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GENERAL TERMS AND CONDITIONS FOR RFP FOR SERVICES v 7-9-15 rhc edit 7-28-15

GENERAL TERMS AND CONDITIONS FOR THIS REQUEST FOR PROPOSALS - All proposals are subject to these Terms and Conditions.

1. PROHIBITED CONTACTS; INQUIRIES REGARDING THIS RFP – *From the Release Date of this RFP until a contract is awarded, parties that intend to submit, or have submitted, a Proposal are prohibited from communicating with any members of the Soliciting Party’s Team for this transaction who may be identified herein or subsequent to the Release Date, or other employees or representatives of the Soliciting Party regarding this RFP or the underlying transaction except the designated contact(s) identified in {insert location in RFP where contacts are identified, such as Section S or Item 2.}*

Questions relating only to the RFP process may be submitted by telephone or by mail or hand delivery to: the designated contact. Questions on other subjects, seeking additional information and clarification, must be made in writing and submitted via email to the designated contact, sufficiently in advance of the deadline for delivery of Proposals to provide time to develop and publish an answer. A question received less than two full business days prior to the deadline may not be acknowledged. Questions and answers will be published to those parties submitting responsive proposals.

2. NONRESPONSIVE PROPOSALS - Any Proposal that does not satisfy requirements of the RFP may be deemed non-responsive and may be disregarded without evaluation. Clarification or supplemental information may be required from any Proposer.

3. CHANGES TO THE RFP; CHANGES TO THE SCHEDULE - The Soliciting Party reserves the right to change or interpret the RFP prior to the Proposal Due Date. Changes will be communicated to those parties receiving the RFP who have not informed the Soliciting Party’s designated contact that a Proposal will not be submitted. Changes to the deadline or other scheduled events may be made by the Soliciting Party as it deems to be in its best interest.

4. EXPENSES - Unless otherwise specified, the reimbursable expenses incurred by the service provider in the providing the solicited services, shall be charged at actual cost without mark-up, profit or administrative fee or charge. Only customary, necessary expenses in reasonable amounts will be reimbursable, to include copying (not to exceed 15 cents per page), printing, postage in excess of first class for the first one and one-half ounces, travel and preapproved consulting services. Cost of electronic legal research, cellular phone service, fax machines, long-distance telephone tolls, courier, food or beverages are not reimbursable expenses without prior authorization, which will not be granted in the absence of compelling facts that demonstrate a negative effect on the issuance of the bonds, if not authorized.

If pre-approved, in-state travel shall be reimbursed at the rate being paid to state employees on the date incurred. Necessary lodging expenses will be paid on the same per-diem basis as state employees are paid. Any other pre-approved travel expenses will be reimbursed on conditions and in amounts that will be declared by the Issuer when granting approval to travel. Issuer may require such documentation of expenses as it deems necessary.

5. REJECTION OF PROPOSALS - The Soliciting Party reserves the right to reject any and all proposals and cancel this Request if, in the exercise its sole discretion, it deems such action to be in its best interest.

6. EXPENSES OF PROPOSAL – The Soliciting Party will not compensate a Proposer for any expenses incurred in the preparation of a Proposal.

7. DISCLOSURE STATEMENT - A Proposal must include one original Disclosure Statement as required by Code Section 41-16-82, et seq., Code of Alabama 1975. Copies of

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the Disclosure Statement, and information, may be downloaded from the State of Alabama Attorney General's web site at <http://ago.alabama.gov/Page-Vendor-Disclosure-Statement-Information-and-Instructions>.

8. LEGISLATIVE CONTRACT REVIEW - Personal and professional services contracts with the State may be subject to review by the Contract Review Permanent Legislative Oversight Committee in accordance with Section 29-2-40, et seq., *Code of Alabama 1975*. The vendor is required to be knowledgeable of the provisions of that statute and the rules of the committee. These rules can be found at <http://www.legislature.state.al.us/aliswww/AlaLegJointIntCommContracReview.aspx>. If a

contract resulting from this RFP is to be submitted for review the service provider must provide the forms and documentation required for that process.

9. THE FINAL TERMS OF THE ENGAGEMENT - Issuance of this Request For Proposals in no way constitutes a commitment by the Soliciting Party to award a contract. The final terms of engagement for the service provider will be set out in a contract which will be effective upon its acceptance by the Soliciting Party as evidenced by the signature thereon of its authorized representative. Provisions of this Request For Proposals and the accepted Proposal may be incorporated into the terms of the engagement should the Issuer so dictate. Notice is hereby given that there are certain terms standard to commercial contracts in private sector use which the State is prevented by law or policy from accepting, including indemnification and holding harmless a party to a contract or third parties, consent to choice of law and venue other than the State of Alabama, methods of dispute resolution other than negotiation and mediation, waivers of subrogation and other rights against third parties, agreement to pay attorney's fees and expenses of litigation, and some provisions limiting damages payable by a vendor, including those limiting damages to the cost of goods or services.

10. BEASON-HAMMON ACT COMPLIANCE. A contract resulting from this RFP will include provisions for compliance with certain requirements of the *Beason-Hammon Alabama taxpayer and Citizen Protection Act* (Act 2011-535, as amended by Act 2012-491 and codified as Sections 31-13-1 through 35, Code of Alabama, 1975, as amended), as follows:

E- VERIFY ENROLLMENT DOCUMENTATION AND PARTICIPATION. As required by Section 31-13-9(b), Code of Alabama, 1975, as amended, Contractor that is a "business entity" or "employer" as defined in Code Section 31-13-3, will enroll in the E-Verify Program administered by the United States Department of Homeland Security, will provide a copy of its Memorandum of Agreement with the United States Department of Homeland Security that program and will use that program for the duration of this contract.

CONTRACT PROVISION MANDATED BY SECTION 31-13-9(k):

By signing this contract, the contracting parties affirm, for the duration of the agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the agreement and shall be responsible for all damages resulting therefrom.

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ADECA RFP for Electric Vehicle Education and Marketing Consultant

The purpose of this document is to provide detailed specifications to the Alabama Department of Economic and Community Affairs (ADECA) for seeking a consultant to provide an Electric Vehicle (EV) Education and Marketing Program for the State of Alabama. This program will educate citizens about the investment the state is making in EV charging stations.

This document provides the following:

- # Description of Goals
- # Description of Tasks
- # Suggested minimum experience and qualifications
- # Technical proposal requirements for respondents
- # Selection criteria

Proposals are due **December 21, 2020** and must be received electronically no later than 11:59 PM at maureen.neighbors@adeca.alabama.gov.

This document likely requires integration with State of Alabama required procurement guidelines and requirements in order to be finalized.

Statement of Need:

The Alabama Department of Economic and Community Affairs (ADECA) is seeking a consultant to provide an Electric Vehicle Education and Marketing Program for the State of Alabama.

Today, the EV market is steadily increasing. The State of Alabama has been tasked with planning for and deploying EV infrastructure. The Alabama Legislature and Governor Kay Ivey have recognized the importance of EV charging stations and appropriated funding to provide EV infrastructure as well as education and marketing. The State has completed planning efforts for EV infrastructure deployment. Additionally, the State has identified three sources of funding for the EV infrastructure deployment: 1) State infrastructure funds, 2) State educating and marketing funds, and 3) Volkswagen Settlement funds.

ADECA is seeking an experienced consultant who shares this vision and will assist ADECA in addressing Alabama's EV infrastructure needs. The requirements of the RFP outline a role for an experienced consultant. The role is one that requires an entity that can: identify and educate consumers and market Alabama's EV goals. Demonstrated and proven ability in all these areas will be a requirement of the winning respondent.

Experience

- # Contractor should demonstrate successful coordination of education and/or marketing projects.
- # Contractor should have multiple years of experience
- # Contractor must submit three references from previous engagements providing similar services.

Proposal Responses should address the following:

Scope of Work

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The contractor must provide a comprehensive plan for the administration of a statewide Electric Vehicle Education and Marketing program. The plan should address all aspects of the program procedure, costs, and goals, including but not limited to, the following deliverables:

Deliverable 1: Identifying the Consumer

- # National trends
- # Local surveys

Deliverable 2: Educating the Consumer

- # Job creation
- # Fuel economy
- # Lower emissions and better air quality
- # Lower operating costs
- # Additional resources

Deliverable 3: Communications and Marketing

- # Paid media
- # Digital campaign
- # Hands on and/or virtual events
- # Web portal

Experience

- # Contractor will provide letters of reference from three (3) previous customers or clients knowledgeable of the Contractor's performance in providing services similar to the services described in this RFP and a contact person (telephone number and email address) for each reference.
- # Describe the Contractor's experience working with the EV industry relevant to the requirements of this RFP.

Reporting

- # Contractor must detail the expected timeline and tasks involved in each of the three core deliverable areas over a 36-month period:
 - o Strategies for identifying the consumer
 - o Consumer Education Plan
 - o Marketing Plan
- # Contractor must have and describe a defined, repeatable process to establish and track performance metrics and create reports showing progress in each of the deliverable areas (provide sample performance metrics and reports)
- # Contractor must create reports to be delivered to ADECA relating to the performance and outcomes of the EV Education and Marketing Program by January 1 of every calendar year

Additional Requirements

- # As part of this RFP, submissions shall also include a complete and executed State of Alabama Disclosure Statement form.
- # Successful consultants will be required to submit a Beason-Hammon form with corresponding eVerify and be registered in the State of Alabama Accounting and Resource System (STAARS) Vendor Self Service (VSS) portal.

Merit Review

Compliant proposals will be evaluated as follows:

Criteria	Maximum Points
Experience	20
Comprehensiveness	25
Strategy	30
Cost	25
Total Maximum Points	100

Recommended term of initial award: 36 months