

APPENDIX A: FORM OF RESPONDENT AND TEAM MEMBERS CERTIFICATION

FORM INSTRUCTIONS: *This certification must be completed and executed separately by the Respondent and by each Team Member, if applicable. The form is provided as a fillable PDF and should be completed with all required information in the designated boxes. For convenience, hover over the box to display the required information. Include a letterhead for the Respondent and each Team Member, as applicable, by uploading it to the top of the Appendix using the image box provided. Once you have completed all required fields on the form, please sign it in wet ink and submit a scanned copy of the signed document via electronic submission.*

Josué Colón — Executive Director
Puerto Rico Public-Private Partnerships Authority Roberto Sánchez Vilella Government Center
De Diego Avenue, Parada 22 San Juan, PR 00940-2001 USA

Re: Costa Sur New Generation Facility Procurement Process – Respondent and Team Members Certification

Ladies and Gentlemen:

For purposes of this certification, “the Undersigned” or “We” means

the entity on whose behalf this certification is being executed and delivered by the individual signatory below.

We have carefully reviewed the Request for Qualifications for Costa Sur New Generation Facility Procurement Process dated **February 24, 2026** (“**RFQ**”) issued by the Puerto Rico Public-Private Partnerships Authority and all other documents accompanying or made a part of this RFQ. Capitalized terms used in this certificate have the meanings given to them in this RFQ.

We acknowledge and agree to comply with all terms and conditions of this RFQ, the attached Statement of Qualifications (“**SOQ**”) and all enclosures thereto. Without limitation, we specifically acknowledge the disclaimer contained in Section 5.10 (*Disclaimer*) and the limitation of damages contained in Section 5.12 (*Limitation of Damages*).

We certify that the information contained in the attached SOQ is true and correct. We further certify that the individual who has signed and delivered this certification is duly authorized to submit the attached SOQ on behalf

of the Undersigned as its acts and deed and that the Undersigned is ready, willing and able to participate in the RFP Process and perform if awarded the PPP Contract.

We further certify that the Undersigned is a _____ organized in _____ and the entity contemplated by Respondent and Team Members to be the one that shall execute the PPP Contract shall have no impediment to doing, and shall be authorized to do, business in Puerto Rico and to enter into a contractual relationship with government entities in Puerto Rico, as well as to comply with any other applicable Puerto Rico or U.S. laws and/or requirements.

We further certify that our directors, officers, controlling shareholders or subsidiaries, parent company and, in the case of a partnership, our partners, and any person or entity that may be considered an alter ego or the passive economic agent of the Undersigned (each, a **"Covered Party"**), have not been convicted, have not entered a guilty plea and have not been indicted, and probable cause has not been found for their arrest, in any criminal proceeding in Puerto Rico, the rest of the U.S. or any foreign jurisdiction, for (i) any of the crimes referenced in Articles 4.2, 4.3 or 5.7 of Act No. 1-2012, as amended, known as the Organic Act of the Office of Government Ethics of Puerto Rico, (ii) any of the crimes typified in Articles 250 through 266 of Act No. 146-2012, as amended, known as the Puerto Rico Penal Code or (iii) any of the crimes listed in Act No. 2-2018, as amended, known as the Anti-Corruption Code for a New Puerto Rico or any other felony that involves misuse of public funds or property, including but not limited to the crimes mentioned in Article 6.8 of Act No. 8-2017, as amended, known as the Act for the Administration and Transformation of Human Resources in the Government, or under the U.S. Foreign Corrupt Practices Act; no Covered Party is under investigation in any legislative, judicial or administrative proceedings, in Puerto Rico, the rest of the U.S. or any other jurisdiction. The Undersigned is in compliance with all applicable federal, state, local and foreign laws that prohibit corruption or regulate crimes against public functions or public funds.

We further certify that we shall continue to comply at all times with laws which prohibit corruption or regulate crimes against public functions or funds, as may apply to the Undersigned, whether federal, state or Government statutes, including the Foreign Corrupt Practices Act.

We further certify that no officer or employee of the Authority, PREPA, the Partnership Committee, AAFAP, PREB, the Government, the FOMB or any public agency of Puerto Rico who participates in the selection process described in, or negotiations in connection with, this RFQ (nor any member of their families) has an economic interest in or is connected with the Undersigned and no officer or employees of the Authority, PREPA, the Partnership Committee, AAFAP, PREB, the Government, the FOMB or any public agency of Puerto Rico (nor any member of their families) has directly or indirectly participated with the Undersigned in the preparation of its SOQ.

We further certify that we are in compliance with the provisions of Act No. 2 of 2018, also known as the Anti-Corruption Act 2018.

We further certify that we have reviewed the provisions of the Authority's Guidelines for the Evaluation of Conflicts of Interest and Unfair Advantages in the Procurement of Public-Private Partnership Contracts, available on the Authority's website: <https://www.p3.pr.gov/p3>, and that we are in compliance therewith.

We further certify that this SOQ is made without prior understanding, agreement, connection, discussion or collusion with any other person, firm or corporation submitting or participating in the submission of a separate SOQ or any officer, employee or agent of the Authority, PREPA, the Partnership Committee, AAFAP, PREB, the Government, the FOMB or any public agency of Puerto Rico; and that the Undersigned executed this Respondent and Team Members Certificate with full knowledge and understanding of the matters herein contained and was duly authorized to do so.

We further certify and declare, and agree to be under an obligation to declare, that we do not have knowledge of or the ability to avail ourselves of confidential information of the Government, PREPA or the Authority relevant to the Project, except to the extent we have been expressly authorized by the Government, PREPA, or the Authority.

We further certify that the Undersigned, shall not, other than as permitted in this RFQ, attempt to communicate in relation to this RFQ, directly or indirectly, with any representative of the Authority, PREPA, the Partnership

Committee, AAFAF, PREB, the Government, the FOMB or any public agency of Puerto Rico, including any Restricted Parties, or any director, officer, employee, agent, advisor, staff member, counsel, consultant or representative of any of the foregoing, as applicable, for any purpose whatsoever, including for purposes of: (a) commenting on or attempting to influence views on the merits of the SOQ, or in relation to the SOQ; (b) influencing, or attempting to influence, the outcome of the RFQ Process, or of the competitive selection process, including the review and evaluation of SOQs or the selection of the Qualified Respondents; (c) promoting the Respondent and Team Members or their interests in the Project, including in preference to that of other Respondents or Team Members; (d) commenting on or criticizing aspects of this RFQ, the competitive selection process, or the Project including in a manner which may give the Respondent or its Team Members a competitive or other advantage over other Respondents or their respective Team Members; and (e) criticizing the SOQs of other Respondents.

To the extent the Authority and PREPA determine to submit any of the costs incurred under the PPP Contract for federal reimbursement, the Respondent shall be required to comply with all applicable federal certification and requirements.

Federal regulations restrict PREPA from contracting with parties that are debarred, suspended or otherwise excluded from or ineligible for participation in federal assistance programs and activities, where the contract is funded in whole or in part with federal funds. The Undersigned certifies that:

1. Neither it nor any of its principals (defined at 2 C.F.R. § 180.995), or its affiliates (defined at 2 C.F.R. § 180.905), are excluded (defined at 2 C.F.R. § 180.940) or disqualified (defined at 2 C.F.R. § 180.935) from participation in this transaction by any federal department or agency. SAM Exclusions is the list maintained by the General Services Administration that contains the name of parties excluded or disqualified, as well as parties declared ineligible under certain statutory or regulatory authority. The Respondent may verify its status and the status of its principals, affiliates and any actual or anticipated Team Members at www.SAM.gov.
2. The Undersigned agrees to comply with the requirements of 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C while this proposal is valid and throughout the period of any contract that may arise from this proposal. The Undersigned further agrees to include a provision requiring such compliance in its lower tier covered transactions.
3. This certification is a material representation of fact relied upon by the Authority and PREPA. If it is later determined that the Undersigned did not comply with 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C, in addition to remedies available to the Authority and PREPA, the federal government may pursue available remedies, including but not limited to suspension and/or debarment.

The Undersigned further certifies, to the best of its knowledge and belief, that:

1. No federal appropriated funds have been paid or will be paid, by or on behalf of the Undersigned to any person for influencing or attempting to influence an officer or employee of an agency, a member of the United States Congress, an officer or employee of the United States Congress or an employee of a member of the United States Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement and the extension, continuation, renewal, amendment or modification of any federal contract, grant, loan or cooperative agreement.
2. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of the United States Congress, an officer or employee of the United States Congress or an employee of a member of the United States Congress in connection with this federal contract, grant, loan or cooperative agreement, the Undersigned shall complete and submit Standard Form- LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.

3. The Undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants and contracts under grants, loans and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.
4. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The Undersigned acknowledges that any violation or misrepresentation with respect to the above will prohibit their participation in any procurement process under the PPP Act and other applicable laws of Puerto Rico and, therefore, will be disqualified from participating hereunder.

The attached SOQ shall be governed by and construed in all respects according to the laws of Puerto Rico and the terms of the RFQ.

Explanatory Statement

This Form of Respondent and Team Members Certification must strictly follow the form provided in Appendix A. Complete this section only if you are unable to provide one or more of the certifications above without qualification. In all other cases, leave this section blank. If you cannot provide a certification as written in the form, (i) clearly identify which specific certification you are unable to provide, (ii) briefly explain why you cannot certify without qualification, and (iii) propose alternative language for consideration. Please note that any deviations from the standard certification form in Appendix A will be noted and considered at the sole discretion of the Partnership Committee and the Authority.

Our business address is:

Yours faithfully,

APPENDIX B: FORM OF DOCUMENT ACKNOWLEDGEMENT & CONTACT INFORMATION

FORM INSTRUCTIONS: This form must be completed and executed by the Respondent on behalf of itself and each Team Member, if applicable. The form is provided as a fillable PDF and should be completed with all required information in the designated boxes. For convenience, hover over the box to display the required information. Include a letterhead for the Respondent by uploading it to the top of the Appendix using the image box provided. Once you have filled in all required information on the form, sign it in wet ink and return the completed document.

Josué Colón — Executive Director
Puerto Rico Public-Private Partnerships Authority
Puerto Rico Fiscal Agency and Financial Advisory Authority Building, 4th Floor Roberto Sánchez Vilella
Government Center
De Diego Avenue, Parada 22 San Juan, PR 00940-2001 USA

Re: Costa Sur New Generation Facility Procurement Process – Acknowledgement & Contact Information –

Ladies and Gentlemen:

I, _____ in my capacity as _____ of _____, acknowledge on behalf of the Respondent and each Team Member that the Respondent (for itself and each anticipated Team Member) was able to access the Puerto Rico Public-Private Partnerships Authority (“**Authority**”) web site and downloaded the following documents regarding the Request for Qualifications (“**RFQ**”) for the Costa Sur New Generation Facility Procurement Process (“**Project**”), issued by the Authority on **February 24, 2026**. Our contact information for further notifications is included below. We accept the transmission of such additional notifications via electronic communications, but acknowledge and accept that we shall have the responsibility of periodically checking in the Authority’s website for any and all official communications regarding the RFQ and other stages of the procurement process for the Project.

Document/File Title

Date Received/Downloaded

Document/File Title	Date Received/Downloaded
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

[Signature page follows]

Respondent Representative Signature

Date

Contact Information:

**Respondent
Representative Name:** _____

Title: _____

Company: _____

Address: _____

Electronic Mail: _____

Telephone Number _____