

# REQUEST FOR PROPOSALS

## ALTERNATIVE FUEL DEPLOYMENTS IN KANSAS/MISSOURI:

Alternative Fuel Vehicle Procurement and Supporting Fueling Equipment Installation



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Due February 19, 2021 at 2:00PM CST

### RFP – ALTERNATIVE FUEL DEPLOYMENTS IN KANSAS/MISSOURI

RFP Issue Date:	1/5/2021
Pre-Proposal Meeting:	1/19/2021 10:00am CT
RFP Questions Deadline:	2/09/2021
RFP Submission Deadline:	2/19/2021 2:00pm CT
Expected Date for MEC Selection Notification:	3/2/2021
Expected Timeframe for Award Negotiations:	03/2021

#### Funding and Costing Profile

Cost Sharing Split	Federal (45%)	Local (55%)	Total (100%)
Total Funds Available	\$160,000	\$195,600	\$355,600

One (1) or two (2) awards will be made. MEC is negotiating with previously selected Applicants. Should negotiations fall through, an additional \$544,950 in federal funds (total project cost of \$1,211,000), for a maximum project size of \$744,950 Fed / \$1,566,600 Total, will be available.

#### RFP Information

<https://metroenergy.org/resources/funding-opportunities/rfp-afv17/>

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## I. Project Overview

### A. Project Summary and Background

This Request for Proposals (RFP) is intended to improve the availability of Alternative Fuels for fleets and others; by supporting the deployment of new alternative fuel vehicles and/or stations for fleet-based deployments; and/or to build additional capacity into existing fleet alternative fuel infrastructure. We will also consider non-fleet Applications.

Funding for this RFP is provided under US DOE grant Award DE-EE0008262, “Accelerating Alternative Fuels in Mid America” managed by Metropolitan Energy Center (MEC) and our Clean Cities staff.

The Kansas City Regional and the Central Kansas Clean Cities Coalitions are part of a national network of nearly 100 coalitions designated by the U.S. Department of Energy. We are actively pursuing efforts to reduce air pollution, curb dependence on imported fuel, strengthen regional economies, and encourage the adoption of clean, alternative fuels. They are programs of Metropolitan Energy Center (MEC), a 501 (c) (3) non-profit based in Kansas City, Missouri. MEC works with private- and public-sector stakeholders, manages and disseminates federal clean energy funding, and educates the public on alternative fuel issues and technologies.

### B. Site Locations

School districts are of specific interest for this RFP, given the high potential for air quality improvements and associated positive student health impacts from the adoption of cleaner alternatives to diesel and gasoline. However, other fleets and organizations operating in Kansas or western Missouri, both public and private, are encouraged to apply.

MEC is also currently working with pre-selected points determined to be of strategic interest in building out alternative fuel infrastructure along major highway freight routes. These include:

- Support the completion of the Kansas to Denver leg of the I-70 CNG corridor;
- Support biodiesel, propane fueling, DC fast and EV charging installations on the I-70 and I-35 corridors in Kansas and Missouri;
- Improve CNG Capacity along the I-35 or US 400 corridors in Kansas; and
- Fill gaps on the I-49, I-29 or I-44 CNG and propane corridors in Missouri.

Please note in your submission if your Application is in or adjacent to any of the locations or areas specified above. Other locations will also be considered.

### C. Funding Allocations and Cost Sharing

MEC has allocated a maximum \$160,000 in federal funding\* to support a minimum total project cost of \$355,600.

	Federal	Local	Total
<b>Total Funds*</b>	\$160,000	\$195,600	\$355,600
<b>Maximum Award*</b>	\$160,000	\$195,600	\$355,600

MEC is negotiating with previously selected proposers. Should negotiations fall through, an additional \$544,950 in federal funds (total project cost of \$1,211,000), for a maximum project size of \$744,950 Fed / \$1,566,600 Total, will be available.

**Subrecipients:** One or two Applicants selected for award under this RFP will become subrecipients under MEC's contract with U.S. Dept of Energy Award DE-EE0008262.

Funding from the US Department of Energy (DOE) will provide up to 45% of incremental cost\*\* for the purchase of alternative fuel vehicles, and/or up to 45% of alternative fuel station equipment and installation costs by the successful Applicant. The anticipated time for selection of the winning Applicant(s) will be early-March of 2021; all vehicle and/or fueling station procurements shall be completed on or before September 30, 2021; and deployment and/or installation shall be completed on or before August 30, 2022. These funds are provided through a DOE grant to MEC and will be administered by MEC in accordance with applicable federal rules and DOE requirements. Funding will be provided on a reimbursement basis.

**\*\*Incremental cost** represents the dollar amount difference between the price of the vehicle acquired in the project and the fair market value of a similarly scoped diesel-powered or gasoline-powered piece of equipment.

MEC anticipates making one (1) or two (2) awards, depending on RFP responses and funding availability. MEC reserves the right not to award to any Applicants or to offer partial funding to Applications.

## **D. Eligibility**

All projects and project outcomes must be based in Kansas and/or Missouri.

### a. Eligible Entities

- All organization types, public and private, are eligible to apply.
- No awards will be made to individuals.

### b. Project Eligibility Requirements

- Alternative Fuel Vehicles (AFV)
  - AFVs or AFV engine upfit/replacement systems must have valid CARB or EPA certifications (all-electric motors are exempt), must be new or (for engine upfit/replacements) nearly new, and must be dedicated to an eligible alternative fuel (bi-fuel and dual-fuel Applications are not preferred).
    - Plug-in electric hybrids are an exception but must prove access to dedicated charging apparatus.
  - New or upfit AFVs must be powered by compressed natural gas (CNG); liquefied natural gas (LNG); propane (LPG); hydrogen, or electricity.
  - New (< 5,000 miles) OEM factory produced alternative fuel vehicles and/or converted vehicles that have been upfitted by OEM-authorized/-warranted Quality Vehicle Modifiers (QVM) are strongly preferred.
  - Base cost of vehicle may not be used as a project cost or cost share.
  - Only the incremental cost of an alternative fuel or advanced technology vehicle may be recognized as a project cost (that is, either federal or local cost share).

- Incremental cost shall be calculated based on the difference between the cost of the AFV and the cost of a comparable conventional model, verified by manufacturer estimate, after all other applicable manufacturer and local/state rebates, tax credits, and cash equivalent incentives are applied. For AFV conversions, the incremental cost shall be based on the cost of the new fuel system plus installation after all other applicable manufacturer and local/state rebates and cash equivalent incentives are applied.
- Alternative Fuel Infrastructure
  - Fueling infrastructure must be dedicated for dispensing compressed natural gas (CNG); liquefied natural gas (LNG); propane (LPG); biodiesel (high-blend biodiesel at grades of 20% (B20) or higher); hydrogen; or electricity (Electric Vehicle Support Equipment – EVSE). Planned fueling infrastructure may be co-located with gasoline or diesel fueling.
  - Public-private partnerships for public fuel stations are encouraged. Applicants proposing such plans must include letters of support and/or financial commitments from all partner organizations.

## II. Program Goals and Benefits

A principal goal of this project is to improve the availability of alternative fuels for fleets through alternative fuel vehicle acquisition or upfits; or through alternative fuel station installation or capacity improvement. To the extent practical, proposed stations should be available to the public and capable of providing alternative fuels to both light-duty and heavy-duty vehicles, up to and including Class 8 tractors.

Projects on the leading edge of technology development and that encourage innovation by service providers and regional peers are encouraged.

Data capture and lessons learned is an important goal. These will be leveraged into project success stories and shared through our business and community relationships using targeted outreach and educational peer-to-peer presentations.

Together, deployments and outreach will encourage adoption of increased numbers of alternative fuel vehicles and stations for other fleets and acceptance by the general public.

Long-term benefits and outcomes will include:

1. Reduction of NO<sub>x</sub>, particulate matter and other air pollutants.
2. Reduce environmental health disparities
3. Removal of barriers to alternative fuel vehicle adoption, moving toward an increasingly self-sustaining regional market.

Subrecipients are expected to work with their associated Clean Cities coalition to maintain their alternative fuel deployments long-term.

### III. Criteria for Evaluation

All Applications will be reviewed by a Review Committee consisting of MEC staff and other members offering technical evaluations and assistance, as necessary.

Applicants will be notified if additional information or documentation is required. All information required to complete the Application for funding is provided in this RFP. Any additional information pertaining to submissions, including email and phone calls, will not be considered once the review process is under way.

When evaluating projects for funding, the Review Committee will consider the following criteria. The overall quality of the Application, containing all required information in a clear and concise format, is a prevailing consideration throughout all categories. The potential maximum number of points is listed to the right for each category.

<b>CATEGORY</b>	<b>Points</b>
<b>PROJECT MERIT AND INNOVATION</b> (how well the project objectives align with the Program Goals)	<b>30</b>
<b>IMPACT AND OUTCOMES</b>	<b>30</b>
Air Quality Impacts (10) Petroleum Reduced (10) Environmental Justice and Health (10)	
<b>PROJECT SCHEDULE</b> (completeness of work plan, and how well the project schedule aligns with MEC's project deadlines)	<b>15</b>
<b>COST EFFECTIVENESS/BUDGET</b> (completeness and accuracy of budget; extent to which applicant provides voluntary cost share)	<b>10</b>
<b>APPLICANT EXPERIENCE AND QUALIFICATIONS</b>	<b>5</b>
<b>OPERATING AREA</b> (extent to which project location aligns with priority sites)	<b>10</b>
<b>TOTAL</b>	<b>100</b>

### IV. Response Format & Application Requirements

#### A. General Instructions

Application Narrative, including cover page and table of contents, should not exceed ten (10) consecutively numbered, 8.5x11 pages of single-spaced, standard 11-point type with 1-inch margins and black text. No hard copy applications will be accepted. Digital Applications in PDF format must be sent to Jeff Windsor at [rfp@metroenergy.org](mailto:rfp@metroenergy.org).

Any confidential/proprietary information should be readily identified, marked and included in ONE (1) additional attached document, separate from the rest of the Application (see Section VII, Paragraph A Proprietary/Confidential Information section of the RFP for additional information).

## B. Document Checklist

MANDATORY FILES		
PDF	Application Narrative and Work Plan	"ApplicantName_Narrative"
Excel	Budget Form	"ApplicantName_Budget"
PDF	Applicant Summary Sheet	"ApplicantName_Authorization"
PDF	Letter(s) of Cost Sharing Commitment	"ApplicantName_Letters"
PDF	Key Personnel Qualifications	"ApplicantName_Resumes"
PDF	Other Attachments (may include emission certifications, Quotes, Station Designs, etc.)	"ApplicantName_Other"
Optional Files		
PDF	Confidential Information (optional)	"ApplicantName_Confidential"
PDF	Letters of Support (optional)	"ApplicantName_Support"

## C. Document Descriptions

Templates and forms, where applicable, can be found on the RFP web page <https://metroenergy.org/resources/funding-opportunities/rfp-afv17/>.

### 1. Application Narrative and Work Plan

Applicants must include the following information about the proposed project:

#### i. Project Summary

Provide a brief description of the vehicle(s) to be purchased and/or station project for which funding is being requested. Clearly state anticipated benefits and how the project will help meet program goals. The abstract should be no more than half a page, and should indicate proposed station location(s), if any. Please DO NOT include any proprietary information.

#### ii. Project Narrative

Provide a project background and narrative that demonstrates, with specificity, a thorough explanation of how the project will contribute to the program goals. If this includes pictures, maps, and other attachments, those should be included in ONE (1) additional document containing an index which denotes the appropriate title and page number of each item. Confidential/proprietary information should be readily identified, marked and included in ONE (1) additional attached document, separate from the rest of the Application (see Section VII. Paragraph A Proprietary/Confidential Information section of the RFP for additional information).

#### a). Technical Detail and Outcomes

- **Technical Merits** - Explanation of why the applied technology is appropriate for the location's alternative fuels market. Describe the project, including the fuel chosen and capacity of the fueling equipment, if any. Explain the technical merits of the project including the suitability of the proposed technology and equipment for the Application and certified compliance with all state and federal guidelines, such as NFPA 52 and NFPA 58 for CNG station development and propane storage, and other industry standards and best management practices.

- **Air Quality** – Competitive Applications must ensure that the proposed equipment employs exemplary emission controls. This includes measurable merits related to criteria pollutants and greenhouse gas reduction from the project as interpreted from gasoline gallon equivalents (GGEs) of fuel used or sold. It also includes assurance (for vehicles) of CARB or EPA compliance, and (for stations) that the station and its interconnections deploy technologies to minimize system leakages to the utmost potential, maximizing the quantifiable displacement of criteria pollutants and adhering to current best management practices. **Required Documentation:** Equipment specs, industry certification, and/or (for stations only) self-certification.
- **Other Benefits** – Other benefits may include the public education benefits, environmental justice, or other project outcomes, as applicable. Environmental justice is the fair treatment and meaningful involvement of all people, regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. This goal will be achieved when everyone enjoys the same degree of protection from environmental and health hazards, and equal access to the decision-making process to have a healthy environment in which to live, learn, and work.
- **Vehicles**
  - Provide detailed description of the proposed vehicle(s) to be purchased and/or engine upfits to be installed.
  - Include a detailed description, total cost, and number of vehicles to be procured; full details are to be provided in the Budget Form.
  - Gasoline and/or diesel fuel and emission reduced. (If emission reductions not provided, MEC will use fuel reduction information provided to calculate emissions benefits using <https://afleet-web.es.anl.gov/afleet>.)
  - Applicants will procure vehicles in accordance with their own policies and procedures.
- **Station Design**
  - Provide a detailed description of the proposed station(s) including, but not limited to, the following elements. Additional information detailing exemplary station performance and operation is welcome. All materials indicated as “Required Documentation” should be included as an attachment and will not be counted toward the maximum page limit.
  - Gasoline and/or diesel fuel reduced and emissions reduced. Use AFLEET to calculate estimated GGE and GHG outcomes: <https://afleet-web.es.anl.gov/afleet/>.
  - **Station Maintenance Plan:** The Applicant should provide MEC with a written plan for fueling station maintenance. This plan shall include a description of available technical resources, qualifications of personnel who will assist during maintenance events, expected response times, and any specific, foreseen challenges/barriers to maintenance.
  - **Refueling Capability** – For gaseous fuel stations, the proposed station’s flow rate must be appropriate for the target market with a quantifiable output of gasoline gallon equivalents (GGEs) and cubic feet dispensed per minute and hour. Liquid fuel station capacities and EV charging speeds should also be appropriate to target



fleets/markets. This goal must match proposed equipment capacity. **Required Documentation** – Equipment specs (preferred) and/or self-certification.

Optional: If the Station is to be made Public, include the following information:

- **Access to Property** – Proof of access to property must be shown by evidence of property ownership, a lease, or a letter from the property owner indicating permission or commitment to good faith negotiations. **Required Documentation:** If adding to an existing station, documentation of contact and/or approval with station owner required.
- **General Consumer-Friendliness** – If a public station is proposed, it must be adequately designed to maximize ease of public use. A description of the station’s ease of use must be included in the Application. Awarded projects should provide 24/7, uninterrupted access to public vehicles as evidenced by an attached site plan.
- **Anticipated Consumer Experience** – (including ease and speed of fueling) - should also be discussed. Likewise, public stations must accept atleast two major credit cards, with additional weighting for fleet/fuel cards. Applications should clearly list all intended payment types within this section. **Required Documentation:** Facility specs/self-certification.
- **Signage** – As applicable for public stations, clearly visible signage from roadway, including availability and prices, must be posted at all awarded station locations.
- **Consultation with Utility and/or Fuel Supplier** – Applicants are encouraged to consult with local natural gas and electric utility providers and/or propane suppliers regarding technical aspects of services to the proposed station location. The Review Committee will consider Applications providing letters of project approval/support from the utility company and/or fuel supplier serving the proposed station location.
- **Other Engagement** – Applicants are encouraged to provide documented engagement with local government, station developers and owners, petroleum marketers, technical consultants, and other entities involved in ensuring successful station development and operation.

#### **b). Project Schedule and Work Plan**

A project schedule and work plan must be submitted. Tasks identified in the work plan should identify a reasonable and timely plan for contracting, permitting, construction, and opening; core areas of work; lead individual and/or agency; and the amount of time to complete. A chart (Gantt or similar) should be used to describe timeframes for the project’s tasks including length of time required prior to operation, feasibility of the stated timeline, and a detailed task plan. These tasks will be included in the Agreement. Consideration will be given to Applicants that can start the Project immediately after an Agreement is executed.

Scheduled milestones shall include the project’s start and end dates. The milestones should reflect major events in the life of the project and should help determine progress to success. These milestones should be included on the timeframe chart, marked accordingly with the tasks. Furthermore, issues or conditions that still need to be resolved before the project can begin and what barriers might be foreseeable shall be clearly stated.

The Workplan should contain the following information:

**Project Scope Summary:** The applicant should provide a summary description of the overall work scope and approach to achieve the objective(s).

**Work Breakdown Structure and Task Descriptions:** Describe the work to be accomplished and how the applicant will achieve the milestones, will accomplish the final project goal(s), and will produce all deliverables. The Workplan does not need to be complicated but should be structured with a hierarchy of tasks and subtasks. The Workplan should contain a concise description of the specific activities to be conducted over the life of the project. It is the applicant's responsibility to prepare an adequately detailed task plan to describe the proposed project and the plan for addressing the objectives of this RFP.

**Milestone Summary:** The applicant should provide a summary of appropriate milestones throughout the project to demonstrate success. A milestone may be either a progress measure (which can be activity based) or a technical milestone. The applicant should also provide the means by which the milestone will be verified.

**End of Project Goal:** The applicant should provide a summary of the end of project goal(s). The minimum requirement is one end of project goal.

**Project Schedule** (Gantt Chart or similar): The applicant should provide a schedule for the entire project, including task and subtask durations, milestones, and deliverable completion.

**Project Management:** The applicant should discuss the team's proposed management plan, including the following:

- o The overall approach to and organization for managing the work;
- o The roles of each Project Team member;
- o Any critical handoffs/interdependencies among Project Team members;
- o The technical and management aspects of the management plan, including systems and practices, such as financial and project management practices;
- o The approach to project risk management;
- o A description of how project changes will be handled;
- o If applicable, the approach to Quality Assurance/Control; and
- o How communications will be maintained among Project Team members.

### **iii. Budget & Budget Narrative**

Up to \$160,000 in DOE funding will be offered to one or more successful Applicants for cost-shared projects for new alternative fuel vehicles and/or fueling equipment. Your total budget should include only eligible costs (e.g. only incremental cost for the purchase of vehicles) and should include both local and federal cost share. Cost share split is maximum 45% Grant and minimum 55% Applicant. Budgets should indicate total Grant reimbursement request and total Applicant share; these should add up to total project budget. E.g. \$45,000 Grant and \$55,000 Applicant for a \$100,000 project.

Applicants must provide a budget narrative that describes how the budgeted costs are determined (include quotes if obtained, attached in pdf with Other documents) and how they relate to the project.

Describe all other funding sources that will be used as cost sharing for this project and detail any plans to attract additional funding. Likewise, list all project-specific grant funds received to date,

whether from public or private sources, including all Applications for funding pending with other entities. If funding is not yet secured or awarded from any source, please indicate that clearly.

In an attached Budget Form, Applicants must provide an itemized listing of all project costs including a detailed itemized budget indicating per-unit equipment costs, and supplies, construction, engineering, etc. costs; see Budget Form.

#### **iv. Applicant Experience and Qualifications**

Describe the project staff responsibilities and qualifications. This should include specific roles and responsibilities of each team member and a brief summary of qualifications and accomplishments for similar projects. Prior alternative fuel experience, and/or station development experience (i.e. number of years, number of stations developed, duties, locations, etc.) should be clearly indicated. This may include, but is not limited to, references from customers (particularly local or state governments), locations and descriptions of other active stations, safety and reliability records, and other unique qualifications.

Describe the internal resources available by project team or partners, including facilities, manufacturing capabilities, major equipment and other technical aspects, permits, and administrative resources that will be required for the project.

## **2. Budget Form**

Download the excel workbook form at the RFP web page:

<https://metroenergy.org/resources/funding-opportunities/rfp-afv17/>. Instructions are on the form.

General notes regarding use of the form:

- It is a self-calculating form, so do not change field formulas throughout the form.
- Each tab contains example line items; *these are not calculated* and should be left as is (i.e. do not delete and overwrite).
- Use only the excel tabs that are necessary to capture your planned expenditures and leave the others blank. For example, for a simple vehicle procurement project, you may use only the equipment-vehicles and cost sharing tabs, leaving all others blank.
- For each line item, include the entire cost, not just the federal reimbursement amount; cost sharing is calculated in the summary tab.
- Federal and applicant cost sharing splits will be reflected on the Summary tab.

## **3. Application Summary Sheet**

An Application Summary Sheet signed and dated by officer of the Applicant legally authorized to execute contractual obligations binds the Applicant to the Application. By submitting an Application, Applicant affirms acceptance of the terms and conditions, and requirements of this RFP, including its attachments and appendices, without exception, deletion, or qualification, and without making its offer contingent.

Save this page as a pdf or append to application narrative. If separate, save pdf as file name "ApplicantName\_Authorization".

#### 4. Key Personnel Resumes

One-page resumes are required from Key Personnel involved in managing the project. Combine all resumes into a single pdf and name the file “ApplicantName\_Resumes”.

#### 5. Letter(s) of Commitment

Letters of commitment are required from every cost-sharing participant. Typically this is just the applicant, but it may also include fuel suppliers, utilities, or other invested parties. Combine all letters into a single pdf and name the file “ApplicantName\_Letters”.

#### 6. Other Attachments

Vehicle Emission Certifications, Quotes, Station Design Attachments, and other documents necessary to support your application, as applicable. Save these in a single pdf and name the file “ApplicantName\_OtherAttachments”.

#### 7. Confidential Information (optional)

If applicable, confidential and proprietary information necessary to support your application.

### V. Pre-Proposal Meeting and Information

A Pre-Proposal meeting will be held on **January 19, 2021, at 10:00AM CST**. During the meeting, MEC staff will conduct a walk-through of the RFP document. The meeting will be conducted online only; attendees should register for this meeting to receive join credentials or to receive a recording after the event:

#### **GoToWebinar Registration URL**

<https://attendee.gotowebinar.com/register/173390097292690956>

Webinar ID 170-595-667

Applicants will have the opportunity to ask questions about the program and Application process. A recording of the meeting will be made for prospective Applicants who cannot participate at this time, and it will be posted on the RFP web page.

Applicants are also encouraged to submit questions in writing to Jeff Windsor at Metropolitan Energy Center at [rfp@metroenergy.org](mailto:rfp@metroenergy.org) by **February 9, 2021**. MEC will try to respond to all questions publicly via an FAQ on its website, [www.metroenergy.org](http://www.metroenergy.org), by **February 11, 2021**. Emails should use the subject line: “Query for AFV RFP”.

### VI. Application Submission

Applications must be received by **February 19, 2021**. MEC is not responsible for technical or transmittal issues when submitting a grant Application. All Applications with a MEC inbox timestamp of **2:00 PM CST** or after will automatically be disqualified from the current funding round with no exceptions.

Only electronic Applications will be accepted. Hard copy Applications will not be accepted. Please e-mail your Application to [rfp@metroenergy.org](mailto:rfp@metroenergy.org). Subject line: Alternative Fuel Deployments in Kansas/Missouri

MEC requests that all materials be included as attachments to one email, however if your documents are too large to send in one email, you may send multiple emails. If you must do this, please use the same email subject each time to assist with processing your materials efficiently. Any confidential/proprietary information should be readily identified, marked and included in ONE (1) additional attached document, separate from the rest of the Application. Applicants will receive an e-mail response notification of the receipt of their Application within two business days upon submission.

## VII. Administrative Information

### A. Proprietary/Confidential Information

Any restrictions of the use of or inspection of material contained within the Application shall be clearly stated in the Application itself. Written requests by the Applicant for confidentiality shall be submitted to MEC in advance of the Application submission deadline, along with the Application material. The Applicant must state specifically what elements of the Application are to be considered confidential/proprietary.

Confidential/Proprietary information must be clearly identified, marked and separated/ packaged from the rest of the Application. Co-mingling of confidential/proprietary and other information is not acceptable. Neither an Application in its entirety, nor Application price information will be considered confidential and proprietary. Any information that will be included in any resulting Agreement cannot be considered confidential.

### B. Organizational Conflict of Interest – Requirements of this Application and Subsequent Agreement

Any business entity or person is prohibited from being awarded an Agreement, if the business entity or person has an “Organizational Conflict of Interest”, as described below, with regard to this solicitation and the resulting Agreement. Applicants should provide a brief written statement noting any conflict of interest within the Applicant Summary Sheet.

No person or business entity engaged by MEC to prepare the original grant Application, or who has access prior to the solicitation to sensitive information related to this procurement process, including, but not limited to requirements, statements of work, or evaluation criteria, will be eligible to directly or indirectly submit or participate in the submission of an Application for this grant solicitation. MEC considers such engagement or access to be an Organizational Conflict of Interest, which would cause such business entity or person to have an unfair competitive advantage.

If MEC determines that an Organizational Conflict of Interest exists, MEC has discretionary power to cancel the Agreement award. In the event the Awarded Applicant was aware of an Organizational Conflict of Interest prior to the award of the Agreement and did not disclose the conflict to the procuring agency, MEC may terminate the Agreement for default.

### C. RFP Response Material Ownership

MEC has the right to retain Applicants’ original Applications and other RFP response materials for its files. As such, MEC may retain or dispose of all copies as is lawfully deemed appropriate.

MEC has the right to use any or all information/material presented in reply to the RFP, subject to limitations outlined in the section, Proprietary/Confidential Information. Applicant expressly agrees that MEC may use the materials for all lawful purposes, including the right to reproduce copies of the material submitted for purposes of evaluation, and to make the information available as required by law or regulation.

#### **D. Binding Offer**

An Application submitted in response to this RFP shall constitute a binding offer. Acknowledgment of this condition shall be indicated by the signature on the Application Summary Sheet (see Section IV, Item 3) of the Applicant or an officer of the Applicant legally authorized to execute contractual obligations and shall bind the Applicant to the Application. By submitting an Application, the Applicant affirms its acceptance of the terms and requirements of this RFP, including its attachments and appendices, without exception, deletion, or qualification - and does so without making its offer contingent. The Applicant further agrees to cooperate with MEC and expedite the contracting process upon notice of award.

Applications that do not contain a completed Application Summary Sheet will not be considered for funding under this Application.

*MEC reserves the right to make partial awards or no awards.*

#### **E. Debarment and Suspension**

By submitting an Application in response to this RFP the Applicant certifies that it, its principals, and proposed sub-contractors (if any):

- Are not presently debarred, suspended, proposed for disbarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal debarment or agency;
- Have not within a three-year period preceding the Due Date of this Application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or Agreement under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property;
- Are not presently under investigation for, indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in Paragraph IV.K.2 of the Code of Federal Regulations (CFR); and
- Have not within a three-Year period preceding the Due Date of this Application had one or more public transactions (Federal, State, or local) terminated for cause or default.

If the Applicant is unable to certify to any of the statements in this certification, an explanation must be provided as an attachment to the Application. This explanation is exempt from page limitations on the Application, if any apply. The inability of the Applicant to provide the certification will not necessarily result in disqualification of the Applicant. The explanation will be considered in connection with MEC's determination whether to select an Applicant.

#### **F. Disclaimer:**

All statistical and fiscal information contained within this RFP, and any amendments and modifications thereto, reflect the best and most accurate information available to MEC at the time of RFP preparation. No inaccuracies in such data shall constitute a basis for legal recovery of damages or protests, either real or punitive, except to the extent that any such inaccuracy was a result of intentional misrepresentation by MEC.

#### **G. Federal Employer Identification Number (FEIN)**

Applicant is required to provide their FEIN in their Application.

#### **H. DUNS Number**

Applicant is required to provide their DUNS in their Application, or a pledge to obtain one prior to beginning work. Additionally, successful Applicants are required to submit their DUNS prior to the Agreement, or purchase order issuance, or payment from MEC.

#### **I. Incurred Cost**

MEC is not liable for any cost incurred by the Applicant prior to issuance of a legally executed Agreement, purchase order or other authorized acquisition document.

#### **J. Compliance with all Federal, State and Municipal Laws and Regulations**

Successful Applicants (Subrecipients) shall comply with applicable Federal, State and local laws and regulations in the performance of all work under resulting Agreement. Subrecipient shall obtain all Federal, State and local permits, authorizations, and approvals of all work performed under the Agreement. This includes the governing grant agreement between MEC and DOE. See attached Prime Award Flowdown (Terms and Conditions).

#### **K. Subrecipient**

Successful Applicants who complete a contract agreement will be considered a Subrecipient of the Grant. Subrecipients will manage and expend funding to maximize these benefits, including commencing expenditures and activities as quickly as possible, consistent with prudent management. Contract planning, evaluation, and award to individual stations will be required to align with the program's core goal as stated above. MEC's evaluation will be based in part on how the Application positively achieves each of the goals.

### **VIII. Selection Process**

Additional information may be requested from Applicants by MEC prior to final award determination. MEC is under no obligation to fund any Application and reserves the right to deny Applications for any reason. Funding is limited. Applications meeting all the program's general policy guidelines may not necessarily receive an award. MEC reserves the right to delay any decision due to budgetary constraints.

MEC reserves the right to vary from the evaluation criteria listed within this document during the bid solicitation period as necessary or appropriate. Any modifications to evaluation criteria will be posted to MEC's website. It is the responsibility of the Applicant to check for these changes.

The Selection Notices are anticipated to be made in **early March 2021**, and Applicants will be notified of the Review Committee's determinations via email. Awardees are expected to sign and return the Agreement to MEC within 4 weeks of receiving the document unless otherwise noted in writing by the MEC Contract Specialist.

Funding decisions are final. Funds awarded are based on a competitive process where Applications are weighed against other Applications and overall program goals. Changes unapproved by MEC to an awarded Applicant's scope of work after funds are awarded will not be allowed and may result in the nullification of the award.

## IX. Awarded Applicant Reporting and Payment Procedures

All funding is conditioned upon veracity of information provided within the Application and will require accountability and reporting by the successful Applicant (Subrecipient). Such reporting will be in accordance with the procedures developed and prescribed by MEC. MEC staff will also conduct periodic site visits during and after installation to ensure compliance with the Agreement. The following reporting requirements will be included in MEC's Agreement with the Subrecipient:

### A. Progress Reporting

Subrecipient will participate in monthly status calls with other project participants. In addition, it will submit on a quarterly basis a written progress report of activities under this Grant. The preparation of reports in a timely manner will be the responsibility of Subrecipient and failure to comply may result in the delay of payment of funds and/or termination of the Grant.

The report will refer to the status of work to be performed pursuant to this Grant, including a description of the deliverables and tasks completed during the reporting period. It will include a description of any findings or results, any unanticipated outcomes or roadblocks encountered, and any potential future Applications of project results. The report will indicate clearly whether work is proceeding according to schedule, ahead of schedule or behind schedule. If the work is behind schedule, the report must include a summary of the reasons for the delay and a plan of action to bring the project back on schedule, which will be subject to review and approval by the MEC prior to implementation.

Subrecipient will produce and submit to MEC a project completion report that provides a technical account of the total work performed and contains a comprehensive description of the work tasks specified herein, the results achieved, documenting the success/lessons learned/technology implementation of the project and shall include a financial status summary outlining expenditures.

Through the life of the project, subrecipient will track performance metrics of deployed and installed equipment, including fuel volume used and/or dispensed, successes and problems encountered, and lessons learned.

Compliance with all local building and operational codes, as demonstrated by a signed permit or similar from the local Authority Having Jurisdiction (AHJ) is required for construction activities. Non-compliance will result in the nullification of the Agreement and repayment of any Grant funds received by the Subrecipient.



## **B. Annual Reporting**

After the project concludes and through the life of the vehicles and/or deployed/installed equipment, Subrecipient will track and report to MEC on an annual basis performance metrics of deployed and installed equipment, including fuel volume used and/or dispensed, successes and problems encountered, and lessons learned. This data and information will aggregate with our Clean Cities Annual Report to help justify program funding to the Clean Cities network nationwide.

Subrecipient must also maintain equipment on property registry, provide disposition information to MEC, and allow MEC access on at least a bi-annual basis to verify equipment through site visits until such time as the equipment has a fair market value of less than \$5000.

## **C. Payments**

The following payment procedures will be included in MEC's Agreement with the Awarded Applicant (Subrecipient):

Payments must be made in accordance with the provisions set forth in the Grant. MEC will pay Subrecipient the reasonable, allocable, and allowable costs for equipment installed based on satisfactory monthly progress and required documentation of the work defined in the Grant, as determined by MEC.

The Subrecipient will be compensated only for equipment installed by the Subrecipient and accepted by MEC pursuant to the terms of the Grant. Payment will also be contingent upon MEC's timely receipt and acceptance of the required reports described herein.

The Subrecipient will be reimbursed based on the submission of a Request for Payment and an Invoicing Report form provided by MEC providing a detailed account of the amount of costs, including receipts/invoices, incurred relating to line items per the project budget. MEC will withhold payment of the final ten percent (10%) of the total amount until the Subrecipient has submitted, and MEC has accepted, all required narrative and financial progress reports enumerated in the Grant and Agreement.

**For more information, please contact:**

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