

**REQUEST FOR PROPOSAL (“RFP”) – EXHIBIT U-5
SINGLE LEVEL FLEET REPLACEMENT PROGRAM
NATIONAL RAILROAD PASSENGER CORPORATION (AMTRAK)
1 Massachusetts Ave NW, Washington DC 20001**



EXHIBIT U-5 PROPOSAL LETTER OF CREDIT

IRREVOCABLE STANDBY LETTER OF CREDIT

ISSUER: _____

PLACE FOR PRESENTATION OF DRAFT: _____

(Name and Address of Bank/Branch – Must be an office in the United States at which the letter of credit can be presented for payment by facsimile or by electronic means)

APPLICANT: [Name of Offeror]

BENEFICIARY: NATIONAL RAILROAD PASSENGER CORPORATION (“AMTRAK”)
1 Massachusetts Avenue, NW
Washington, DC 20001

LETTER OF CREDIT NUMBER: _____

AMOUNT: Ten Million United States Dollars (US\$10,000,000) **PLACE**

AND DATE OF ISSUE: _____

EXPIRATION DATE: The earliest of (i) 360 days after the “Financial Proposals Due (Hard and Electronic) Close Date,” as set forth in the RFP (**DOC5124947268**), (ii) formal cancellation of the procurement by Amtrak or (iii) execution by Applicant and Amtrak of the contracts contemplated by the procurement.

The Issuer hereby issues this Irrevocable Standby Letter of Credit in favor of Amtrak for any sum or sums up to the aggregate amount of **Ten Million United States Dollars (US\$10,000,000)**, available by draft(s) at sight drawn on the Issuer and payable immediately.

Any draft(s) under this Letter of Credit shall:

1. Identify this Irrevocable Standby Letter of Credit by the name of the Issuer, and the Letter of Credit number, amount, and place and date of issue; and
2. State one of the following:

“This drawing is due to the failure of (Offeror’s name) (the “Offeror”) to perform certain obligations under the Request for Proposal (“RFP”) for the Amtrak Single Level Fleet Replacement Acquisition & Technical Support, Spares and Supply Agreement (TSSSA) RFP: DOC5124947268 REV 0 issued July 2025.”

**REQUEST FOR PROPOSAL (“RFP”) – EXHIBIT U-5
LONG-DISTANCE FLEET REPLACEMENT PROGRAM
NATIONAL RAILROAD PASSENGER CORPORATION (AMTRAK)
1 Massachusetts Ave NW, Washington DC 20001**



EXHIBIT U-5 PROPOSAL LETTER OF CREDIT

or

“This drawing is due to the failure of the Issuer of the Letter of Credit upon which draft is being made to maintain a credit-rating for long-term unsecured debt of not less than “A/A2” and the failure of the Offeror to replace the Letter of Credit with a substitute letter of credit meeting the requisite criteria.”

All drafts will be honored if presented to (Bank/Branch - Name & Address) on or before (Expiration Date) or any extended expiration date.

Drawings by facsimile to facsimile number () _____ are acceptable (each such drawing, a "Fax Drawing") provided, however, that a Fax Drawing will not be effectively presented until Beneficiary confirms, by telephone, Issuer's receipt of such Fax Drawing by calling Issuer at telephone number () _____. Issuer will acknowledge Beneficiary's presentment by e-mail to the e-mail address provided to Issuer in the Fax Drawing.

This Letter of Credit shall allow for multiple partial draws.

This Letter of Credit is subject to the rules of the “International Standby Practices” ISP98. For matters not addressed by ISP98, this Letter of Credit shall be governed by the law of the District of Columbia.

Issuer:

By: _____ (Authorized signature of Issuer) _____