

## **Appendix A-8**

### **Real Estate Specifications and Submittals Required for BTA Bids**

Real Estate guidelines for RFP submitted projects for which PacifiCorp will be the ultimate operator:

Provide a summary of all land rights agreements (leases, easements, etc.) obtained/to be obtained. For each agreement, provide the following information

- Name of Grantor
- Type of lease (production, access, transmission, etc.)
- Property covered (legal description and acreage)
- Commercial financial terms:
  - Development period payments
  - Operations period payments (including a description of basis of payment methodology: acreage, installed capacity, or production)
  - Additional infrastructure costs (roads, substations, operations buildings, MET towers, transmission lines, etc.)
  - Estimated annual costs
- Confirm the land agreements include the following:
  - Clear and defined alternate payment terms for situations when the operator of the project is a regulated utility, and gross revenue is not applicable
  - Exclusive rights for project construction, operation, maintenance, repair, replacement of project facilities, roads, and infrastructure
  - Grantee insurance requirements can be sufficiently met by program of self-insurance
  - Assignability language in each land right agreement.
  - Agreement contains jury trial waiver provision
  - Requirement for Grantor to execute an Estoppel certificate upon request.
- Provide a discussion of unique lease restrictions, such as first rights of refusal, first rights of offer or supply, favored nations provisions, buffer zones or setbacks, restricted areas within leased property, or other limitations and obligations of the Grantee
- Identify ancillary agreements for crossings, non-disturbance, common-use, encroachments, subordinations, overhangs, etc.