. CalEnviroScreen Disadvantaged Communities

For purposes of this RFO, the CPUC has defined eligible DACs as census tracts that fit the listed criteria below. Projects may also be located within five miles of any eligible census tract:

- (1) score at or above the 75th percentile (i.e., scoring in the top 25 percent statewide) in the CalEPA CalEnviroScreen 4.0 or any subsequent version of the Tool, or
- (2) Are one of the census tracts that score in the highest five percent of CalEnviroScreen’s pollution burden, but that do not have an overall score (in version 4.0 or any subsequent version), or
- (3) All California Indian Country as defined in 18 United States Code Section 1151, with the exception of privately held in-holdings. Privately held in-holdings are defined as non-Indian owned fee land located within the exterior boundaries of California Indian Country. In the event of multiple owners, such land shall be considered Indian-owned if at least one owner is a tribe or tribal member, regardless of the use of the land.

Bidders can follow the process outlined below to identify whether or not their project is located in an eligible DAC:

The CalEPA has created an online map that displays the CalEnviroScreen results, where one can pan and zoom into various areas of California to graphically identify the general location of DACs. There are multiple ways to identify DACs.

- A. Via Data List (Spreadsheet) - In order to download a data list of areas that correspond to the preceding map, one can:
 1. Visit the CalEnviroScreen website⁹
 2. Download the List of Disadvantaged Communities Excel file
 3. Filter the data set
- B. Search by Address - One can also determine DAC status of one or more specific addresses. For a single address, go back to the CalEnviroScreen map and, in the “Find address or place” field, input the address and determine the color coding alongside the map’s legend.

IX. General Terms and Conditions

MCE’s Reserved Rights

MCE may, at its sole discretion, withdraw this Request for Offers at any time, and/or reject any or all offers submitted without awarding a contract. MCE also reserves the right to negotiate any price or provision as well as accept or reject any or all parts of each offer, whatever is deemed to be in the best interest of MCE.

Respondents are solely responsible for any costs or expenses incurred in connection with the preparation and submittal of an offer or proposal. MCE shall be held harmless and free from any and

⁹ The CalEnviroScreen 4.0 tool is available online at the following link:<https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40>. [MCE will accept this version of the CalEnviroScreen tool, or any subsequent version, to establish eligibility for participation under the RFO.](#)

all liability, claims, or expenses whatsoever incurred by, or on behalf of, any person or organization responding to this RFO.

All data and information furnished by MCE or referred to in this RFO are furnished for the Respondent's convenience. MCE does not guarantee that such data and information are accurate and assumes no responsibility whatsoever as to the accuracy of such data or its interpretation.

During the evaluation process MCE may request from any respondent additional information which MCE deems necessary to determine the respondent's ability to perform the required services. If such information is requested, the respondent shall provide such information within a commercially reasonable amount of time.

Public Records

All documents submitted in response to this Request will become the property of MCE upon submittal, and will be subject to the provisions of the California Public Records Act and any other applicable disclosure laws. Upon submission, all proposals shall be treated as confidential until the selection process is completed. Once a contract is awarded, all proposals shall be deemed public record. MCE is required to comply with the California Public Records Act as it relates to the treatment of any information marked "confidential." Respondents requesting that portions of its submittal should be exempt from disclosure must clearly identify those portions with the word "Confidential" printed on the lower right-hand corner of the page. Each page shall be clearly marked and separable from the proposal in order to facilitate public inspection of the non-confidential portion of the proposal. MCE will consider a respondent's request for an exemption from disclosure; however, if MCE receives a request for documents under the California Public Records Act, MCE will make a decision based upon applicable laws. Respondents should not over-designate material as confidential, and any requests or assertions by a respondent that the entire submittal, or significant portions thereof, are exempt from disclosure will not be honored.

X. Shortlist Deposit and Exclusive Negotiating Agreement

Selected respondent(s) will be notified of MCE's interest in further discussions and will be offered an Exclusive Negotiating Agreement for placement on MCE's 2026 Green Tariff shortlist. Respondents interested in being placed on the shortlist and negotiating a PPA shall execute the Exclusive Negotiating Agreement and submit a Shortlist Deposit of \$3.00/kW for all short-listed project capacity within ten (10) business days of such notification. The pro forma Exclusive Negotiating Agreement will be available for review by respondents prior to MCE's announcement of selected suppliers.

XI. California Public Utilities Commission Approval

The effectiveness of any executed DAC-GT PPA is expressly conditioned on MCE's receipt of final and non-appealable CPUC approval of such PPA.

XII. Questions

To promote accuracy and consistency of information provided to all participants, questions will only be accepted via email to MCE's RFO Manager at greentariffro@mcecleanenergy.org with the subject line of such emails reading "MCE 2026 Green Tariff Question." Please note, the deadline for submitting questions is indicated in Section VI above.

MCE will attempt to respond to submitted questions within a week of receipt. MCE will post the questions and responses to the solicitation page of MCE's website.

MCE reserves the right to combine similar questions, rephrase questions, or decline to answer questions, at its sole discretion. All questions must be submitted through the above process. No questions will be answered over the telephone or in person. Respondents may not have any contact regarding this procurement with any MCE official or staff from the time of issuance of this solicitation until the award of contract, other than through the process for submitting questions. Any contact in violation of these provisions will be grounds for disqualification.

Thank you for your interest!

Appendix A

Bid Requirements and Required Submission Documents for DAC-GT

Offer Requirements by Green Tariff Program

	DAC-GT
Applicable PPA Contract	MCE DAC-GT Contract
Technology	Solar PV (paired storage optional); Must be a commercially-proven technology.
Project Size	0.5 – 3.6 MW _{AC}
Energy Storage	<p>Projects that pair storage with solar energy must meet the following requirements:</p> <ol style="list-style-type: none"> 1. Be sized equivalently to the solar generator nameplate rating 2. Standard Duration: A minimum daily dispatch capacity of four (4) hours 3. A minimum of 365 cycles per contract year 4. Grid-charging (any additional costs associated with grid charging to be identified) 5. Minimum uptime availability of 98% (measured monthly) 6. Minimum round-trip efficiency of 86% 7. Must be co-located (not hybrid) resource 8. Must have Full Capacity Deliverability Status (FCDS)
Location	<p>A conforming Project must meet the following location requirements:</p> <ol style="list-style-type: none"> 1. The entire Project site must be located in PG&E’s electric service area. 2. The entire Project must be located within an eligible census tract(s) or within five miles of an eligible census tract, as described below: <ol style="list-style-type: none"> a) Census tracts with a score at or above the 75th percentile (i.e. scoring in the top 25% statewide) using version 4.0 of the CalEnviroScreen Tool or any subsequent version on a statewide basis; or b) Census tracts that score in the highest 5 percent of CalEnviroScreen’s Pollution Burden but that do not have an overall score (version 4.0 or any subsequent version). c) All California Indian Country as defined in 18 United States Code Section 1151, with the exception of privately held in-holdings. Behind-the-meter projects are ineligible.

	DAC-GT
Renewables Portfolio Standard ("RPS") Eligibility	Project must be CEC pre-certified and qualify as RPS-eligible per the CEC RPS eligibility guidebook. Project must qualify as an Eligible Renewable Energy Resource ("ERR") as such term is defined in Public Utilities Code Section 399.12.
Product	1. Energy 2. Capacity 3. PCC1 Renewable Energy Credit
Development Status	New-build only
Price	A single, flat price that remains constant throughout the entire delivery term and is not adjusted by periodic escalators or time of delivery factors.
Term	10-, 15-, or 20-year. 20-year bid is required.
COD	12/31/27 or earlier. Delivery day must be the beginning of the month.
Other Offtake Agreements	Project may not have any other offtake agreements with additional Buyers.
Delivery Point	NP-15 trading hub (preferred) and/or project pNode
Deliverability	In order of preference: 1. Full Capacity Deliverability Status (FCDS) 2. Partial Capacity Deliverability Status (PCDS) 3. Energy-only
Scheduling Coordinator	MCE prefers to maintain Scheduling Coordinator responsibilities and dispatch rights.
Security Requirements	Development (Pre-COD): \$60/kW Performance (Post-COD): \$60/kW
Interconnection	Completed Phase I or Equivalent Study
Site Control	Full site control via ownership, lease or an option to lease or own. Lease term must be greater than or equal to PPA term offer.
Workforce Development	Please see Appendix B for further details on Workforce Development considerations regarding: Prevailing Wage, Local Hiring, Union Labor and Responsible Hiring.

Submission Requirements

	DAC-GT
Offer Form Template	A completed offer form with the applicable sections completed for DAC-GT.
Financing Plan (Attachment A)	An explanation of the proposer's financial capabilities and plans to finance and provide credit support for the project included in the offer. Please include any other financial information that would be necessary for MCE's evaluation.
Financial Statements (Attachment B)	Two years of audited financial statements for the proposer or proposer's financial guarantor.
Organizational Chart (Attachment C)	A profile of proposer's organization and its ownership structure, including direct ownership and ultimate parent company. This should be in the form of a diagram.
Latest Interconnection Document (Attachment D)	The latest interconnection document, which may be one of the following: <ul style="list-style-type: none"> i. Fast Track Review report demonstrating the Project has "passed" the respective Fast Track screens or that the Project may otherwise be interconnected consistent with safety, reliability, and power quality standards; ii. Completed System Impact Study or Facilities Study; iii. Completed Phase I Interconnection Study; iv. Completed Phase II Interconnection Study; or v. A signed Generator Interconnection Agreement
Project Development Timeline (Attachment E)	A GANTT chart schedule detailing the timing and progress of key project milestones included on the cover sheet of the PPA.
Permitting, Land Use and Zoning (Attachment F)	A description of the environmental compliance and zoning requirements and all regulatory permits, licenses or approvals required for the resource to supply renewable power.
Map / Site Plan (Attachment G)	A to-scale Site Map of the generating resource showing the arrangement of all major components of the facility with the name of the facility, census tract, outer boundaries, major cross streets, nameplate capacity, longitude and latitude of the centroid of the generating resource clearly labeled. Please also include all Assessor Parcel Numbers included in and adjacent to the facility and any environmentally sensitive areas.
Single Line Diagram (Attachment H)	A Single Line Diagram that includes the generating resource's point of interconnection to the electric transmission or distribution system.
Redlined PPA Term Sheet (Attachment I)	Redlined DAC-GT Term Sheet
Pollinator-Friendly Scorecard (Attachment J)	A completed pollinator scorecard.

	DAC-GT
Optional Elements (Attachment K)	Bidders can provide a word document detailing their offer's ability to meet MCE's preferred offer attributes. See section IV for additional information.

Appendix B

Workforce Development Considerations

I. Local Hire:

If a proposed Project is to be located within MCE's Service area, Seller will ensure that fifty percent (50%) of the construction workhours from its workforce (including contractors and subcontractors) at the project site during the Construction Phase (e.g., the period from Full Notice to Proceed (NTP) through receipt of a Permission To Operate (PTO) letter from the interconnecting utility) are obtained from permanent residents who live within the same county in which the Eligible Resource will be located (the "Local Hire Requirement"). Seller's construction of the Eligible Resource is also subject to any local hire requirements specific to the city or town where the proposed generating resource is located. As a condition precedent to commencement of the delivery term under the PPA, Seller must certify that it met the Local Hire Requirement and be able to demonstrate, upon request, compliance with this requirement via a certified payroll system and such other documentation reasonably requested by Buyer, including an audit. Failure to comply with this requirement may, in MCE's sole discretion, result in termination of the PPA.

II. Prevailing Wage:

If a proposed Project is to be located within MCE's Service area, Seller will ensure that all employees hired by Seller, and its contractors and subcontractors, that are performing work or providing services at the project site during the Construction Phase are paid wages at rates not less than those prevailing for workers performing similar work in the locality as provided by Division 2, Part 7, Chapter 1 of the California Labor Code ("Prevailing Wage Requirement"). Nothing herein shall require Seller, its contractors and subcontractors to comply with, or assume liability created by other inapplicable provisions of the California Labor Code. As a condition precedent to commencement of the delivery term under the PPA, Seller must certify that it met the Prevailing Wage Requirement, and be able to demonstrate, upon request, compliance with this requirement via a certified payroll system and such other documentation reasonably requested by Buyer, including pursuant to an audit. Failure to comply with this requirement may, in MCE's sole discretion, result in termination of the PPA.

III. Union Labor

A proposed generating resource to be located in Contra Costa County must agree to comply with the terms of that certain Letter Agreement between MCE and IBEW Local 302, dated June 20, 2017, and attached project labor agreement (collectively, the "PLA"). The PLA applies to "Covered Work" (as defined therein) for solar photovoltaic and associated energy storage projects for which MCE is the power supply off-taker. If Seller's Facility is located outside Contra Costa County, Seller is required to enter into a project labor agreement of similar scope and requirements with participating unions for workforce hired as described in the PLA referenced above. As a condition precedent to commencement of the delivery term under the PPA, Seller must certify that it complied with the foregoing union labor requirements and local hire requirements, and be able to demonstrate, upon request, compliance with this requirement via copies of executed PLAs or similar agreements, a certified payroll system and such other documentation reasonably requested by Buyer, including pursuant to an audit. Failure to comply with this requirement may, in MCE's sole discretion, result in termination of the PPA.

IV. Responsible Procurement:

MCE will not accept any proposals for generating facilities that rely on equipment or resources built with forced labor. Consistent with the business advisory jointly issued by the U.S. Departments of State, Treasury, Commerce and Homeland Security on July 1, 2020, equipment or resources sourced from the Xinjiang region of China are presumed to involve forced labor. Under each PPA, Seller must certify that it will not utilize such equipment or resources in connection with the construction, operation or maintenance of the applicable generating and/or storage facility.