



**REQUEST FOR PROPOSALS**  
**(RFP) RFP SW2017-CTP**  
**EV Partners**

Sustainable Westchester,  
 a consortium of municipalities in Westchester County, New  
 York,  
 On Behalf of the Sustainable Westchester Clean Transportation  
 Program, is Seeking Proposals for  
 Auto Dealer & Manufacturer Partners in  
 Co-Marketing Programs and Aggregation Discounts for  
 Municipal, Institutional & Residential Purchases of  
 Plug In Electric Passenger Vehicles (EVs)

**TIMELINE**

<b>Issue Date:</b>	<b>Friday, June 2, 2017</b>
	<ul style="list-style-type: none"> <li>• Download RFP (.pdf) and all Exhibits here:</li> <li>• <a href="http://sustainablewestchester.org">http://sustainablewestchester.org</a></li> <li>• Exhibit A: SW CTP Municipal Credit Ratings</li> <li>• Exhibit B: Bid Submission Forms 1-3</li> <li>• Exhibit C: Disclosure Forms I - IV</li> </ul>
<b>Proposal Due Date:</b>	<p><b>Proposals must be received by Wednesday, June 14th at 5:00 P.M. EST</b></p> <p><b>Proposal package must be submitted via email to Ron Kamen:</b></p> <p><a href="mailto:Ron.Kamen@EarthKindEnergy.com">Ron.Kamen@EarthKindEnergy.com</a></p>



**SUSTAINABLE WESTCHESTER CLEAN TRANSPORTATION PROJECT**

**NOTICE OF REQUEST FOR PROPOSALS**  
**(RFP) RFP SW2017-CTP EV Partners**

**Sustainable Westchester,  
a consortium of municipalities in Westchester County, NY,  
On Behalf of the Sustainable Westchester Clean Transportation Program, is  
Seeking Proposals for  
Auto Dealer & Manufacturer Partners in  
Co-Marketing Programs and Aggregation Discounts for  
Municipal, Institutional & Residential Purchases of  
Plug In Electric Passenger Vehicles (EVs)**

NOTICE is hereby given that proposals will be received by Sustainable Westchester, a consortium of Westchester County, New York municipalities, **until 5:00 P.M., Wednesday, June 14, 2017**, for the following item:

**Auto Dealer & Manufacturer Partners in Co-Marketing  
Programs and Aggregation Discounts for Municipal,  
Institutional & Residential Purchases of  
Plug In Electric Passenger Vehicles (EVs)**

Copies of the information for respondents to this RFP, general requirements, specifications, non-collusive bidding certification, and proposals, may be obtained at <http://www.sustainablewestchester.org/>. Proposals must be submitted at the above email address and must bear the name and address of the respondent to the proposal and the inscription: **"ELECTRIC VEHICLE CO-MARKETING & AGGREGATION DISCOUNT PROPOSAL - RFP SW2017 EV Partners."**

Sustainable Westchester **reserves the right to reject any and/or all proposals and to re-advertise for new proposals. DATED: Monday, June 5, 2017**



## **Sustainable Westchester**

### **REQUEST FOR PROPOSALS**

### **(RFP) RFP SW2017 EV Partners**

**June 5, 2017**

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### *Disclaimer*

This RFP contemplates legal transactions and as such participating municipalities will have the advice of legal counsel with experience in energy, municipal, and other matters related to any undertaking contemplated herein before taking any action.

### *Purpose of RFP*

This Request for Proposals (“RFP”) is issued on behalf of the Sustainable Westchester Clean Transportation Project intermunicipal group. Sustainable Westchester is a New York not-for-profit corporation whose members are towns, villages and cities (the “Municipalities,” and each a “Municipality”) of Westchester County. The member municipalities have agreed to form the Sustainable Westchester Clean Transportation Project (“SW CTP”) intermunicipal group for the purposes of this RFP. The SW CTP consists of member municipalities (the “Participating Organizations” and each a “Participating Organization”) that are agreeing to cooperate with one another to solicit proposals for the co-marketing and aggregate purchasing of Plug In Electric Passenger Vehicles (EVs). The goal of the SW CTP is to create savings in EV purchases, as well as to lower fuel and maintenance costs for the Municipalities and their respective local non-profit institutions, for profit businesses, and residents through coordinated programs and aggregated purchasing and deployment of EVs throughout Westchester County.

This RFP seeks to identify and qualify auto dealers and manufacturers interested in offering EV purchase and/or lease solutions to SW CTP Participating Organizations. Specifically, the SW CTP is aggregating its members’ demand for EVs, to be met by proposals submitted by RFP respondents (“Respondents”) for aggregation discounts and the co-marketing of EV opportunities to not-for-profit institutions, businesses and individuals. **This is the first phase of a multi-year project. Companies not able to apply for this round should send an expression of interest & will be notified of the next solicitation – expected in November 2017.**

SW CTP is seeking proposals for EV discounts and co-marketing, with the aim of securing the best possible pricing, quality of components and opportunities to ensure the rapid deployment of EVs. Winning Respondents under this RFP will, along with SW, co-market EV discount opportunities, but will contract directly with individual Municipalities, institutions, businesses and residents for EV purchases.

**Winning Respondents are expected to be part of a \$3M submission to ConEdison in response to ConEdison’s Electrification of Transportation RFI (“ConEd RFI”), due June 19<sup>th</sup>.**



One of the specific goals of the ConEd RFI is to *“identify and explore concepts with collaborators that would . . . [i]ncrease Plug-In Electric Vehicle (PEV ) penetration [by replacing] ICE (Internal Combustion Engine) miles driven in Con Edison’s service territory with PEV (Plug-in Electric Vehicle) passenger miles.”*

SW CTP expects to make the award under this RFP to one or more Respondents who meet the requirements set forth herein. The selection process will utilize a best value approach, based on a combination of criteria, as set forth more fully below. SW CTP reserves the right to accept or reject any proposal that it receives.

This RFP process is being conducted by Sustainable Westchester and its Clean Transportation Project Director, EarthKind Energy, on behalf and pursuant to authorization from the Participating Organizations.

The SW CTP has engaged Sive, Paget & Riesel P.C. as common counsel to represent it in negotiating the documentation with the winning Respondents.

In accordance with Section 119-o of the General Municipal Law, other municipalities throughout New York State will have the ability to join the SW CTP.

Each contract entered into between a Participating Organization and a successful Respondent as a result of this RFP will contain a provision pursuant to Section 103(16) of the General Municipal Law permitting other municipalities throughout New York State to procure EVs pursuant to the same terms and conditions.

### ***About Sustainable Westchester and the SW CTP***

Sustainable Westchester is a consortium of Westchester County local governments that, according to its mission statement, *“facilitates effective sustainability initiatives, engages community stakeholders, and shares tools, resources, and incentives to create healthier, vibrant and attractive communities, now and in the future.”*

Sustainable Westchester is a 501(c)(3) entity and is the result of the merger of two predecessor organizations, the Northern Westchester Energy Action Consortium (“NWEAC”) and the Southern Westchester Energy Action Consortium (“SWEAC”). Sustainable Westchester is composed of 41 out of the 48 municipalities in Westchester County.



More background information about Sustainable Westchester and Westchester County can be found in Exhibit A and on the respective websites of the Sustainable Westchester and the former NWEAC and SWEAC (<http://www.sustainablewestchester.org/>; <http://www.nweac.org>; <http://www.sweac.org>, <http://planning.westchestergov.com/about-us>).

A group of Sustainable Westchester members agreed to form the SW CTP.<sup>1</sup> As noted, the goal of the SW CTP is to promote the use and proliferation of EVs throughout the County, to increase the number and availability of EV charging stations, and to generate cost savings for its members, as well as other municipalities and private entities, by aggregating demand for EVs and related infrastructure. In addition, Participating Organizations have agreed that that the selected Respondent(s) will be required to sign a transaction fee agreement with Sustainable Westchester pursuant to which the selected Respondent(s) will pay Sustainable Westchester a transaction fee in the amount of \$500 for each EV sold through the SW CTP as a result of this RFP. A copy of the transaction fee agreement will be provided to the selected Respondent(s) as part of contract negotiations with Participating Organizations or others seeking to obtain pricing obtained by SW CTP. Respondents should include this fee in their price proposals. The transaction fee shall be paid within 30 days after the sale of each EV.

**This RFP, along with updated exhibits, is available on the Sustainable Westchester website at <http://www.sustainablewestchester.org/>. If you should need assistance with accessing the RFP, please contact Ron Kamen – [Ron@EarthKindEnergy.com](mailto:Ron@EarthKindEnergy.com) 917-453-5740.**

### ***Financial Incentives for Development of Electric Vehicles (EVs)***

EVs are eligible for a \$7,500 Federal Tax Credit and up to \$2,000 NYS “Drive Clean” Rebate that make it particularly attractive now to promote EVs in Westchester County.

#### ***NYSERDA Charge NY Program***

The New York State Energy Research and Development Authority (“NYSERDA”)’s “Charge NY” program is New York State’s initiative to get more electric cars and trucks on the road.

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<sup>1</sup> The SW CTP consists of the Sustainable Westchester Participating Organizations that are forming an intermunicipal group pursuant to Article 5-G, Section 119-0 of the New York General Municipal Law for purposes of this Clean Transportation Project.



EVs save money and reduce air pollution. Compared to gasoline-powered cars, EVs are more energy efficient and cost anywhere from 50 to 70 percent less to operate per mile. Charge NY is helping the State get ready to accommodate more than 30,000 plug-in electric vehicles by 2018 and 1 million by 2025. To support these new EVs, the State aims to install 3,000 EV charging stations to support an expected 30,000-40,000 EVs on the road by 2018.

More than 30 models of electric cars are available from major automobile manufacturers today. Open to all New York State residents, the Drive Clean Rebate offers a point-of-sale rebate towards the purchase or lease of a new electric car.

**RFP Respondents should demonstrate their experience working with NYSERDA's Drive Clean Rebate program.**

### *RFP Process and Evaluation Criteria*

The goal of this RFP is for the SW CTP to take advantage of this opportunity as quickly as possible while NYSERDA, auto manufacturer, and federal tax incentives are available at high levels. In addition, winning bidders are expected to be included in the SW Team's \$3 Million submission to ConEdison under the ConEd "Electrification of Transportation RFI", due June 19<sup>th</sup>. **Thus, time is of the essence.**

Accordingly, the RFP process will be fluid, allowing other members of Sustainable Westchester to join the SW CTP while the RFP is under way and even after one or more Respondent proposals have been selected. Moreover, In accordance with Sections 103(16) of the General Municipal Law, municipalities throughout New York State will be able to procure EVs on the basis of contracts awarded by Participating Organizations s.

The objective of this RFP, therefore, is to identify Respondents who are able to offer as broad a proposal as possible, encompassing, for example, a discounted EV offer and vehicle charging solutions, along with a co-marketing proposal and charging station installation option.

Respondents need to respond completely to the Response Guidelines set forth on page 10. Respondents' questions should be directed to the Advisors in writing via email. Written responses to such questions will be distributed to all parties that have submitted an Expression of Interest and will also be available online at Sustainable Westchester's website (<http://www.sustainablewestchester.org/>).

In general, Respondents’ RFP proposals will be evaluated for the “best value” to participating Municipalities based upon the following criteria, which are not listed in any particular order of priority:

- (i) Capacity to co-market and sell a large number of EVs with aggregate cost-savings;
- (ii) Attractive Financing options
- (iii) Innovative co-marketing concepts and commitments;
- (iv) Fleet Discounts for target customer sectors
- (v) Experience with NYSERDA Drive Clean Rebate incentives;
- (vi) Point of Sale sign ups for ConEdison Charge NY program;
- (vii) Substantiation of financial, manpower and other necessary resources to co-market and sell EVs to municipal, institutional, business and residential customers;
- (viii) Ability to provide low-cost EV charging systems, together with the ability to install or to arrange for the installation on a timely basis of EV Charging Systems, both at commercial and residential sites; and
- (ix) Proximity to High Speed (Level 3) DC Charging – or willingness to consider installing a Level 3 charger at the dealer location
- (x) On-site charging options for EV customers
- (xi) Agreement to the Sustainable Westchester Administrative Fees

### ***RFP Evaluation Points***

•	Aggregation Discounts & Pricing	50
•	EV Sales Experience	5
•	Applicable NYS & Federal Incentives	5
•	Marketing Innovation & Commitments	5
•	Point of Sale Sign up for ConEdison Charge NY program	5
•	Financing Options	5
•	Dealer Free On-Site Charging	5
•	Customer Charging Station Products	5
•	Charging Station Turnkey Installations	5
•	High Speed Charging Station Proximity or Potential Host Site	5
•	<u>Sustainable Westchester Administration Fee</u>	<u>5</u>
•	Total Possible Points:	100



### ***Reservation of Rights***

The SW CTP expressly reserves the right to:

- Withdraw this RFP at any time;
- Reject or cancel any and all proposals submitted in response to this RFP;
- Disqualify any Respondent whose conduct and/or proposal fails to conform to the requirements of the RFP;
- Use information regarding a Respondent's qualifications, experience, ability or financial standing obtained (i) from Respondent's RFP proposal, (ii) from the SW CTP's investigation of information or material submitted in a Respondent's proposal; and (iii) from information or material submitted by Respondent in response to the SW CTP's request for clarifying information in the course of its evaluation and/or selection process under this RFP.
- Prior to opening and reviewing RFP proposals, amend the RFP specifications to correct errors, oversights and/or supply additional information as it becomes available;
- Prior to opening and reviewing RFP proposals, direct Respondents to submit proposal modifications addressing subsequent RFP amendments;
- Change any of the specified dates and deadlines for making an award under this RFP;
- Eliminate any mandatory, non-material RFP specification that cannot be complied with by all of the prospective Respondents;
- Waive any RFP requirements that are not material;
- Award negotiated contracts to one or more Respondents under this RFP;
- Negotiate with successful Respondents within the scope of the RFP, in the best interest of the SW CTP and its member Municipalities;
- Conduct contract negotiations with other satisfactory Respondents; and
- At any time during the RFP process, require clarification of any term in a Respondent's proposal and require correction of arithmetic or other apparent errors in a Respondent's proposal, for the purpose of ensuring a complete and thorough understanding of a Respondent's proposal or ascertaining a Respondent's compliance with the requirements of the RFP.

### ***Wage and hour requirements.***

*Respondents shall be responsible for complying with all applicable aspects of the New York State Labor Law.*

### *Conflict of Interest*

Respondent must disclose the existence of any relationship, any financial or other interest, or any other set of circumstances that either does or might give rise to a conflict of interest or the appearance of a conflict of interest, if Respondent were selected under this RFP.

### *Response Guidelines*

We are requesting proposals from EV auto dealers & their represented manufacturers. Additional points will be awarded for respondents offering turnkey EV charging station products & installers.

***Respondent proposals and completed Respondent Bid Submission and Disclosure Forms must be submitted no later than Wednesday, June 14, 2017 at 5:00 p.m. EST.***

The proposal should specify:

- Respondent's pricing proposal for one or more Plug-In EV models and/or Plug-In Hybrid EV models, including:
  - A description of the models, features and accessories, and
  - Financing or lease options<sup>2</sup>;
- Respondent's experience with EV sales & support;
- Respondent's experience with NYSEERDA's Drive Clean Rebate program incentives;
- Respondent's co-marketing proposal; and
- Respondent's pricing proposal, if any, for the sale and installation of commercial and residential charging stations, including A description of the available models/options.

The Respondent Bid Submission and Disclosure Forms are contained in Exhibit B.

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<sup>2</sup> Any contract or lease entered into between a municipally and a winning Respondent that includes any type of periodic or installment payment must contain the following executory clause:

"this Agreement shall be deemed executory only to the extent of the monies appropriated and available for the purpose of the contract, and no liability on account therefore shall be incurred beyond the amount of such monies, and it is understood that neither this Agreement nor any representation by any public employee or officer creates any legal or moral obligation to request, appropriate or make available monies for the purpose of the Agreement."



**Respondents will be notified about the decision by the SW CTP within 1 week of the Proposal Due Date.** The SW CTP will not necessarily choose the Respondent with the lowest rates for services, but will consider the overall combination of experience, resources, capability, quality and price to determine the best value.

Based upon the evaluation criteria, the SW CTP reserves the right to select multiple finalists who might be asked to submit additional information, and/or to attend interviews or meetings, which will be used to determine which proposals are selected, with pricing and terms acceptable to the SW CTP.

The SW CTP assumes no responsibility or liability of any kind for costs incurred in the preparation or submission of any proposal.

Specific questions are encouraged but will only be received and responded to in writing via email. All such questions must be directed to **Ron Kamen** ([Ron.Kamen@EarthKindEnergy.com](mailto:Ron.Kamen@EarthKindEnergy.com)) by Friday, June 9, 2017.

No questions or comments should be directed to any employee of Sustainable Westchester or of any member Municipality. All written questions and responses will be distributed to all bidders.

Thank you for your interest and consideration as we build a more Sustainable Westchester!



### ***Exhibit A – Credit Ratings of Sustainable Westchester Members***

Westchester County is located just north of New York City. With the Long Island Sound on the southeast and the Hudson River on the west, the county covers 450 square miles, comprising 48 municipalities, consisting of 6 cities, 19 towns, and 23 villages. According to the 2010 census, Westchester has a population of 949,133, with future growth estimated around 2%. The median household income in the County was \$77,006, which puts Westchester County as the fifth-wealthiest county in New York. The county is second after New York County in terms of highest median income per person.

The outstanding debt issued by Westchester County is currently rated AAA by S&P, and Aa1 by Moody's. Individual Municipality ratings for the members of Sustainable Westchester that have expressed interest in the SW CTP are primarily Aa1, Aa2, and AA-.

### ***Exhibit B – Respondent Bid Submission Forms***

**Bid Submission Forms 1,2,3**

### ***Exhibit C - Disclosure Forms I through V:***

**Respondent Bid Disclosure Form I – Compliance**

**Statements Respondent Bid Disclosure Form II –  
Disclosure of Relationships**

**Bid Disclosure Form III – Respondent Certification**

**Bid Disclosure Form IV – Prevailing Wage Rates**

**Bid Disclosure Form V – Non-Collusive Bidding Certification**



## NYSERDA Drive Clean Rebate Eligible Models

NYSERDA lists the following 30 Electric Car models that qualify for the Drive Clean Rebate. Please identify the vehicle(s) you're offering for the program, whether the NYSERDA MSRP and other information is correct – or update the information in your bid:

Make and Model	All-Electric Range (miles)	Base MSRP	Fuel Economy (MPGe)	Federal Tax Credit	NY Rebate	Type
Audi A3 e-tron	16	\$38,900	83	\$4,502	\$500	PHEV
BMW 330e iPerformance	14	\$44,100	71	\$4,001	\$500	PHEV
BMW 740e XDrive	14	\$89,100	64	\$4668	\$500	PHEV
BMW i3	81-114	\$42,400	118-124	\$7,500	\$1,700	BEV
BMW i3 REX	97	\$47,450	111	\$7,500	\$1,700	PHEV
BMW i8	14	\$140,700	76	\$3,793	\$500	PHEV
BMW X5 xDrive40e	14	\$62,100	56	\$4,668	\$500	PHEV
Cadillac ELR	40	\$65,000	85	\$7,500	\$500	PHEV
Cadillac ELR Sport	36	\$65,000	80	\$7,500	\$500	PHEV
Chevrolet Bolt EV	238	\$36,620	119	\$7,500	\$2,000	BEV
Chevrolet Volt	53	\$33,220	106	\$7,500	\$1,700	PHEV
Chrysler Pacifica	33	\$41,995	84	\$7,500	\$1,100	PHEV
Ford C-MAX Energi - 2016	19	\$31,770	88	\$4,007	\$500	PHEV
Ford C-MAX Energi - 2017	20	\$27,120	95	\$4,007	\$1,100	PHEV
Ford Focus Electric	115	\$29,170	105	\$7,500	\$1,700	BEV
Ford Fusion Energi - 2016	19	\$33,900	88	\$4,007	\$500	PHEV
Ford Fusion Energi -	21	\$31,120	97	\$4,007	\$1,100	PHEV

<b>Make and Model</b>	<b>All-Electric Range (miles)</b>	<b>Base MSRP</b>	<b>Fuel Economy (MPGe)</b>	<b>Federal Tax Credit</b>	<b>NY Rebate</b>	<b>Type</b>
2017						
Hyundai Sonata Plug-in Hybrid	27	\$34,600	99	\$4,919	\$1,100	PHEV
Kia Optima Plug-in Hybrid	29	\$35,210	103	\$4,919	\$1,100	PHEV
Kia Soul EV	93	\$33,950	105	\$7,500	\$1,700	BEV
Mercedes-Benz B250e	87	\$39,900	84	\$7,500	\$1,700	BEV
Mercedes-Benz GLE550e	10	\$66,300	43	\$4,085	\$500	PHEV
Mercedes-Benz S550e	12	\$96,600	58	\$4,043	\$500	PHEV
Mitsubishi i-MiEV	59	\$22,995	112	\$7,500	\$1,700	BEV
Nissan LEAF	107	\$30,680	112	\$7,500	\$1,700	BEV
Porsche Cayenne S E-Hybrid	14	\$78,700	46	\$5,336	\$500	PHEV
Porsche Panamera S E-Hybrid	15	\$96,100	51	\$4,752	\$500	PHEV
smart electric fortwo coupe	68	\$25,000	107	\$7,500	\$1,700	BEV
Tesla Model S	210-351	\$70,100	89-104	\$7,500	\$500	BEV
Tesla Model X	200-257	\$87,600	89-93	\$7,500	\$500	BEV
Toyota Prius Prime	25	\$27,100	133	\$4,502	\$1,100	PHEV
Volkswagen e-Golf	83	\$28,995	116	\$7,500	\$1,700	BEV
Volvo XC90 T8	13	\$67,800	54	\$4,585	\$500	PHEV

**Bid Submission Form 1**

**Respondent’s Information, Qualifications & Experience**

**Respondent Company Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Contact Person Name:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Respondent NAME:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Along with your Proposal, Bid Submission and Disclosure Forms, please submit details concerning the Respondent’s qualifications and relevant past experience, including:**

1. Financial—Description of Respondent’s financial strength and available resources; to meet the requirements;
2. Description of third party financing sources;
3. Experience with Electric Vehicles Sales & Service;
4. Experience with targeted marketing campaigns; and
5. Resumes or description of relevant experience of key members of the project team.

SUSTAINABLE WESTCHESTER CLEAN TRANSPORTATION PROJECT (SW CTP) – Exhibit B2

**Bid Submission Form 2 – Proposed EV, Price, Discounts**

*(submit multiple copies of Forms 2 & 3 if proposing more than 1 vehicle)*

**Proposed Plug-In Electric Vehicle (EV) or Plug In Hybrid EV (PHEV) –**

*submit multiple copies for more than 1 model:*

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**Features Included:** \_\_\_\_\_

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**All Electric Range:** \_\_\_\_\_ miles

**MSRP:** \$ \_\_\_\_\_

**Bid Price for SW CTP Retail Customer Purchase:** \$ \_\_\_\_\_

**Federal Tax Credit:** \$ \_\_\_\_\_

**NYS Drive Clean Rebate:** \$ \_\_\_\_\_

**Net Price:** \$ \_\_\_\_\_

**Additional Manufacturer’s or Dealer Program Offers (if any):**

**Municipal Fleet:** Additional Discount: \$ \_\_\_\_\_

**Municipal Employee:** Additional Discount: \$ \_\_\_\_\_

**Higher Education Fleet:** Additional Discount: \$ \_\_\_\_\_

**Higher Education Employee & Students:** Additional Discount: \$ \_\_\_\_\_

\_\_\_\_\_ : Additional Discount: \$ \_\_\_\_\_

\_\_\_\_\_ : Additional Discount: \$ \_\_\_\_\_

**Do you offer customer sign-ups for the ConEdison Smart Charge New York program (circle):**

Yes                  No

**Do you agree to the Sustainable Westchester administrative fee of \$500 per EV sold (circle)?**

Yes                  No

**If not – what fee do you propose:** \$ \_\_\_\_\_

Sustainable Westchester ([www.Sustainablewestchester.org](http://www.Sustainablewestchester.org)) - Clean Transportation Project



**Respondent Bid Submission Form 3 - Additional Offerings**

Warranties: \_\_\_\_\_  
\_\_\_\_\_

Co-Marketing Proposal (list all proposed activities - social media, print & other advertising, etc...)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Financing and/or Lease Options** (attach a copy of your financing offer, specifying the customer credit assumption, etc... including down payment, interest rate, monthly payments, term).

Do you offer EV Charging Station Equipment? Yes No

Charging Station Make & Model # \_\_\_\_\_

Do you offer EV Charging Station Turnkey Installation? Yes No

Installation Partner Name: \_\_\_\_\_

Turnkey Installation Price for a 220v non-networked charger: \$

Do you offer FREE EV Charging at your dealership? Yes No

Is there a DC Level 3 High Speed Charging Station within 5 miles of your location?

If yes – Specify Location: \_\_\_\_\_

If no – Will you consider installing a High-Speed Level 3 EV charger at your location?

Yes No

Other: Do you offer any other benefits to EV customers? Yes No

If yes – please specify the additional offer/benefit: \_\_\_\_\_  
\_\_\_\_\_

## SUSTAINABLE WESTCHESTER CLEAN TRANSPORTATION PROJECT (SW CTP) – Exhibit C I

### COMPLIANCE STATEMENTS

#### **Signatory**

Contractual responsibility for the performance of this contract will rest solely with the legal entity that is

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*(Legal Name of Person, Firm or Corporation)*

(“Respondent”).

#### **Indemnification**

If Respondent is selected as developer under RFP SW2017-CTP EV PARTNERS (in such capacity as developer, Respondent is hereinafter referred to as the “Developer”), the Developer and its subcontractors shall protect, indemnify, and hold harmless Sustainable Westchester and the SW CTP from and against all liabilities, losses, claims, damages, judgments, penalties, causes of action, costs and expenses (including, without limitation, experts’ and/or attorneys’ fees and expenses) imposed upon, incurred by, or asserted against, Sustainable Westchester and the SW CTP resulting from, arising out of or relating to the Developer’s performance. The obligations of the Developer under this indemnity shall survive any expiration or termination of the formal agreements with a Municipality, and shall not be limited by any enumeration herein of required insurance coverage.

#### **Professional Liability and Other Insurance Coverage**

Respondent’s proposal meets the RFP’s requirements concerning professional liability insurance for negligent acts, errors and omissions and other insurance coverage to protect Sustainable Westchester and the SW CTP from loss or harm, including commercial general liability insurance for bodily injury liability, including death, and property damage liability, each with minimum limits of \$3,000,000 in respect of claims arising out of any one accident, personal injury or disaster. Individual Municipalities reserve the right to require additional insurance coverage as mutually agreed with the Developer.

#### **Effective Date of Proposal**

Respondent’s proposal will be effective upon submission and will remain valid and in effect for a period of ninety (90) calendar days after the date of submission.

#### **Compliance with Terms of RFP**

Respondent and its subcontractors hereby affirm that they will not seek to participate in this project, either directly or indirectly, except in accordance with the definitive terms of this Request for Proposal or those which may subsequently be added to it.

#### **Prohibited Interest of Members, Officials, or Employees of the State of New York, the County of Westchester and Local Public Bodies**

Respondent and its subcontractors hereby affirm that no official, employee, or member of a governing body of Westchester County, Sustainable Westchester or any Municipality that is a member thereof, or any family member of any such person, shall have any interest, direct or indirect, in any contract resulting from this RFP, or in the proceeds thereof, during Respondent’s tenure as Developer or for one (1) year thereafter.

A disclosure statement, if necessary, is attached indicating the name of any officer, director or agent of Respondent who is also an official, employee, or member of a governing body of Westchester County, Sustainable Westchester or any Municipality that is a member thereof, or any family member of any such person, owns, directly or indirectly, any financial interest or other economic interest in Respondent or any of its affiliates.

**SUSTAINABLE WESTCHESTER CLEAN TRANSPORTATION PROJECT (SW CTP) – Exhibit C I *continued***

**Non-Discrimination Policy and Minority Participation Policy**

Respondent and each of its subcontractors hereby affirms that it does not discriminate against any person by reason of race, creed, religion, color, gender, age, national origin, ethnicity, alienage or citizenship status, disability, marital status, sexual orientation, familial status, genetic predisposition or career status. In addition, Respondent and each of its subcontractors hereby affirms that it will adhere to Westchester County’s Minority Participation Policy (see, <http://mwbe.westchestergov.com/about-us/law-chapter-308>).

Dated: \_\_\_\_\_  
\_\_\_\_\_ *(Legal Name of Person, Firm or Corporation)*

By: \_\_\_\_\_  
*(Signature)* \_\_\_\_\_ *(Title)*

**SUSTAINABLE WESTCHESTER CLEAN TRANSPORTATION PROJECT (SW CTP) – Exhibit C II**

**REQUIRED DISCLOSURE OF RELATIONSHIPS TO SUSTAINABLE WESTCHESTER AND ITS MEMBER MUNICIPALITIES**

- 1) If Respondent is selected as developer under RFP SW2017-CTP EV PARTNERS (in such capacity as developer, Respondent is hereinafter referred to as the “Developer”), is any officer or employee that Developer will use to carry out this contract also an officer or employee of Sustainable Westchester or of its member Municipalities, or the spouse, child, or other dependent of an officer or employee of Sustainable Westchester or of its member Municipalities?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please provide details (attach extra pages, if necessary): \_\_\_\_\_

- 2) Is any owner of Respondent, or the spouse of any owner of Respondent, an officer or employee of Sustainable Westchester or of its member Municipalities?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please provide details (attach extra pages, if necessary): \_\_\_\_\_

- 3) Does any officer or employee of Sustainable Westchester or of its member Municipalities have an **interest**<sup>1</sup> in the Respondent or in any approved subcontractor that Respondent will use for this contract?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please provide details (attach extra pages, if necessary): \_\_\_\_\_

By signing below, I hereby certify that I am authorized to complete and sign this form for Respondent, and hereby represent and warrant on behalf of Respondent that the information furnished above is true and correct.

\_\_\_\_\_  
Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

<sup>1</sup>“Interest” means any direct or indirect pecuniary or material benefit arising out of or resulting from such individual’s relationship with Respondent, including a relationship resulting from a contract with Respondent. Examples of “interests” that are indirect include interests held by spouses, children and other dependents of such individual.

RESPONDENT CERTIFICATION

The undersigned agrees and understands that this proposal under RFP SW2017-CTP EV PARTNERS and all attachments, additional information, etc. submitted herewith constitute merely an offer to negotiate with Sustainable Westchester. Submission of this proposal, attachments, and additional information shall not obligate or entitle Respondent to enter into an agreement with Sustainable Westchester or its member Municipalities for the required services. The undersigned understands and agrees that Sustainable Westchester is not obligated to respond to this proposal, nor is it legally bound in any manner whatsoever by the submission of same. Further, the undersigned understands and agrees that any and all proposals and negotiations shall not be binding upon or valid against Sustainable Westchester, its directors, officers, employees or agents, unless an agreement has been signed by a duly authorized officer of Sustainable Westchester and approved by all necessary corporate action on the part of Sustainable Westchester.

It is understood and agreed that Sustainable Westchester reserves the right to reject consideration of any and all proposals including, but not limited to, proposals that are conditional or incomplete. It is further understood and agreed that Sustainable Westchester reserves all rights specified in the RFP.

\_\_\_\_\_  
*(Legal Name of Person, Firm or Corporation)*

By: \_\_\_\_\_  
*(Signature of Authorized Representative)*

\_\_\_\_\_  
*(Title)*

Dated:

**SUSTAINABLE WESTCHESTER CLEAN TRANSPORTATION PROJECT (SW CTP) – Exhibit C IV**

**NON-COLLUSIVE BIDDING CERTIFICATION**

Made pursuant to Section 103-d of the General Municipal Law of the State of New York, as amended.

- (a) By submitting this proposal, Respondent and each person signing on behalf of Respondent, and in the case of a joint proposal each Respondent individually, certifies under penalty of perjury that to the best of its knowledge and belief:
  - (1) The prices in this proposal have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition as to any matter relating to such prices, with any other respondent to the RFP or with any competitor;
  - (2) Unless otherwise required by law, the prices which have been quoted in this proposal have not been knowingly disclosed by Respondent and will not knowingly be disclosed by Respondent, prior to the opening of this proposal by Sustainable Westchester, directly or indirectly, to any other respondent to the RFP or to any competitor; and
  - (3) No attempt has been made or will be made by Respondent to induce any other person, partnership or corporation to submit or not to submit a proposal under this RFP for the purpose of restricting competition.
- (b) A proposal shall not be considered for award under this RFP, nor shall any award be made, where (a)(1), (2) and (3), above, have not been complied with; *provided, however*, that if Respondent cannot make the foregoing certification, Respondent shall so state and shall include in its proposal a signed statement setting forth in detail the reasons therefor. Where (a) (1), (2) and (3), above, have not been complied with, the proposal shall not be considered for award, nor shall any award be made, unless Sustainable Westchester determines that such disclosure was not made for the purpose of restricting competition.

Date: \_\_\_\_\_

Legal Name of Person, Firm or Corporation

Seal of Corporation:

\_\_\_\_\_  
*(Business Address of Person, Firm or Corporation)*

By: \_\_\_\_\_  
*(Signature and Title)*