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March 29, 2023

SUBJECT: Request for Proposals - Lime Products for Multiple Stations

1. BACKGROUND

1.1. Duke Energy Business Services (“DEBS”), as agent for each and on behalf of Duke Energy Indiana, LLC (“DEI”), Duke Energy Kentucky, Inc. (“DEK”), Duke Energy Carolinas, LLC (“DEC”), Duke Energy Progress, LLC (“DEP”) and Duke Energy Florida, LLC (“DEF”) is pleased to submit our request for proposals (“RFP”) to you (“Prospective Supplier”) regarding the supply of Lime Products (as defined below) to one or more Duke Energy coal-fired electric power generating stations (each a “Station”). Each of DEI, DEK, DEC, DEP and DEF may sometimes be referred to in this RFP as “Duke Energy”. Lime Products will be used in air, water, and waste emission treatment applications.

2. SCOPE

2.1. Duke Energy requests that Prospective Suppliers quote the price of Lime Products (as defined herein) including transportation for each Delivery Location as referenced in Appendix C. Duke Energy may RFP for third party transportation and does not guarantee Prospective Supplier(s) transportation proposal.

3. GENERAL TERMS AND CONDITIONS OF RFP

- 3.1. Prospective Supplier’s Proposal must be signed and dated by an authorized agent of the Prospective Supplier, including printed name and title.
- 3.2. Proposals must be submitted according to the Timing as set forth in Section 13 of this RFP.
- 3.3. If Duke Energy does not receive a Proposal prior to this due date and time then Duke Energy will assume that the Prospective Supplier does not intend to submit a Proposal in response to this RFP. Proposals received after the Duke Date and Time may or may not be evaluated or considered as determined in Duke Energy’s sole discretion.
- 3.4. The Prospective Supplier is solely responsible for the completeness and accuracy of all information contained in and used in preparation of its Proposal and for having supplied all necessary information. Proposals that are incomplete may or may not be evaluated as determined by Duke Energy’s sole discretion.
- 3.5. After the initial evaluation of Proposals, the number of Prospective Suppliers may be narrowed based on evaluation criteria (“Short List”), in Duke Energy’s sole discretion. Prospective Suppliers on the Short List may be invited to participate in additional negotiations.
- 3.6. By replying to this proposal, the Prospective Supplier is agreeing to abide by the terms of this RFP. If the Prospective Supplier has any exceptions to the terms and conditions set forth herein, those exceptions must clearly be identified in the Proposal.
- 3.7. Duke Energy reserves the right to modify or withdraw this request, to reject any or all Proposals and/or to terminate any negotiations at any time. Duke Energy also reserves the right to accept one or more Proposals for a portion or for all the products and/or services requested.



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- 3.8. Duke Energy reserves the right to request any additional information pertaining to any Proposal at any time after receipt of a Proposal.
- 3.9. The Prospective Supplier's formal Proposal will be the basis of Duke Energy's evaluation. Duke Energy does not intend to entertain Proposals or revisions to formal Proposals submitted and received after the required submittal date listed herein. Based on Duke Energy's initial evaluation of all Proposals, Duke Energy reserves the right to open contract negotiations (which includes but is not limited to price, terms and conditions) with the Prospective Supplier(s) that offers the most favorable terms to Duke Energy, as determined in its sole and absolute discretion.
- 3.10. All materials submitted in response to this RFP shall become the property of Duke Energy and may be returned only at Duke Energy's option.
- 3.11. Duke Energy is not liable for any costs incurred by Prospective Suppliers in connection with any response to this RFP.
- 3.12. Prospective Suppliers shall not disclose to any third party, nor publicize in any way the existence of, the details of, their invitation to participate in, or their participation in this RFP. This restriction remains in force, for both successful and unsuccessful Prospective Suppliers, for a period of three (3) years from the date of receipt of this RFP.
- 3.13. All Proposals are subject to review and approval from Duke Energy's fuel department, station operations, engineering and technical services, credit, legal and senior management.
- 3.14. This constitutes a Request for Proposals only. In no event will Duke Energy be deemed to have accepted any offer by any Prospective Supplier unless and until a written acceptance of such offer (such acceptance may be evidenced by a written agreement) is executed by a duly authorized representative of Duke Energy.
- 3.15. DEC and DEP, with the consent of the applicable North Carolina and South Carolina regulatory agencies, recently entered into an arrangement whereby DEC serves as the face to the market and managing company for the purposes of securing certain supply needs of both DEC and DEP (the "DECFM Structure"). Therefore, depending on the Prospective Suppliers' responses, DEC may enter into one or more definitive agreements whereby DEC will purchase the Lime Product for use in any one or more DEC or DEP facilities. Prospective Supplier is hereby placed on notice that the award of any such bids may be contingent on incorporating terms and conditions into the definitive agreement(s) that DEC and DEP determine are reasonably necessary to effectuate the DECFM Structure. Notwithstanding the foregoing, DEP reserves the right to enter into any definitive agreement, if any, in its own name.

4. CONFIDENTIALITY

- 4.1. All proposals and financial information submitted under this RFP will be kept in strict confidence by Duke Energy and shall not be disclosed to any third party, unless required by any regulatory agency or applicable court of law having jurisdiction over Duke Energy and the conduct of their business. Likewise, this RFP shall be kept in strict confidence by the Prospective Supplier.

5. SUPPLIER QUALIFICATION



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- 5.1. Company Overview – in the Proposal, Prospective Supplier shall include the size and scope of its company in the Lime Products market. Please include information on the contracting entity’s corporate structure (including identification of any parent companies).
- 5.2. Financial Metrics - in the Proposal, Prospective Supplier must include copies of the contracting entities most recent annual report containing comparative audited consolidated financial statements. Financial statements should include all associated footnotes. Financial statements, annual reports and other large documents may be referenced via a web site address. If the proposed contracting entity is not the same legal entity for which financial information is furnished, the respondent should state whether a parent guarantee will be provided to cover the obligations of the contracting entity. The proposal review process will include an assessment of the financial strength of the contracting entity. Depending on the financial strength of the contracting entity and the nature and extent of its potential obligations associated with the proposal, Duke Energy may require credit support in the form of a guarantee or letter of credit. If a contracting entity plans on providing a parent guarantee, then financial information for the guarantor should be included.
- 5.3. Duke Energy is depending on the quantity, quality and delivery of the Lime Products to the Stations, and will give strong preference to any Prospective Supplier who can demonstrate that it has the quantity, quality, safety and environmental performance and resources to provide the product at the lowest delivered cost and with the desired level of service and product performance. Each Prospective Supplier is free to submit any information they deem necessary to support the suitability of their comments.

6. PRODUCT REQUIREMENTS

- 6.1. Lime Products quality requirements are detailed in Appendix A. These specifications are a guideline meant to illustrate the typical quality of product desired, but not necessarily restricts the consideration of any products. The focus of our evaluation will ultimately be the expected performance of the products. Prospective Supplier shall recommend a suitable Product and submit actual specification as part of Proposal.
- 6.2. Prospective Supplier must submit with the Proposal a current Safety Data Sheet for each product and any other technical information.
- 6.3. Prospective Supplier must include the origin for each product destined for each Station.

7. TERM

- 7.1. The expected term of any resulting supply agreement based on this RFP is two (2) years beginning July 1st, 2023, and ending on June 30th, 2025. Prospective Supplier, if it so chooses, is free to treat the term as consisting of two (2) separate one (1) year delivery periods (each commencing on July 1) for the purposes of pricing or other terms of its Proposal.

8. VOLUME

- 8.1. Estimated annual volume requirements are detailed in Appendix C. These volumes are only estimates and can change due to many factors including, but not limited to, customer demand for generated power and fuel prices for Duke Energy’s generation fleet. Given this, Duke Energy does not wish to commit to any minimum required volumes and, prefers that Prospective Supplier shall agree to deliver the fully required volumes at the times and places desired by the Stations.



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9. PRICING

- 9.1. Pricing must be fixed through term of the proposed delivery period and include labor, material, transportation, storage, application, all federal / state / local government taxes, fees, laws, rules regulations and/or other levies that are the responsibility of the Prospective Supplier, etc. Price must consist of a base product price and a freight component for each Station. A list of each Station and delivery address for estimating freight costs are shown in Appendix C. Product and base freight price components must be fixed at least annually for the Term as shown in section 7.
- 9.2. Fuel Surcharge - Duke Energy requires that any fuel surcharge adjustments to the base freight cost use the methodology shown in Appendix B.

10. TRANSPORTATION

- 10.1. Mode – preferred mode of transportation is noted in Appendix C.
- 10.2. Insurance Requirement – all employees, contractors and vehicles entering Station property must have adequate insurance (reasonably acceptable to Duke Energy).
- 10.3. Unloading – Prospective Suppliers are expected to unload Lime Products into the station designated storage vessel (“Delivery Point”) and supply all necessary equipment for doing so (proper transfer hoses, fittings, etc.) utilizing the most current safety technology and standards. Title and risk of loss shall transfer to the Station upon delivery to the delivery point.
- 10.4. Safety & Environmental Risk Evaluation
 - 10.4.1. Prospective Supplier’s safety and environmental performance record are given weight in the bid evaluation process. Prospective Suppliers with poor performance and/or practices may be disqualified, removed from Duke Energy’s bid list and excluded from future RFP’s and/or work for Duke Energy.
 - 10.4.2. Prospective Suppliers shall provide U.S. Department of Transportation (USDOT) Safety and Fitness Electronic Records or USDOT Number for truck carriers that will be used to transport Products onto Station sites. For barge delivery, Prospective Suppliers shall provide the number of United States Coast Guard incident calls per year for the carrier that will be used to transport Products to Station sites.
 - 10.4.3. Prospective Suppliers must complete this section for the current year-to-date and past two full years, using your OSHA 300 log for the following items:
 - 10.4.3.1. Number of fatalities
 - 10.4.3.2. Number of OSHA recordables
 - 10.4.3.3. Number of lost workday cases (includes restricted workday cases)
 - 10.4.3.4. Total number of employee hours worked



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- 10.4.4. Prospective suppliers shall provide Experience Modification Factor for last two years as well as that of any potential carriers for the same period.
- 10.4.5. Prospective suppliers shall provide a copy of its mechanical integrity program (how and to what frequency with what equipment is maintained that is brought on site of the station such as hoses, pumps, truck trailers, rail cars, etc.). Please provide a sample of recent inspection records of the equipment.
- 10.4.6. All carriers of Lime Products shall comply with applicable regulations such as U.S. Department of Transportation and any other federal, state and municipal regulations
- 10.4.7. All carriers shall comply with site specific Process Safety Management authorized worker training
- 10.4.8. Prospective suppliers must submit a driver plan that demonstrates how drivers will be limited to any particular station
- 10.4.9. Buyer expects that drivers of tanker trucks make the connection to the station's unloading system.
- 10.4.10. All equipment that is brought on site shall be designed and maintained to recognized and generally accepted good engineering practices and rated for Lime Products service where applicable.
- 10.5. Please note that Duke Energy reserves the right to submit an RFP for third party transportation and cannot guarantee that the Prospective Supplier(s) proposed transportation carrier services would be utilized. If Duke Energy were to pursue this right, it would give advance notice to the Prospective Supplier(s) who are impacted by this decision.

11. EXCLUSIVITY

- 11.1. Award of a contract resulting from this RFP, if any, may not be exclusive. Duke Energy reserves the right to split the business among two or more Prospective Suppliers.

12. GUARANTEE

- 12.1. Duke Energy will give strong preference to any Prospective Supplier that offers a guarantee in quality or supply.
- 12.2. Prospective Suppliers must clearly indicate any offer of a guarantee in your response to this RFP

13. TIMING

- 13.1. Proposals are due on or before 5:00pm Eastern Time on Friday, April 26th, 2023 ("Due Date and Time"). Submission of your proposals via e-mail is preferred, however, proposals submitted via fax or letter will also be accepted.
- 13.2. Duke Energy expects to respond to Prospective Suppliers by Friday, May 26th, 2023, with a selection of winning Proposals or a Short List of Prospective Suppliers that may be asked to clarify or confirm their Proposals.



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13.3. All Proposals must remain firm and open through Friday, July 30, 2023, however, Duke Energy reserves the right to make a decision and communicate same prior to such time.

14. CONTACT INFORMATION

14.1. Direct all questions, comments and responses to:

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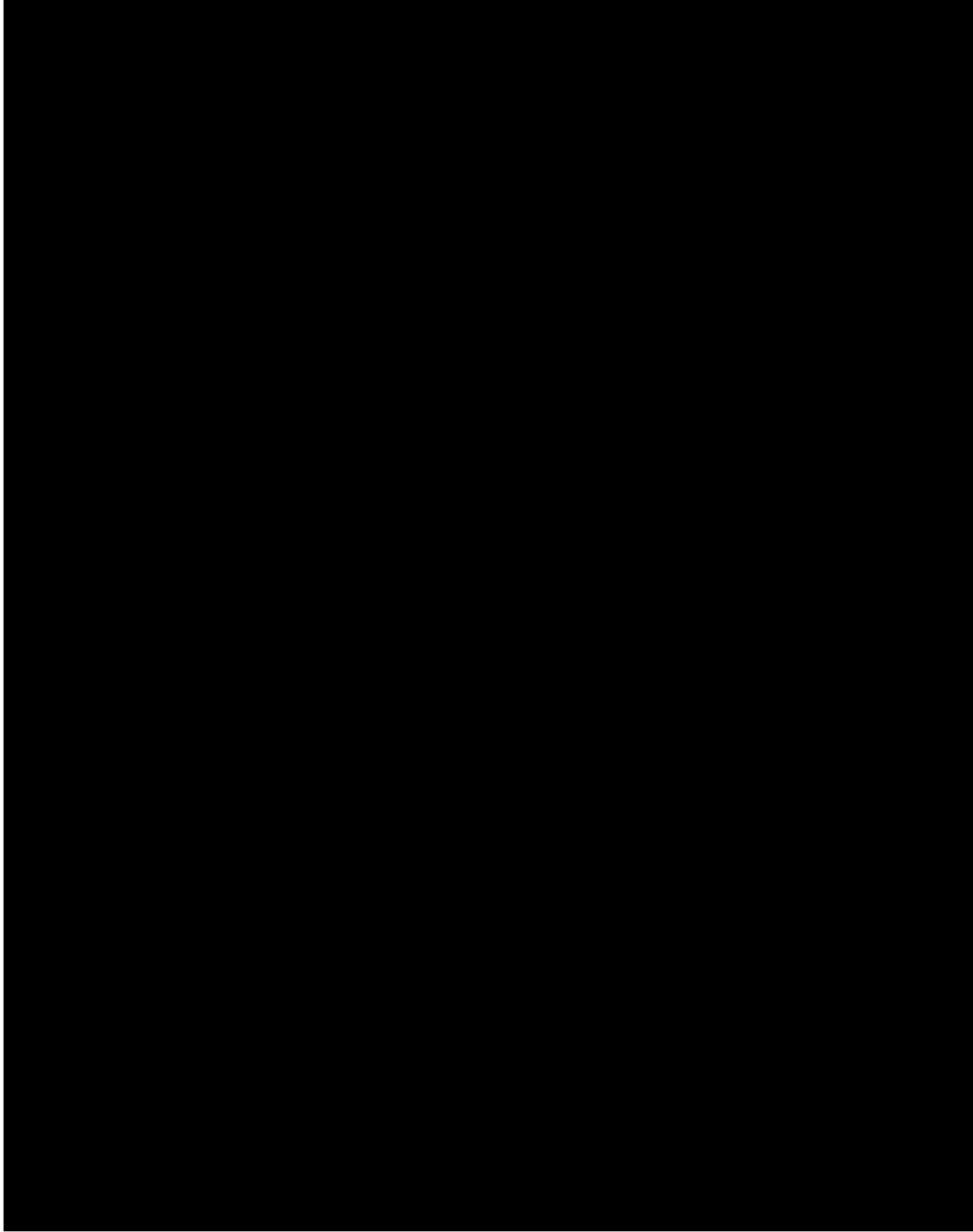
Best regards,

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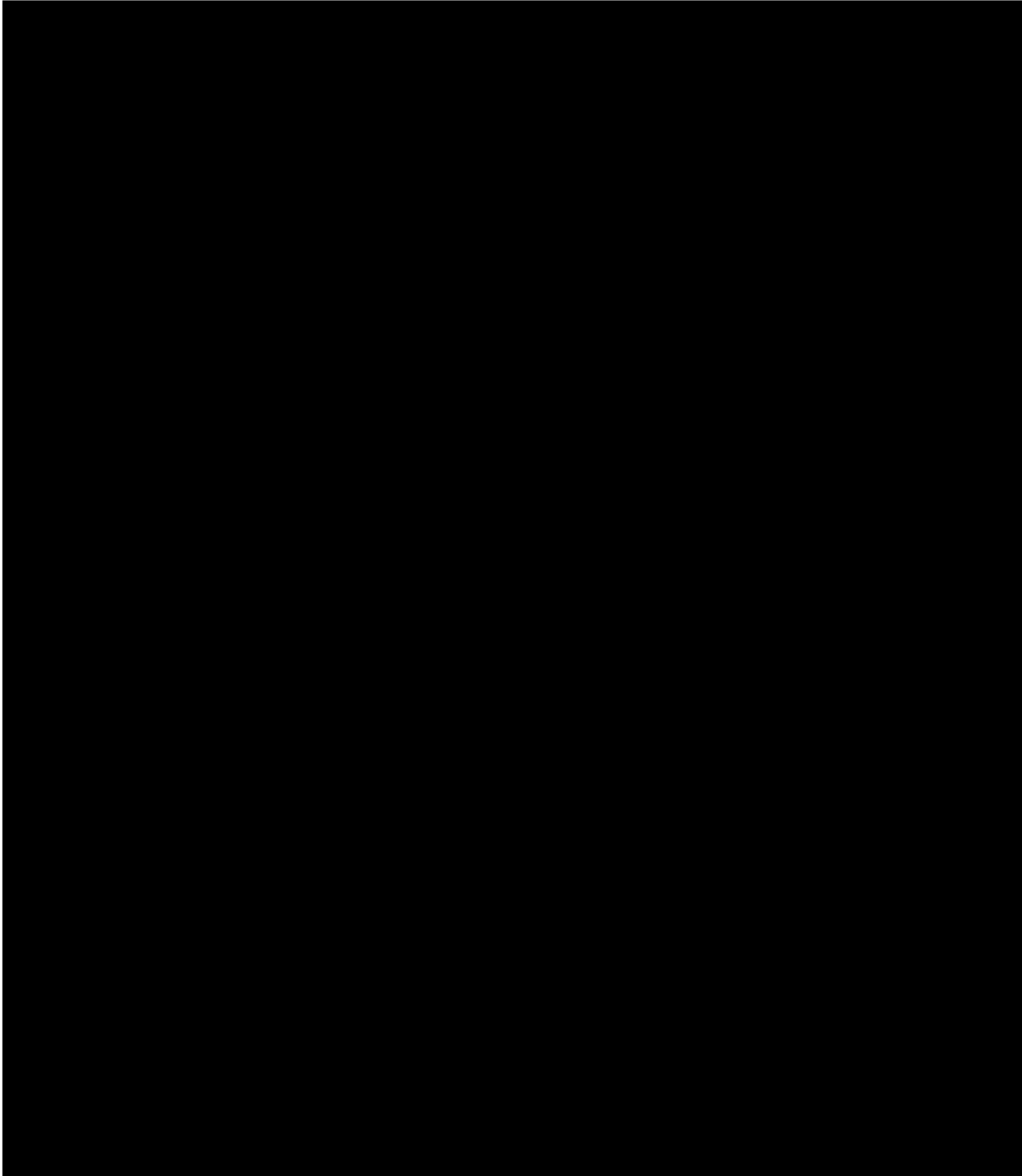
Appendix A





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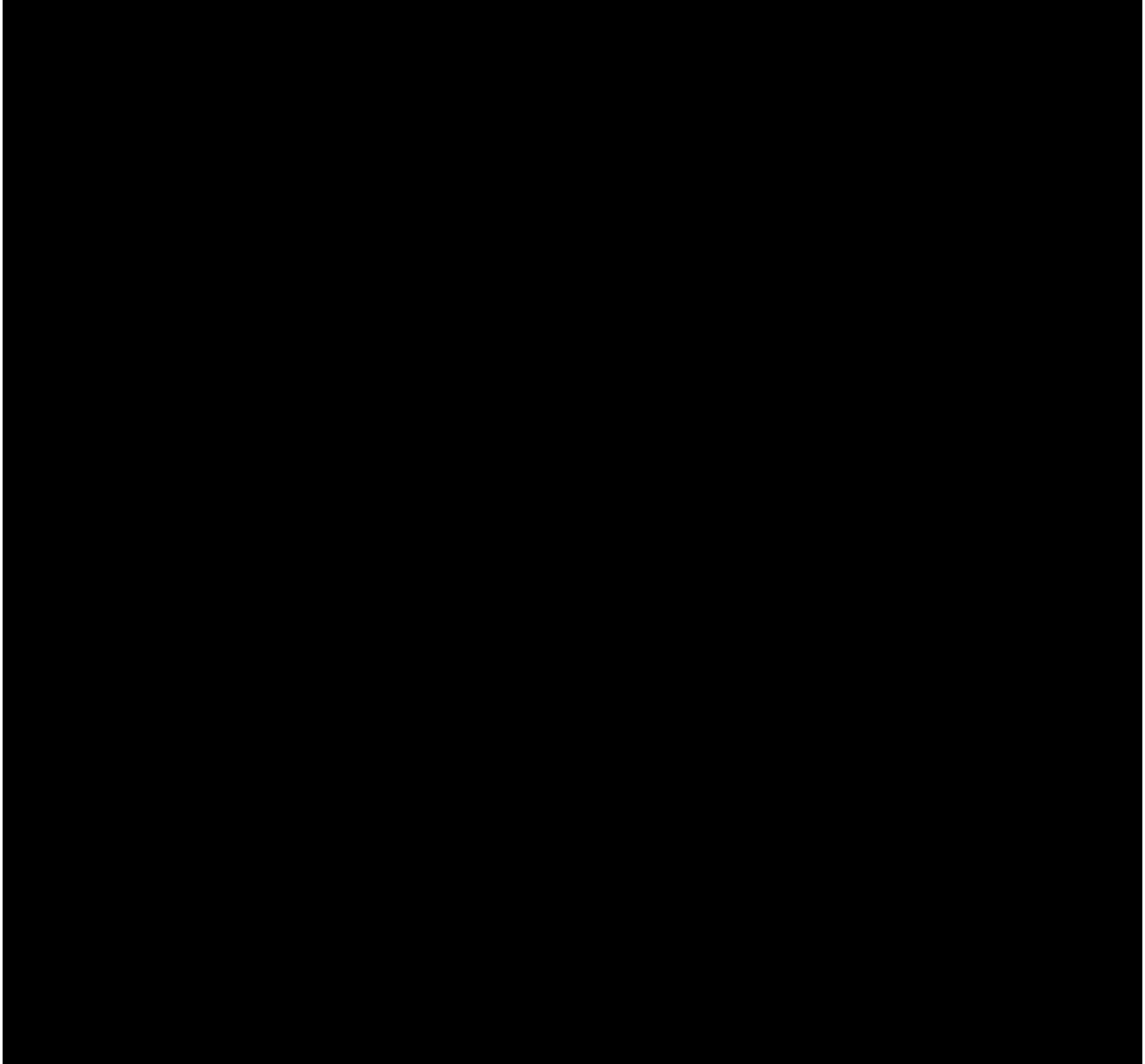
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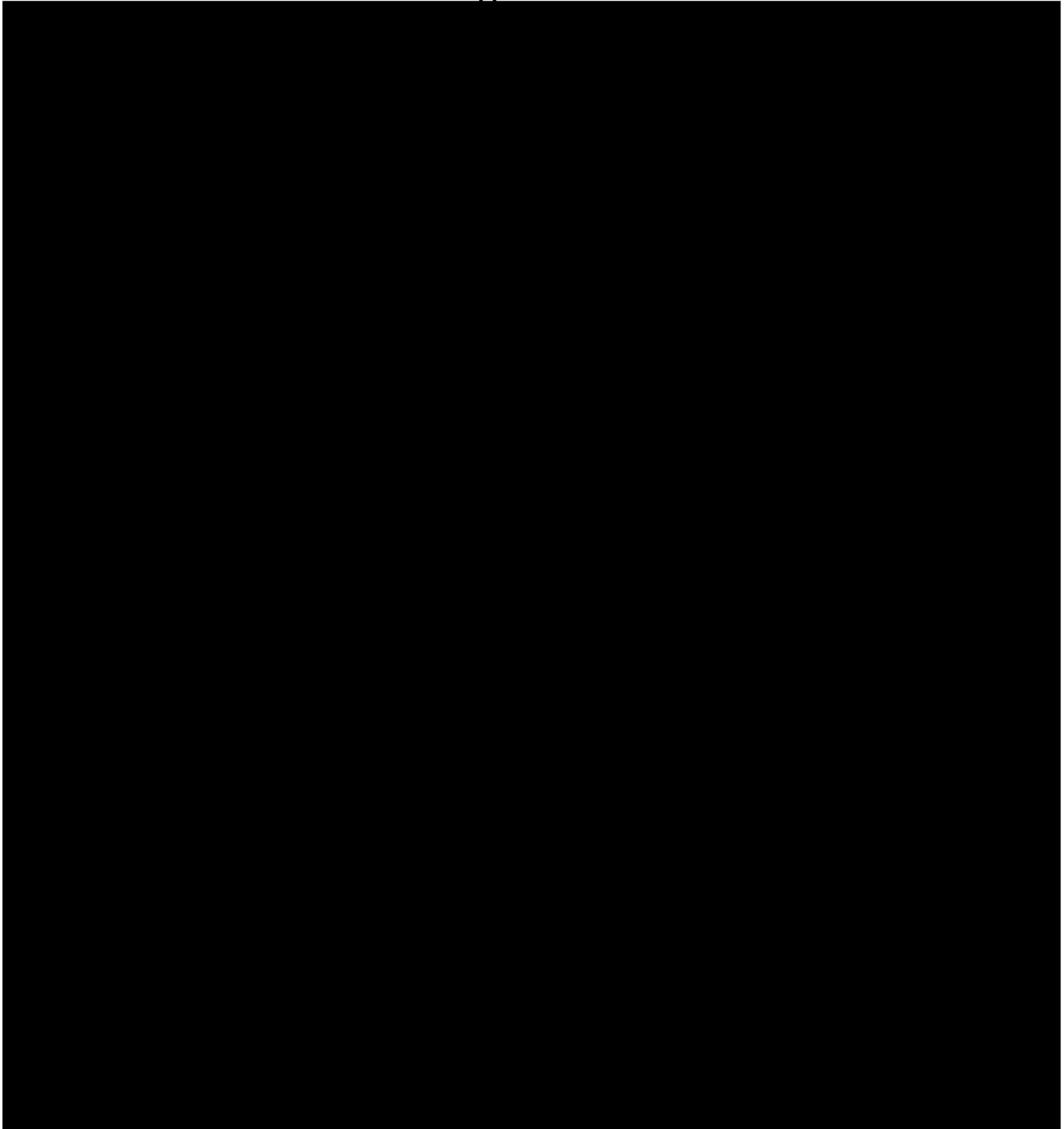
Appendix B





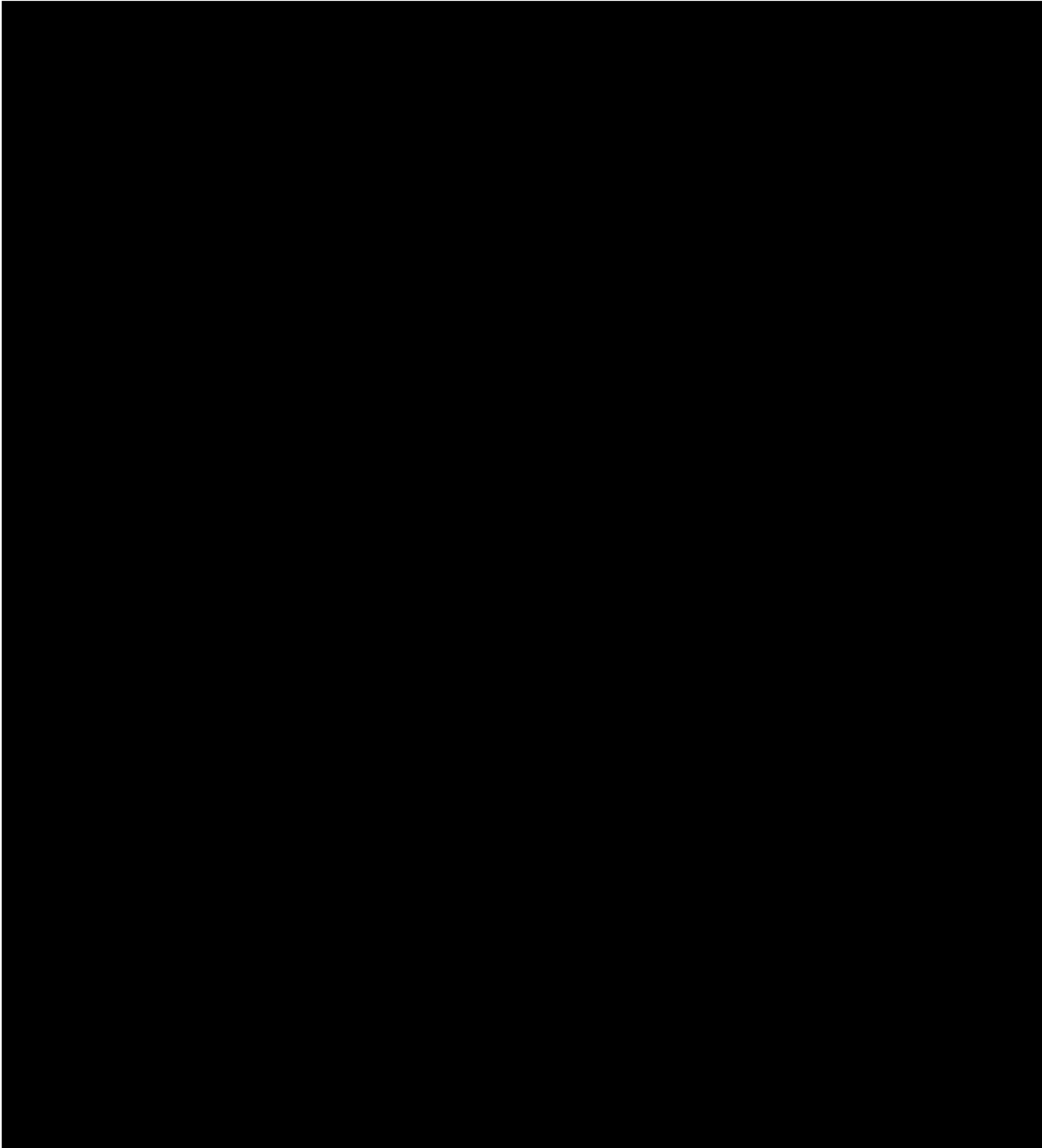
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Appendix C





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CONFIDENTIAL PROPRIETARY TRADE SECRET

Lime Commodity \$/ton 2014-Present

Type	Effective Date	Expiration Date	\$/ton
Base Price	7/1/2024	9/30/2024	
Base Price	7/1/2023	6/30/2024	
Base Price	7/1/2022	6/30/2023	
Base Price	7/1/2021	6/30/2022	
Base Price	7/1/2020	6/30/2021	
Base Price	1/1/2020	6/30/2020	
Base Price	1/1/2019	12/31/2019	
Base Price	1/1/2018	12/31/2018	
Base Price	1/1/2017	12/31/2017	
Base Price	1/1/2016	12/31/2016	
Base Price	1/1/2015	12/31/2015	
Base Price	1/1/2014	12/31/2014	







CONFIDENTIAL PROPRIETARY TRADE SECRET

Lime Barge Transportation \$/ton 2014-Present

Primary Source: [REDACTED]

Price Type	Effective Date	Expiration Date	\$/ton
Base Transportation	10/1/2024	12/31/2024	[REDACTED]
Base Transportation	7/1/2024	9/30/2024	[REDACTED]
Base Transportation	4/1/2024	6/30/2024	[REDACTED]
Base Transportation	1/1/2024	3/31/2024	[REDACTED]
Base Transportation	10/1/2023	12/31/2023	[REDACTED]
Base Transportation	7/1/2023	9/30/2023	[REDACTED]
Base Transportation	4/1/2023	6/30/2023	[REDACTED]
Base Transportation	1/1/2023	3/31/2023	[REDACTED]
Base Transportation	10/1/2022	12/31/2022	[REDACTED]
Base Transportation	7/1/2022	9/30/2022	[REDACTED]
Base Transportation	4/1/2022	6/30/2022	[REDACTED]
Base Transportation	2/22/2022	3/31/2022	[REDACTED]
Base Transportation	10/1/2021	12/31/2021	[REDACTED]
Base Transportation	7/1/2021	9/30/2021	[REDACTED]
Base Transportation	4/1/2021	6/30/2021	[REDACTED]
Base Transportation	1/1/2021	3/31/2021	[REDACTED]
Base Transportation	10/1/2020	12/31/2020	[REDACTED]
Base Transportation	7/1/2020	9/30/2020	[REDACTED]
Base Transportation	4/1/2020	6/30/2020	[REDACTED]
Base Transportation	1/1/2020	3/31/2020	[REDACTED]
Base Transportation	10/1/2019	12/31/2019	[REDACTED]
Base Transportation	7/1/2019	9/30/2019	[REDACTED]
Base Transportation	4/1/2019	6/30/2019	[REDACTED]
Base Transportation	1/1/2019	3/31/2019	[REDACTED]
Base Transportation	10/1/2018	12/31/2018	[REDACTED]
Base Transportation	7/1/2018	9/30/2018	[REDACTED]
Base Transportation	4/1/2018	6/30/2018	[REDACTED]
Base Transportation	1/1/2018	3/31/2018	[REDACTED]
Base Transportation	12/5/2017	12/31/2017	[REDACTED]
Base Transportation	10/1/2017	12/4/2017	[REDACTED]
Base Transportation	7/1/2017	9/30/2017	[REDACTED]
Base Transportation	4/1/2017	6/30/2017	[REDACTED]
Base Transportation	1/1/2017	3/31/2017	[REDACTED]
Base Transportation	10/1/2016	12/31/2016	[REDACTED]
Base Transportation	7/1/2016	9/30/2016	[REDACTED]
Base Transportation	4/1/2016	6/30/2016	[REDACTED]
Base Transportation	1/1/2016	3/31/2016	[REDACTED]
Base Transportation	10/1/2015	12/31/2015	[REDACTED]
Base Transportation	7/1/2015	9/30/2015	[REDACTED]

CONFIDENTIAL PROPRIETARY TRADE SECRET

Base Transportation	4/1/2015	6/30/2015	
Base Transportation	1/1/2015	3/31/2015	
Base Transportation	10/1/2014	12/31/2014	
Base Transportation	7/1/2014	9/30/2014	
Base Transportation	4/1/2014	6/30/2014	
Base Transportation	1/1/2014	3/31/2014	

CONFIDENTIAL PROPRIETARY TRADE SECRET

Lime Transportation \$/ton 2014-Present

Secondary Source: [REDACTED]

Price Type	Effective Date	Expiration Date	\$/ton
Base Transportation	10/1/2024	12/31/2024	[REDACTED]
Base Transportation	7/1/2024	9/30/2024	[REDACTED]
Base Transportation	4/1/2024	6/30/2024	[REDACTED]
Base Transportation	1/1/2024	3/31/2024	[REDACTED]
Base Transportation	10/1/2023	12/31/2023	[REDACTED]
Base Transportation	7/1/2023	9/30/2023	[REDACTED]
Base Transportation	4/1/2023	6/30/2023	[REDACTED]
Base Transportation	1/1/2023	3/31/2023	[REDACTED]
Base Transportation	10/1/2022	12/31/2022	[REDACTED]
Base Transportation	7/1/2022	9/30/2022	[REDACTED]
Base Transportation	4/1/2022	6/30/2022	[REDACTED]
Base Transportation	1/1/2022	3/31/2022	[REDACTED]
Base Transportation	10/1/2021	12/31/2021	[REDACTED]
Base Transportation	7/1/2021	9/30/2021	[REDACTED]
Base Transportation	4/1/2021	6/30/2021	[REDACTED]
Base Transportation	1/1/2021	3/31/2021	[REDACTED]
Base Transportation	10/1/2020	12/31/2020	[REDACTED]
Base Transportation	7/1/2020	9/30/2020	[REDACTED]
Base Transportation	4/1/2020	6/30/2020	[REDACTED]
Base Transportation	1/1/2020	3/31/2020	[REDACTED]
Base Transportation	10/1/2019	12/31/2019	[REDACTED]
Base Transportation	7/1/2019	9/30/2019	[REDACTED]
Base Transportation	4/1/2019	6/30/2019	[REDACTED]
Base Transportation	1/1/2019	3/31/2019	[REDACTED]
Base Transportation	10/1/2018	12/31/2018	[REDACTED]
Base Transportation	7/1/2018	9/30/2018	[REDACTED]
Base Transportation	4/1/2018	6/30/2018	[REDACTED]
Base Transportation	1/1/2018	3/31/2018	[REDACTED]
Base Transportation	12/5/2017	12/31/2017	[REDACTED]
Base Transportation	10/1/2017	12/4/2017	[REDACTED]
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Base Transportation	4/1/2016	6/30/2016	[REDACTED]
Base Transportation	1/1/2016	3/31/2016	[REDACTED]
Base Transportation	10/1/2015	12/31/2015	[REDACTED]
Base Transportation	7/1/2015	9/30/2015	[REDACTED]

CONFIDENTIAL PROPRIETARY TRADE SECRET

Base Transportation	4/1/2015	6/30/2015	
Base Transportation	1/1/2015	3/31/2015	
Base Transportation	10/1/2014	12/31/2014	
Base Transportation	7/1/2014	9/30/2014	
Base Transportation	4/1/2014	6/30/2014	
Base Transportation	1/1/2014	3/31/2014	

East Bend Unit Characteristics Inputs

Unit	Months	Fuel Type*	Med. HR Low*	Med. HR Pre*	Med. HR Post*	Med. HR High*	Med. Gen Low*	Med. Gen Pre*	Med. Gen Post*	Med. Gen High*	Min. Capacity*	Max. Capacity*	VOM*	FOM, \$/hr	NOx Emissions*	CO2 Emissions*	EFOR	Max Outage Duration	Outage Mean	Outage Std. Dev.	Cold Startup Cost*	Warm Startup Cost*	Hot Startup Cost*	Min. Up Time*	Min. Down Time*	Down Time to Cold	Down Time to Warm	Down Time to Hot, hr	Ramp-up Rate*	Ramp-down rate*	Startup Fuel Type	Cold Startup MMBtu*	Warm Startup MMBtu	Hot Startup MMBtu		
EABD_LUN02	Oct-Dec, Jan-Apr	Coal	11541.395	11129.846	10877.93833	10613.57875	300	375	450	600	300	600	600																							
EABD_LUN02	May-Sep	Coal	11541.395	11129.846	10877.93833	10613.57875	300	375	450	600	300	600	600																							

