



# **Request for Proposals to Develop a Solar Panel Array Project**

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## **Administration Office**

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Grove City, Ohio 43123

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## **Project Manager:**

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**Project No. 1-O-950**

RFP Posted: April 10, 2019  
Proposals Due: May 10, 2019

**SWACO website: [www.swaco.org](http://www.swaco.org)**

# *Request for Proposals*

## to Develop a Solar Panel Array Project



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- 8. Affidavits: Value Added Attributes (*Documentation must be attached to receive Value Added points*)
  - a) Local Vendor
  - b) Equal Opportunity
  - c) Green Business Certified

<sup>1</sup>The awarded contract will incorporate the above-completed documents into and made a part of the contract.



## **Public Notice**

SWACO seeks proposals from solar energy developers that will develop, own, and operate a ground-mounted solar photovoltaic (PV) generation system at the SWACO-owned closed and capped landfill known as the Model Landfill. Request for Proposal packages are available starting Wednesday, April 10, 2019, by visiting [www.swaco.org](http://www.swaco.org) and may be downloaded by following the “About Us” link to “Do Business With Us.” A pre-proposal meeting is scheduled at the former Phoenix Clubhouse (Model Landfill) at 3413 Jackson Pike, Grove City, Ohio 43123, starting at 8:00 a.m. on Wednesday, April 24, 2019. Sealed proposals are due no later than 1:30 p.m. (EST), Friday, May 10, 2019, and must be received at SWACO’s administrative office building located at 4239 London Groveport Road, Grove City, Ohio 43123. Contact Scott Perry in writing only at [scott.perry@swaco.org](mailto:scott.perry@swaco.org) for questions concerning this RFP. SWACO reserves the right to reject any and all proposals and/or to waive minor irregularities or informalities in the competitive process.

Advertised in *The Columbus Dispatch* on Wednesday, April 10, 2019.



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## **I. General Information**

- A. SWACO. The Solid Waste Authority of Central Ohio (“SWACO”) is a regional solid waste authority established in accordance with Ohio Revised Code Section 343.011. SWACO was created in 1989 in response to Substitute House Bill 592 (“HB 592”) to develop and implement a comprehensive solid waste management plan for the Franklin County Solid Waste Management District, which is comprised principally of Franklin County but includes parts of five (5) adjacent counties (collectively the “District”). As a political subdivision of the State of Ohio, SWACO operates a Subtitle D sanitary landfill with an allowable maximum daily capacity of eight thousand (8,000) tons and two (2) waste transfer stations with a combined capacity of approximately one thousand three hundred (1,300) tons per day. SWACO owns and/or leases multiple facilities and operates on an estimated fifty-one million dollars (\$51,000,000) of annual revenue and twenty-five million (\$25,000,000) of SWACO’s EPA Trust Fund. It employs one hundred twelve to one hundred twenty-three (110 – 123) full-time staff who work under three (3) major organizational functions: Administration, Operations, and Innovation & Programs. SWACO also provides programs aimed at reducing the generation and disposal of solid waste within SWACO’s District. These programs include public education and awareness, yard waste composting, and other waste-reduction activities. SWACO is also responsible for maintenance activities at a closed landfill. Total solid waste generation within SWACO’s District exceeds one million tons (1,000,000) per year.
- B. Board of Trustees. A nine (9)-member Board of Trustees (“Board”) governs SWACO. Pursuant to Ohio Revised Code Section 343.011 and SWACO’s bylaws, the Mayor of the City of Columbus and the Franklin County Board of Commissioners each appoint two (2) members to the Board. Other members include one (1) designee of the Franklin County Health Commissioner, one (1) designee of Franklin County’s Township Trustees, and three (3) members appointed by the Board representing the public, general interest of the citizens, and the industrial, commercial, or institutional generators of solid wastes within the District. The Board appoints SWACO’s Executive Director, who serves to direct the daily operations and functions of SWACO as SWACO’s Chief Executive Officer.

## **II. Applicable Law**

- A. Venue. The terms, provisions and conditions as set forth in this RFP, the submission and evaluation of any Proposals submitted in response to this RFP, the negotiation, award, execution, and construction of the terms, conditions, provisions, and the scope of services of any contract resulting from this RFP, and all other matters or claims related to this RFP and/or any contract resulting from this RFP shall be solely governed by, and construed in accordance with, the laws of the State of Ohio without regard to its choice of law provisions and to the exclusion of the law of any other jurisdiction. Any action, claim, suit, or proceeding related to this RFP or any contract resulting from this RFP shall be brought only in a court having appropriate jurisdiction and venue in Franklin County, Ohio.
- B. Non-Discrimination. Proposers shall not discriminate against any employee or qualified applicant for employment who is both available and qualified for work because of age, race, color, religion, sex, disability, creed, military status, or national origin. Proposers shall not discriminate based upon age, race, color, religion, sex, disability, creed, military

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status or national origin in any undertaking related to employment including, but not limited to, such actions as hiring, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

- C. Public Records. A Proposal submitted pursuant to this RFP shall become the property of SWACO. Pursuant to and subject to this RFP and the Ohio Revised Code, all information submitted shall become a record open to the inspection of the public upon the completion or termination of the selection process set forth in this RFP. However, if there is material in a Proposal that a Proposer deems to be confidential, it should be clearly identified and marked confidential, and accompanied by a written explanation stating the basis of such claim. Any confidential material that is so designated shall be removed from the Proposal prior to release of the Proposal to the public if permitted by the laws of the State of Ohio including, without limitation, Ohio Revised Code Section 149.43. The determination as to the confidentiality of any material identified as such by a Proposer shall be made by SWACO in SWACO's sole and complete discretion. SWACO shall assume no risk, nor shall it be held liable by any Proposer for the release of any material that a Proposer may claim to be confidential. Submittal of a Proposal in response to this RFP shall be deemed acknowledgement and acceptance of the terms and provisions contained in this paragraph II.C.
- D. Definitions. For purposes of this RFP, the words, terms, and phrases set forth below shall have the indicated meanings. Any other terms, words, or phrases herein shall have their ordinary meaning.
1. *FCSL* means "the Franklin County Sanitary Landfill."
  2. *Model Landfill* means "the closed landfill located at 3299 Jackson Pike, Columbus, Ohio."
  3. *Project* means, "the development of a solar panel array project as outlined in this RFP."
  4. *Proposal* means, "the written response to this RFP, including, without limitation, any modifications or revisions thereto, submitted pursuant to the terms, conditions and provisions set forth in this RFP."
  5. *Proposer* means, "any vendor that submits a Proposal."
  6. *RFP* means this "Request For Proposals."
  7. *Successful Proposer* means, "the Proposer or Proposers with which SWACO negotiates and enters into a contract as a result of the process set forth in this RFP."
  8. *SWACO* means the "Solid Waste Authority of Central Ohio."

### **III. The Project**

A. Proposed Project. SWACO seeks proposals from solar energy developers that will develop, own, and operate a ground-mounted solar photovoltaic (PV) generation system at the SWACO-owned closed and capped landfill known as the Model Landfill. SWACO's intention is to select and enter into a lease agreement with its selected Respondent per the evaluation criteria as set forth in this RFP. The resulting selection will be contingent on SWACO approval of any and all agreements with the Proposer for the Project.

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In 2017, SWACO retained Arcadis U.S., Inc. to perform a land feasibility study, attached hereto as “Exhibit A.” The purpose of the study was to explore potential methods to create financial sustainability at the SWACO-owned Model Landfill site. The Arcadis study was presented at the 2018 April Board meeting, which offered a number of options for the development of the Model Landfill site, including development as a brownfield with the construction of a solar photovoltaic (PV) generation system. Based on feedback from the Board, SWACO’s executive leadership is focused on executing this option.

This RFP is intended to solicit a comprehensive approach to the development of a ground-mounted solar PV generation system on the Model Landfill site, complete with detailed financial feasibility, including the proposed transactional structure for grid interconnect and solar array energy off-take. SWACO is seeking to partner with a Proposer who is able to design, construct, and operate a solar PV system on the Model Landfill site within two (2) years of the award of this Project.

B. Project Description. For the purposes of seeking Proposals for the Project, SWACO has included a Project Description attached hereto as “Exhibit B” that provides an overview of the Project.

C. Pre-Proposal Meeting. A pre-proposal meeting is scheduled at the former Phoenix Clubhouse (Model Landfill), 3413 Jackson Pike, Grove City, Ohio 43123, starting at 8:00 a.m. on Wednesday, April 24, 2019.

D. Times. All times set forth in this RFP are listed at Grove City, Ohio local time, which is Eastern Standard Time.

E. Schedule of Events. The following is the schedule of events concerning the submittal and consideration of Proposals, and the award of the contract to the Successful Proposer(s). All dates listed after the date that the Proposals are due are tentative and may be altered at SWACO's sole and complete discretion.

Advertise .....	Wednesday, April 10, 2019
Pre-Proposal Meeting.....	8:00 a.m., Wednesday, April 24, 2019
Deadline for questions or clarification of RFP .....	4:00 p.m., Tuesday, April 30, 2019
Proposals due .....	1:30 p.m., Friday, May 10, 2019
Scheduled Interviews .....	<i>To Be Determined</i>

#### **IV. Proposal Questions, Modifications, Withdrawal, and Opening**

A. Proposer Requests for Information and Addendums. Requests for information from a Proposer shall be submitted **in writing only** to Scott Perry, Director of Operations and Maintenance, via e-mail at [scott.perry@swaco.org](mailto:scott.perry@swaco.org) or regular mail to SWACO, Attn: Scott Perry, 4239 London Groveport Road, Grove City, Ohio 43123. **Any and all such requests must be received no later than 4:00 p.m. on Wednesday, April 30, 2019.** SWACO shall respond to any properly submitted request for information by a written addendum issued to all Proposers who have obtained a RFP packet for this Project. In addition, SWACO, on its own initiative, may issue such other addenda as it may deem appropriate from time to time. No request for information shall be considered answered by SWACO until SWACO has issued an addendum in response to such request for

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information, and copies of the written request for information and SWACO's response has been issued to each Proposer. Upon receipt of any addendum, Proposers shall notify SWACO in writing of its receipt of the addendum by completing the *Addendum Acknowledgement* form in *Exhibit D* and submitting with the Required Documents.

B. Modification of Proposals. At any time prior to the opening of Proposals, a Proposer may modify its Proposal in writing by submitting a modification marked in the same manner as the original proposal via hand delivery to SWACO or mailed via registered, certified, or express mail to SWACO at the delivery address set forth in this RFP. Any such modification must be received by SWACO prior to the opening date and time of the Proposals to be considered effective.

C. Withdrawal of Proposal. Prior to the opening of Proposals, a Proposer may withdraw its Proposal provided the Proposer makes a written request to withdraw the Proposal. Such request must be received by 1:30 p.m., Friday, May 10, 2019, of SWACO at the address indicated above in paragraph (IV)(A) prior to the opening of Proposals. The written request to withdraw must be executed by a party authorized to execute the Proposal, include an executed Affidavit of Authority, and be either hand delivered to SWACO or mailed via registered, certified, or express mail. Any properly withdrawn Proposal shall be returned to the Proposer unopened.

D. Proposal Opening. All Proposals received at or before 1:30 p.m., Friday, May 10, 2019, at 4239 London Groveport Road, Grove City, Ohio, shall be publicly opened and the names of the Proposers shall be publicly read. **No proposed pricing information will be released at the time of the opening.** Interested Proposers or their representatives may be present for the opening of the Proposals.

E. Rejection or Waiver of Proposals. SWACO may, in its sole and complete discretion, reject any or all Proposals, waive any irregularities contained in a Proposal or Proposals, or terminate the process set forth in this RFP at any time if it is determined in the best interest of SWACO to do so. Solicitation and opening of any Proposal submitted in response to this RFP does not create any express or implied obligation of SWACO to enter into any contract.

### **V. Proposal Format and Requirements**

A. Proposal Format. All Proposals shall be bound in such a manner as to facilitate the review of the content contained therein. The Proposer must provide ONE (1) original and ONE (1) electronic copy in PDF format of their entire Proposal to SWACO pursuant to this RFP.

B. Proposal Requirements. Proposals should be assembled in sequential order of the requested information. Each Proposal must contain the following information:

1. ***Description of the Proposer*** – A brief description of the Proposer including, without limitation, information regarding the following:
  - a) Describe the organization, date founded, and ownership of the Proposer. Indicate if it has experienced a material change in organizational structure, ownership or management during the past three (3) years and, if so, please describe.

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- b) Describe any other business affiliations or partnerships the Proposer currently has in place.
- c) Include the Proposer's long-term business strategy.
- d) Disclose any employees who were previously employed at SWACO within the last two (2) years.

For every employee disclosed, please provide the date he/she was hired, a detailed explanation as to how the Proposer will prevent the employee from participating in this Project, and an affirmation from the employee that he/she will not disclose confidential information acquired in the course of his/her employment with SWACO.

2. ***Proposer's Qualifications*** – Provide a brief description of the Proposer's experience.

- a) List a minimum of five (5) references that Proposer is currently providing similar services for and provide contact information for those references. List should include any experience with the government segment.
- b) How many implementations has the Proposer completed in the past thirty-six (36) months? If possible, how many of comparable size?
- c) What other solar PV projects has the Proposer completed? Have any been installed at closed landfills and are currently operational?
- d) Provide examples of other similar projects across the country Proposer has completed.
  - 1) How is the solar PV generation system being used today?
  - 2) Please describe the partnership relationship, including whether this involved any public agencies, and how each partner benefitted from the project.
- e) Identify any litigation or disputes involving the Proposer or any related entities over any renewable energy projects or designs.

3. ***Proposer's Personnel and Subcontractors*** – Include a list of all persons to be assigned or employed on the Project by the Proposer. In addition, the Proposal shall also identify:

- a) Background information on Proposer's team leader and all key personnel who will be taking the most active role(s) in the administration and consulting of the Project. Identify required SWACO resources.
- b) Resumes and biographical information on key consulting professionals that will be directly involved in the Project. Describe their experience and total years, including the number of years at the Proposer's organization, and any professional licenses and designations.
- c) Any subcontractors and their assigned roles that may be employed by the Proposer on the Project. Provide best estimate for percentage of the subcontractor's responsibility for assigned role.



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4. ***Proposer's Financial Performance*** – Provide Proposer's financial information such as an annual report along with the following additional information:
  - a) List five (5) primary product or service offerings, ranked by contribution to revenue.
  - b) What is your total revenue for the past three (3) years?
  - c) What portion of your revenue is derived from the service you are recommending to SWACO?
  - d) Attach a recent Dun & Bradstreet report (if applicable).
5. ***Approach to the Project*** – Provide a detailed project plan setting forth the manner in which you are proposing each phase of the Project, including how the design, construction, and operation, will be implemented.
  - a) Briefly describe your Project objectives, including the approach to business opportunities and partnerships with governmental entities.
  - b) Describe the technical analysis used when designing this Project. What makes this the best use of the land and fit for SWACO?
  - c) Discuss your assessment of the current market outlook for solar PV generation and use, as well as recommendations for this Project.
    - 1) Include any other deliverables or other related factors that will provide additional value to the Project.
6. ***Proposed Solution Recommendation and Project Implementation*** – Provide a brief overview of Proposer's professional and integration services organization(s).
  - a) Product or service name(s)
  - b) Primary features and benefits
  - c) Project Schedule, including design phases to live operation of the system
  - d) How many sites are currently using the proposed system
  - e) Provide the name and contact information for at least one (1) (comparable) site using the system.
  - f) Include a description of Proposer's methodology, tools used to manage the Project, change control procedures, and common communication methods.
  - g) Identify elapsed time and key milestones for completing this Project.
  - h) Number of estimated hours for all phases of Project implementation, as well as the provider and hours of operation for any support or maintenance staff designated for the Project.
7. ***Fee Components, Budgetary Pricing Estimate, and Schedule*** – Describe the estimated budget for the Project and include the following:
  - a) A detailed budgetary quote for the Project, including line item pricing for all items included in the Proposal.

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- b) All costs associated with Proposer providing the Project. This should include a detailed item description, quantity required, list price, and extended discounted price.
- c) All estimates payments to be made to SWACO under any proposed lease arrangements.
- d) Support services, professional services, integration, customization and any travel or other costs should be identified separately.
- e) Specific costs for included services and an outline of any additional recommended services and their costs.
- f) Annual maintenance costs should be identified as separate charges.
- g) An example cost structure used for a comparable client.
- h) A timeline, components, and sequencing of creating the Project.
- i) A guarantee that the prices provided in the Proposal are no greater than those charged to any other customer for similar items, quantities, and schedules with similar specifications.
- j) A firm offer good for a six (6) month period beginning on Friday, May 10, 2019; and
- k) Proposer agrees to immediately pass any reductions or cost savings on to SWACO expected during this period.

### 8. ***Total Cost of Ownership***

- a) What is the estimated total cost of ownership for the proposed Project? Please provide details of your calculation process.
- b) Describe any of the following that apply to the recommended Project, including the following:
  - 1) Commitment requirements or fee structure
  - 2) Implementation requirements or fee structure
  - 3) Cancellation policy or fee structure
  - 4) Customization policy or fee structure
  - 5) Payment terms and fee structure
  - 6) SWACO guarantees and incentives
  - 7) Transaction fees
  - 8) Any other charges or schedule of payments not associated with the above (i.e. Compliance fee)

### 9. ***Technical and Administrative Systems Support*** – Describe your ongoing support and services, including but not limited to the following information:

- a) Support hours and average response time
- b) Issue tracking or ticket system used
- c) Availability of on-site support and troubleshooting
- d) Average response times for fixes and enhancement requests

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- e) Methods of communication for support, maintenance, and technical staff
- f) A written service level agreement (SLA)
- g) Any credit, chargeback components to the SLA

### C. Standard Terms and Conditions.

1. The Proposer is hereby notified that:
  - a) SWACO is exempt from State sales or use taxes and therefore, such taxes shall not be included in any rate or price quotations submitted as part of any Proposal; and
  - b) SWACO does not pay retainers, deposits, or make any other advance payments prior to services rendered.
2. SWACO's standard contract termination is at least fifteen (15) days in writing prior to the date of the intended early termination of the Proposed Contract.
3. Invoices must be submitted to SWACO within sixty (60) days after Services have been rendered and such invoice(s) received shall be paid within thirty (30) days of its approval by SWACO.
4. Notwithstanding any term, condition, or provision set forth in the Fee Schedule and Proposal, SWACO shall not be obligated or liable to the Successful Proposer and/or any other party for any late payment, collection costs, fees, and/or interest charges.

### D. Required Documents. Each Proposal shall contain the following documents, attached hereto as "Exhibit D," which must be filled out in their entirety, executed, and included with the Proposal:

1. Non-Discrimination Affidavit
2. Affidavit of Authority
3. Non-Collusion Affidavit
4. Delinquent Tax Affidavit
5. W-9 Form (*Rev. October 2018 by the IRS*)
6. Representative Sheet
7. Addenda Acknowledgment
8. Affidavits for Value Added Attributes (*Documentation of claimed Attribute must be provided in addition to the Affidavit.*)
  - a) Local Vendor
  - b) Equal Opportunity
  - c) Green Certified Business

## VI. **Submitting the Proposal**

A. Submittal Information. The original Proposal must be submitted in a sealed envelope (envelope means any type of sealed, opaque container) with "**Solar Panel Array Project, Attn: Scott Perry**" clearly marked on the exterior. Proposers may submit their Proposal by way of hand-delivery, express mail or similar type of service. If Proposer is using an "Express Mail" or similar type of service, the Proposal must be contained in a



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sealed envelope within the “Express” mailer (the name of the project and project manager must be listed on the exterior of the sealed envelope contained within the “Express” mailer). Failure to submit the Proposal in a sealed envelope or without the name of the project and project manager clearly marked on the exterior may result in immediate disqualification and no further consideration given for the award.

B. Original Proposal Documents. **The original proposal response** (unless otherwise stated, hereinafter referred to as “Proposal”) **must be submitted to SWACO prior to 1:30 p.m. on Friday, May 10, 2019.** All Proposals will be time and date stamped upon receipt by SWACO, and such shall be considered the official time and date of receipt. Postmarks, or other times/dates appearing will not be considered as the official time and date of receipt. Proposals must be submitted or delivered to SWACO’s administrative office building, 4239 London Groveport Road, Grove City, Ohio 43123. Delivery to any other location other than the designated SWACO office building does not constitute the Proposal being received by SWACO. Proposals submitted with insufficient postage will not be accepted. Proposals will be received during regular business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding recognized holidays. Proposals with stamped or copied signatures will be considered non-responsive. Telegraphic, facsimiles, or any other mode of transmission other than that stated above shall not be considered as a valid submission to SWACO. Proposers using “Express Mail” or similar types of service, should verify the required delivery address with the service to ensure proper delivery of the response to SWACO. SWACO is not liable for non-delivery and/or late delivery of any proposal response due to a Proposer listing an incorrect address.

C. Delivery of Proposal. It is the sole responsibility of the Proposer for the delivery of its Proposal to the SWACO Administrative Office Building prior to 1:30 p.m. on Friday, May 10, 2019.

D. Proposal Submission. Proposals submitted by facsimile transmission, e-mail, or in any other form not specified herein shall not be accepted by SWACO.

E. Preparation Costs. The Proposer shall be liable for all costs or expenses related to investigating, preparing, and submitting a Proposal in response to this RFP as well as any costs or expenses related to the negotiation and award of any contract resulting from this RFP.

F. Termination of RFP Process. At any time prior to the execution of any contract awarded pursuant to this RFP by SWACO’s Executive Director, SWACO may terminate the process set forth in this RFP for any or no reason.

## **VII. Proposal Evaluation**

A. Evaluation Criteria. Proposals shall be evaluated based upon the Proposer’s ability to meet the requirements set forth in this RFP as stated in the submitted Proposal, any clarifications that SWACO may request from individual Proposers, and the criteria below. SWACO reserves the right to give each of the following criteria such weight as it deems appropriate in its sole and complete discretion:

1. Proposer’s ability to perform the proposed scope of services;
2. Proposer's experience and the quality of its available services;
3. Proposer’s understanding of SWACO’s requirements as expressed in the Proposal Scope of Services; and

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4. The proposed fee schedule and estimate of costs based on the information set forth in this RFP. The estimate shall clearly present anticipated personnel, per diem, and miscellaneous costs such as shipping, supplies, or other items.

B. Additional Evaluation Criteria.

1. Briefly describe any additional features, attributes, or conditions which SWACO should consider in the selection process.

2. Provide any other information that Proposer feels applicable to the evaluation of the Proposal or of their qualification for accomplishing the Project. Use this section to address those aspects of the Proposer's services that distinguish it from other Proposers. Additional information shall be considered when evaluating Proposers.

C. Evaluation of Proposals. SWACO's Executive Director or designee shall appoint an Evaluation Committee ("Committee") to evaluate the Proposals received. The Committee shall evaluate all Proposals received and rank the Proposers based upon the evaluation criteria set forth above in Section A, Evaluation Criteria. SWACO reserves the right to request additional information from Proposers as needed. If such information is requested, the Committee is not required, at this stage of the evaluation process, to request the same information from all Proposers.

1. The Committee will, at its sole and complete discretion, be selecting two (2) or more of the highest qualified Proposers with which to hold additional discussions. Proposers not selected for further discussions may be excluded from further consideration for the contract to be awarded through this RFP upon notification by the Committee and/or SWACO's Executive Director or designee.

2. Additional discussions with selected Proposers indicated above in Paragraph C.1. may include, without limitation, discussions, interviews, and presentations by the selected Proposer(s) to SWACO to elaborate upon their qualifications, proposals, proposed services, cost estimates, and other pertinent information. During the "additional discussions phase" the Committee may permit revisions to the Proposals. In such an event, all Proposers who have been selected for additional discussions shall be given an equal opportunity to revise their Proposals.

3. SWACO shall then rank the Proposals that have not been otherwise excluded from further consideration based upon the evaluation requirements set forth in this RFP, the content of the Proposals received, any revisions thereto, and any additional discussions with the Proposers that may have been held by the Committee and any non-excluded Proposers.

D. Value Added Attributes. In determining the Successful Proposer through this competitive process, SWACO shall exercise Value Added Attributes for Proposers as provided in this section. SWACO may in its own discretion request additional information to validate declared value-added attribute(s).

1. *Local Vendor* – SWACO ensures local businesses that meet the eligibility requirements to qualify as a Local Vendor receives Value Added Attributes in SWACO's competitive procurement process as provided in this section.

a) Vendors shall not receive Value Added Attributes under this section unless such vendor submits documentary evidence satisfactory to SWACO verifying that the vendor qualifies as a Local Vendor.

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- b) Value Added Attributes for Local Vendors, set forth herein, shall not apply to any Proposals prohibited by federal or state laws or regulations.
  - c) The Value-Added Attributes set forth in this section shall not waive or nullify evaluation and Best Vendor designation.
- 2. *Equal Opportunity* – SWACO recognizes minority and disadvantaged businesses and has established procedures to ensure such businesses that meet eligibility standards are able to have an equal chance to succeed. Therefore, any business who is certified through the State of Ohio’s Minority Business Enterprise (MBE) or Encouraging Diversity Growth and Equity (EDGE) program, or the Federal Disadvantaged Business Enterprise (DBE) program shall be given Value Added Attributes in SWACO’s competitive procurement process as provided in this section.
  - a) Value Added Attributes shall not be given to a minority or disadvantaged business under this section unless such business submits documentary evidence satisfactory to SWACO verifying that the business qualifies as minority or disadvantaged.
  - b) Value Added Attributes for a minority or disadvantaged business, set forth herein, shall not apply to any bids or proposals prohibited by federal or state laws or regulations.
  - c) The Value-Added Attributes set forth in this section shall not waive or nullify evaluation and Best Vendor designation.
- 3. *Green Business Certified* – Through its Vision, Mission, and Goals, SWACO strives to set the standard as a leader in waste reduction, diversion, and environmentally safe practices by collaborating with public and private partners in order to leverage the waste stream for economic benefit and contribute to a safe and healthy community. Therefore, SWACO shall recognize those businesses that are Green Business Certified, giving them a Value-Added Attribute in SWACO’s competitive procurement process as provided in this section.
  - a) No Value-Added Attributes shall be given under this section for businesses that are Green Business Certified unless such business submits documentary evidence satisfactory to SWACO verifying that the business qualifies as Green Business Certified.
  - b) Value Added Attributes for Green Business Certified, set forth herein, shall not apply to any bids or proposals prohibited by federal or state laws or regulations.
  - c) The Value-Added Attributes set forth in this section shall not waive or nullify evaluation and Best Vendor designation.

Certifications must be third-party verified in order to qualify as Green Business Certified. Third-party verified means that an independent organization has reviewed the process and has independently determined compliance with specific standards for safety, quality, and/or performance. Examples of third-party verified, green business certifications are Green Guard, U.S. Green Building Council/LEED, and U.S. Zero Waste Business Council/Zero Waste Facilities.

# *Request for Proposals to Develop a Solar Panel Array Project*

## **VIII. Awarding the Contract**

A. Information Provided to Successful Proposer. SWACO shall provide to the Successful Proposer(s), upon request, any information concerning the Project to which it has access. SWACO may, at its sole option, provide information to the Successful Proposer(s) in electronic format.

B. Negotiation and Award of Contract. After non-excluded Proposers have been ranked pursuant to Section VII above, SWACO's Executive Director or designee shall enter into contract negotiations with the highest ranked Successful Proposer. If negotiations between such highest ranked Successful Proposer and SWACO's Executive Director or designee fail to result in a contract between SWACO and that Successful Proposer, those negotiations shall be terminated, and the Executive Director or designee may enter into contract negotiations with the next highest ranked Successful Proposer. Such process may continue until a contract has been successfully negotiated between SWACO and a Successful Proposer or until there are no Proposers left in which to hold contract negotiations.

1. Negotiations shall cover such terms, provisions, conditions, scope of services and other matters as the parties deem appropriate to attain the objectives of the Project contemplated in this RFP.

2. At SWACO's sole and complete discretion, SWACO may terminate contract negotiations with a Successful Proposer and begin contract negotiations with the next highest ranked Proposer.

3. At any time prior to the execution of a contract by SWACO's Executive Director, SWACO may cancel or terminate the process set forth in this RFP for any or no reason.

4. No contract negotiated between SWACO and the Successful Proposer shall become effective until the terms, conditions, provisions, and services negotiated between SWACO and the Successful Proposer have been reduced to a written contract, and the resulting contract has been executed by the Successful Proposer and SWACO's Executive Director as authorized by SWACO's procurement policy.

C. Contract Execution. Any contract awarded shall be signed by the Successful Proposer and returned to SWACO within thirty (30) days after the Successful Proposer has received the "Notice of Award" and the negotiated contract has been sent to the Successful Proposer for signature. No contract resulting from negotiations with the Successful Proposer or from the process set forth in this RFP shall be considered binding upon SWACO until execution of the contract by the Successful Proposer and SWACO's Executive Director pursuant to SWACO's procurement policy.

1. If the Successful Proposer fails to execute and return the contract and other required documents within thirty (30) days, as provided for above, SWACO may, in its sole and complete discretion, either withdraw the award of the contract to the Successful Proposer and begin negotiations with the next highest ranked Proposer pursuant to the terms, conditions, and provisions set forth in this RFP or in the alternative, terminate the process set forth in this RFP.

## *Request for Proposals to Develop a Solar Panel Array Project*

D. Indemnification and Insurance. Each Successful Proposer is advised that in addition to any other terms, conditions or provisions that may be contained in any contract awarded and executed as a result of this RFP (including without limitation warranty provisions), the Successful Proposer shall agree to the following indemnification and insurance provisions:

1. *General Duty to Indemnify SWACO.* The Successful Proposer shall indemnify and hold harmless SWACO, its trustees, officers, employees and representatives from and against all claims, damages, losses, liens, causes of action, suits, judgments, and expenses (including reasonable attorney's fees and other reasonable costs of defense), of any nature, kind or description, which (a) are caused by or result from the performance of the Services by the Successful Proposer, anyone directly or indirectly employed by the Successful Proposer, any sub-contractor of the Successful Proposer, or anyone for whose acts the Successful Proposer is legally liable, and (b) are attributable to bodily injury, personal injury, sickness, disease or death of any person, or to damage to or destruction of property, but (c) only to the extent they are caused by any negligent, reckless or willful act, error or omission of the Successful Proposer, anyone directly or indirectly employed by the Successful Proposer, any sub-contractor of the Successful Proposer, or anyone for whose acts the Successful Proposer is legally liable. The terms and conditions of this paragraph shall survive termination of this contract for any reason.

2. Successful Proposer shall promptly correct, repair, and/or replace any part, work, supplies and/or other materials installed as part of the Services and damaged and/or destroyed as a result of an insured loss or damage. Such correction, repair and/or replacement shall be the Successful Proposer's sole responsibility and shall be undertaken and completed at no additional cost to SWACO.

3. **PLEASE NOTE: THE GENERAL DUTY TO INDEMNIFY SWACO IS NOT NEGOTIABLE. IF YOU ARE UNABLE TO AGREE TO THE PROVISION SET FORTH ABOVE, SWACO WILL BE UNABLE TO ENTER INTO A CONTRACT WITH YOUR COMPANY.**

4. *Liability Insurance.* The Successful Proposer shall purchase and maintain the following liability and other insurance at the indicated limits, under the terms set forth below:

- a) General Liability Insurance, containing the following limits and terms:
  - 1) \$1,000,000.00 per occurrence
  - 2) \$2,000,000.00 aggregate
  - 3) \$1,000,000.00 Products/Completed Operations Aggregate
  - 4) Name SWACO as an additional insured
  - 5) Waiver of subrogation in favor of SWACO and all related entities or subsidiaries, employees, agents and/or representatives
  - 6) Automobile Liability Insurance, containing a limit of \$1,000,000.00 per occurrence
  - 7) Worker's Compensation and Employer's Liability Insurance, containing the following limits:
    - Statutory Limits for the State of Ohio \$500,000.00/\$500,000.00/\$500,000.00 Employer's Liability Limit



## *Request for Proposals to Develop a Solar Panel Array Project*

- 8) Professional Liability Insurance covering errors, omissions, and/or negligence of the Advisor with a coverage limit of \$5,000,000.00.
  - 9) Umbrella Liability Insurance containing the limit of \$4,000,000.00 per occurrence and terms including the following “form coverage.”
  - b) **The limits set forth above may be adjusted according to industry standards, risk, and further assurances.**
  - c) Each policy of insurance required to be purchased and maintained by the Successful Proposer shall be purchased from an insurance carrier rated by A.M. Best as A-, VII or better;
  - d) Each policy and respective certificate of insurance shall expressly provide that should the Successful Proposer’s insurance lapse, be cancelled, non-renewed or materially altered, the Successful Proposer shall provide SWACO with no less than thirty (30) days prior written notice of such cancellation, non-renewal, expiration or material alteration of the coverage contained in such policy or evidenced by such certificate of insurance.
  - e) The Successful Proposer shall maintain all insurance in the required amounts, without interruption, from the date of the execution of the contract until the date of the termination of the contract or the date of payment of the final invoice issued by Successful Proposer, whichever is later. Failure of the Successful Proposer to comply with the terms and conditions of this paragraph shall constitute a material breach of the contract and shall be cause for termination of this Contract by SWACO.
  - f) Insurance policies required to be purchased and maintained by the Successful Proposer may include a reasonable loss deductible, as is customary for the Successful Proposer’s industry, which shall be the sole responsibility of the Successful Proposer to pay in the event of any covered loss.
5. SWACO and the Successful Proposer waive all rights against each other for damages caused by fire or other perils to the extent of actual recovery of any insurance proceeds under any property insurance obtained pursuant to the requirements set forth above or any other property insurance applicable to the performance of the Services, except such rights as they have to proceeds of such insurance held by SWACO as fiduciary. The Successful Proposer agrees to obtain waivers in favor of SWACO of such claims by all of its subcontractors.
6. Notwithstanding the paragraph above, and regardless of the amount of any insurance proceeds recovered by the parties under the insurance policies set forth above, the Successful Proposer shall be liable to SWACO for the full amount of any claims, damages, losses, liens, causes of action, suits, judgments and expenses (including reasonable attorney's fees and other reasonable costs of defense) of any nature, kind or description which are in excess of such insurance proceeds.

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**Exhibit A**

**The *Landfill Feasibility Study* is a separate document from the RFP.**

**You will need to download it separately due to its size.**

# *Request for Proposals*

## *to Develop a Solar Panel Array Project*



### **Exhibit B**

### **Project Description**

The Project, as outlined in this RFP, is for a multiple year contract that is negotiable. This Project Description provides the Scope of Work, background information, and current conditions of Model Landfill where the Project will be located.

#### **I. Scope of Work**

This Project will clarify assumptions and financial justification for a solar panel array project on fifty (50) acres of a one hundred eighty (180)-acre area in which, one hundred sixty-eight (168) acres are on the former Model landfill. SWACO seeks proposals from solar energy developers that will design, own, and operate a ground-mounted solar photovoltaic (PV) generation system at the SWACO-owned closed and capped landfill known as the Model Landfill. Proposers must include a detailed accounting of the proposed transactional structure for grid interconnect and solar array energy off-take, capital costs, operating costs, revenues, as well as any grant availability and/or incentives. The following items related to the Project must be addressed by Proposer:

- A. A pro-forma or financial outline of projected revenues and operating costs for the phased construction of a solar PV generation system, including the proposed transactional structure for energy off-take and any other sources of revenue related to the solar array.
- B. Provide the recommended revenue and expense model for the Project, including any additional factors or variables that must be considered or realized in order to maximize Project outcomes.
- C. Demonstrate that with no more than a thirty percent (30%) design, the proposed solar PV system will deliver full expected value within two (2) years of implementation.
- D. The amount of potential revenue that SWACO would have from operation of this Project, as well as the percentage of which is guaranteed.
- E. Any grants and incentives Proposer plans to leverage to deliver this Project.
- F. List any and all strategic partners required to achieve the Proposer's projections, including SWACO's role. SWACO's preference is to solely be the Lessor of the Project site, so any additional action anticipated on behalf of SWACO must be described in full and complete detail.
- G. Proposed partnership agreement and/or terms as between SWACO and the Successful Proposer, as well as any other entities necessary for the success of the Project.
- H. Based upon Proposer's experience with similar projects, describe your procedures for managing the risks associated with a closed landfill gas system and Ohio Environmental Protection Agency ("OEPA") compliance requirements.



## *Request for Proposals to Develop a Solar Panel Array Project*

- I. Provide recommendations for managing and minimizing SWACO's overall risks associated with the solar PV generation system and related power sales, and SWACO's role (if any) as to the design, construction, operation and maintenance of the solar array.

### **II. Model Landfill Background Information**

- A. Franklin County operated Model Landfill from 1967 until it ceased operations in 1985. From 1967 to 1976 the landfilling was confined to the southern eighty (80) acres of the landfill site which was an unlined landfill. In 1976, the OEPA approved an expansion of the site to an eighty-six (86)-acre portion at the northern end of the site. This expansion included the construction of a leachate collection system, three (3) foot thick compacted clay liner, and a groundwater monitoring system. In 1980, a permit modification was made to increase the final landfill grades. In 1984, an additional permit modification was submitted and subsequently approved in 1985. This permit application included the following:

1. Changes of final site grades;
2. Modifications of the final elevations at the site;
3. Modifications of the final cover depth increasing it from two (2) feet to three (3) feet;
4. Inclusion of a groundwater monitoring program; and
5. Installation of a gas venting and recovery system.

In 1989, SWACO acquired the operation of the site. SWACO retained Burgess & Niple ("B&N") to prepare and implement closure of the Model Landfill. This project was initially to be conducted as a Remedial Investigation/Feasibility Study. Activities performed during the investigation phase included aerial mapping, construction and sampling of monitoring wells, characterization of the landfill cover, evaluation of the effects of the facility on flooding of Jackson Pike (State Route 104), air emission sampling and analysis, and negotiation with OEPA. The site remedial investigation phase demonstrated that the facility was having a relatively small impact on the environment and that minor cover and drainage improvements were warranted. A risk assessment performed as part of the study indicated that the site was suitable for redevelopment with some form of beneficial reuse of the facility.

Plans, specifications and bidding documents were prepared for a maintenance project addressing cover repair and surface water drainage issues. Cut-and-fill calculations were prepared, surface water drainage features were designed, and a cost estimate was prepared. B&N worked closely with SWACO to develop a request for proposal for "beneficial use" that incorporated the maintenance work. A proposal was received and accepted for development of a golf course on the facility. B&N represented SWACO on technical issues during construction. In 1999, SWACO entered into an agreement with Phoenix Golf Links, Ltd./Petro Environmental to develop, build, maintain, and operate a golf course on top of Model Landfill and operate the landfill gas system. The Phoenix Golf Course was opened in 2000 as an 18-hole public access course. The course consists of the golf course, a clubhouse, maintenance building, as well as

## *Request for Proposals to Develop a Solar Panel Array Project*

parking. The clubhouse, parking and maintenance facilities are located on a twelve (12)-acre area at the southern extent of the site that does not contain waste. The course permanently closed in 2015.

- B. The Model Landfill closure consists of a compacted clay soil cap that was constructed prior to the addition of soil fill used to shape the site for the golf course development. The resulting development included the addition of approximately 500,000 cubic yards of fill material to cover the waste and to grade the site to support the golf course development. Gas wells and an active gas collection was installed to control landfill gas emissions. Leachate and condensate are collected and conveyed to the local Publicly Owned Treatment Works (“POTW”) via a series of pump stations with discharge to the sanitary sewer. This active landfill gas system was connected to two (2) 1,800 kVA engine-generator sets to produce power and meter the power to the existing City of Columbus utility grid. These units were taken out of service when engine-generator operational/mechanical reliability and lower volume and quality landfill gas precluded the economic operation of the system. A stationary flare was then utilized to flare the landfill gas after the Landfill Gas (“LFG”) to energy system was shut down.

SWACO, assumed control of the Gas Collection and Control System (“GCCS”) in April 2012. Since that time, SWACO executed multiple construction projects with the intent of improving gas collection and controlling offsite migration issues. The latest project, performed in 2016, included the installation of collectors along the eastern and northern boundary of Model Landfill. However, ongoing maintenance and periodic upgrades are required to ensure that the GCCS is working efficiently.

### **III. Current Model Landfill Conditions**

- A. Landfill Closure – The Model Landfill site is an approximate one hundred eighty (180)-acre site with roughly twelve (12) acres of non-landfill area at the southern extent of the site. As previously noted, Model Landfill was operated as a municipal solid waste landfill from 1967 to 1985. It was subsequently closed with a three (3) foot soil cover system in accordance with OEPA approved closure plan issued in March of 1985. Model Landfill was then developed and operated as a golf course from 1999 to 2015, at which time the golf course operations were terminated. From 2015 to present, the site has been maintained as a closed landfill facility.
- B. Active Gas Collection System – As part of the modified closure plan and to support the golf course development, the GCCS was installed to control landfill gas emissions. The GCCS consists of vertical landfill gas wells, wellheads and conveyance piping that are primarily buried below grade to avoid interference with the golf course systems. These collection headers were interconnected and piped to the LFG station located toward the southern end of the site and along Jackson Pike. A blower system was utilized to create a vacuum on the collection system to convey the LFG to the engine generators and flare stations. Leachate and condensate are collected and conveyed to the local POTW via a series of pump stations with discharge to the sanitary sewer.

## *Request for Proposals to Develop a Solar Panel Array Project*

A stationary flare is utilized to flare the landfill gas given that the LFG to energy system was shut down. Current GCCS operations are directed at creating a negative vacuum on the gas system collection field to maximize the influence of the collection wells and minimize the potential for LFG migration. Since the LFG is flared off, there no current need to maintain a gas quality necessary for end use such as LFG to energy generation.

C. Other Existing Facilities – As previously noted, the southeast corner of the site contained the support facilities for the former golf course operations. These facilities include:

1. A one (1) story former clubhouse building that is approximately seven thousand (7,000) square feet and is planned to be utilized by SWACO as the education center.
2. A one (1) story former maintenance building that is approximately nine thousand five hundred (9,500) square feet and could be utilized as a revenue stream to SWACO with the lease or rent of this building.
3. An approximate two- (2)-acre paved parking area that serves both the former clubhouse and the maintenance building.

*Request for Proposals  
to Develop a Solar Panel Array Project*



**Exhibit C**

**Required Documents<sup>1</sup>**

1. Non-Discrimination Affidavit
2. Non-Collusion Affidavit
3. Affidavit of Authority
4. Delinquent Tax Affidavit
5. W-9 Form (*Rev. October 2018 by the IRS*)
6. Representative Document
7. Addendum Acknowledgement
8. Value Added Attributes (*Documentation must be attached to affidavit*)
  - Local Vendor Affidavit
  - Equal Opportunity Affidavit
  - Green Business Certified Affidavit

<sup>1</sup>The awarded contract will incorporate the above-completed documents into and made a part of the contract.

## NON-DISCRIMINATION AFFIDAVIT

STATE OF \_\_\_\_\_ )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, being duly sworn, deposes and states that Proposer understands and is in compliance with the requirements contained in Section II.B. of the RFP. Proposer further attests that any subcontractor of Proposer is in compliance with Section II.B.

\_\_\_\_\_  
Affiant's Signature

\_\_\_\_\_  
Affiant's Printed Name

Sworn to before me and subscribed in my presence this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_  
Date

\_\_\_\_\_  
County

\_\_\_\_\_  
State

## NON-COLLUSION AFFIDAVIT

(This affidavit must be executed for the Proposal to be considered)

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, being duly sworn, deposes and says that he/she is  
(Name)

\_\_\_\_\_ of \_\_\_\_\_  
(Title) (Company Name)

the party making the foregoing Proposal; that such Proposal is genuine and not collusive or sham; that said Proposer is not financially interested in, or otherwise affiliated in a business way with any other Proposer on the same contract; that said Proposer has not colluded, conspired, connived, or agreed, directly or indirectly with any Proposer or person, to put in a sham Proposal, or that such other person shall refrain from submitting a Proposal, and has not in any manner, directly or indirectly sought by agreement or collusion, or communication or conference, with any person to fix the Proposal price of Affiant or any other Proposer, or to fix any overhead profit of cost element of said Proposal price, or of that of any other Proposer, or to secure any advantage against Solid Waste Authority of Central Ohio, State of Ohio, or any person or persons interested in the proposed contract; and that all statements contained in this Proposal are true; and further, that such Proposer has not, directly or indirectly, submitted this Proposal or the contents thereof; or divulged information or data relative to any association or to any member or agent thereof.

\_\_\_\_\_  
Affiant

Sworn to before me and subscribed in my presence this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:  
\_\_\_\_\_

# AFFIDAVIT OF AUTHORITY

Check one of the following:

☐ SOLE PROPRIETOR\*

☐ CORPORATION

☐ Single shareholder

☐ PARTNERSHIP

☐ LIMITED LIABILITY

☐ Company

☐ Partnership

☐ Single member \*

\* Fill in name of company only, no need to complete the Affidavit

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } SS

\_\_\_\_\_, being duly sworn, deposes and says that he/she is the

**Affiant**

The **Affiant SIGNS THIS AFFIDAVIT** and should be an officer if a corporation OR authorized managing member if a partnership, LLP or LLC.

\_\_\_\_\_ of \_\_\_\_\_, organized  
(Title of Affiant) (Business Name)

and existing under and by virtue of the laws of the State of \_\_\_\_\_, and having

its principal office at \_\_\_\_\_,  
(Street) (City)

\_\_\_\_\_. Affiant further says that he/she is familiar with the  
(State) (Zip) (County)

records, minute books and/or by-laws of the corporation, partnership agreement or operating

agreement of the LLP or LLC named \_\_\_\_\_. Affiant  
(Business Name)

further says that \_\_\_\_\_, as \_\_\_\_\_  
PRINTED name of person who signed the contract (NOT THE AFFIANT) (Title)

of the corporation, partnership, LLP, or LLC is duly authorized to sign the contract for \_\_\_\_\_

\_\_\_\_\_ for said corporation, partnership, LLP, or LLC by  
(Description of services continued)

virtue of \_\_\_\_\_

**If CORPORATION:** State whether by virtue of a provision of the By-Laws or by virtue of Board Resolution (give date of adoption).

**If LLP:** State whether by virtue of Resolution (give date of adoption) or by virtue of the Partnership Agreement.

**If LLC:** State whether by virtue of Resolution (give date of adoption) or by virtue of the Operating Agreement.

Sworn to before me and subscribed in my presence this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public  
My Commission Expires

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

\_\_\_\_\_  
County State

\_\_\_\_\_  
(Affiant's Signature)

\_\_\_\_\_  
(Affiant's Printed Name)

DELINQUENT TAX AFFIDAVIT

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, being duly sworn, deposes and says that he/she is \_\_\_\_\_  
(Name) (Title)  
of \_\_\_\_\_ with offices located at \_\_\_\_\_  
(Company Name) (Company Address)

and as its duly authorized representative states that effective this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
\_\_\_\_\_  
(Company Name)

- ( ) Is not charged with delinquent taxes of the State or a county in which the Solid Waste Authority of Central Ohio has territory.
- ( ) Is charged with delinquent taxes of the State or a county in which the Solid Waste Authority of Central Ohio has territory, and that the amount of such due and unpaid delinquent taxes, penalties and interest thereon is as follows:

<u>Taxes</u>	<u>Penalties &amp; Interest</u>	<u>County</u>
\$ _____	\$ _____	_____
\$ _____	\$ _____	_____
\$ _____	\$ _____	_____

\_\_\_\_\_  
Affiant

Sworn to before me and subscribed in my presence this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public  
My Commission Expires:  
\_\_\_\_\_  
Date  
\_\_\_\_\_  
\_\_\_\_\_  
County State



# Request for Taxpayer Identification Number and Certification

Give Form to the  
requester. Do not  
send to the IRS.

► Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Print or type. See Specific Instructions on page 3.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only <b>one</b> of the following seven boxes.  <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► _____ <b>Note:</b> Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is <b>not</b> disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) ► _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):  Exempt payee code (if any) _____  Exemption from FATCA reporting code (if any) _____  <i>(Applies to accounts maintained outside the U.S.)</i>
	5 Address (number, street, and apt. or suite no.) See instructions.	Requester's name and address (optional)
	6 City, state, and ZIP code	
	7 List account number(s) here (optional)	

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number									
				-				-	
or									
Employer identification number									
				-					

## Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ►	Date ►
-----------	----------------------------	--------

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

## Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.*

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting*, later, for further information.

**Note:** If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States.

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

**Foreign person.** If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515, *Withholding of Tax on Nonresident Aliens and Foreign Entities*).

**Nonresident alien who becomes a resident alien.** Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items.

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

**Example.** Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

## Backup Withholding

**What is backup withholding?** Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

**Payments you receive will be subject to backup withholding if:**

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the instructions for Part II for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code*, later, and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships*, earlier.

## What is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code*, later, and the Instructions for the Requester of Form W-9 for more information.

## Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

## Penalties

**Failure to furnish TIN.** If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

**Civil penalty for false information with respect to withholding.** If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

**Criminal penalty for falsifying information.** Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

**Misuse of TINs.** If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

## Specific Instructions

### Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

**Note: ITIN applicant:** Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C corporation, or S corporation.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

### Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

### Line 3

Check the appropriate box on line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3.

IF the entity/person on line 1 is a(n) . . .	THEN check the box for . . .
• Corporation	Corporation
• Individual • Sole proprietorship, or • Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.	Individual/sole proprietor or single-member LLC
• LLC treated as a partnership for U.S. federal tax purposes, • LLC that has filed Form 8832 or 2553 to be taxed as a corporation, or • LLC that is disregarded as an entity separate from its owner but the owner is another LLC that is not disregarded for U.S. federal tax purposes.	Limited liability company and enter the appropriate tax classification. (P= Partnership; C= C corporation; or S= S corporation)
• Partnership	Partnership
• Trust/estate	Trust/estate

### Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

#### Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

- 1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)
- 2—The United States or any of its agencies or instrumentalities
- 3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5—A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8—A real estate investment trust
- 9—An entity registered at all times during the tax year under the Investment Company Act of 1940
- 10—A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 <sup>1</sup>	Generally, exempt payees 1 through 5 <sup>2</sup>
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

<sup>1</sup> See Form 1099-MISC, Miscellaneous Income, and its instructions.

<sup>2</sup> However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

**Exemption from FATCA reporting code.** The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)

B—The United States or any of its agencies or instrumentalities

C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

G—A real estate investment trust

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940

I—A common trust fund as defined in section 584(a)

J—A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

**Note:** You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

## Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, write NEW at the top. If a new address is provided, there is still a chance the old address will be used until the payor changes your address in their records.

## Line 6

Enter your city, state, and ZIP code.

## Part I. Taxpayer Identification Number (TIN)

**Enter your TIN in the appropriate box.** If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN.

If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

**Note:** See *What Name and Number To Give the Requester*, later, for further clarification of name and TIN combinations.

**How to get a TIN.** If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at [www.SSA.gov](http://www.SSA.gov). You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at [www.irs.gov/Businesses](http://www.irs.gov/Businesses) and clicking on Employer Identification Number (EIN) under Starting a Business. Go to [www.irs.gov/Forms](http://www.irs.gov/Forms) to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to [www.irs.gov/OrderForms](http://www.irs.gov/OrderForms) to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

**Note:** Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

**Caution:** A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

## Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code*, earlier.

**Signature requirements.** Complete the certification as indicated in items 1 through 5 below.

**1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983.**

You must give your correct TIN, but you do not have to sign the certification.

**2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983.** You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

**3. Real estate transactions.** You must sign the certification. You may cross out item 2 of the certification.

**4. Other payments.** You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

**5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABLE accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions.** You must give your correct TIN, but you do not have to sign the certification.

**What Name and Number To Give the Requester**

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account <sup>1</sup>
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor <sup>2</sup>
5. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee <sup>1</sup>
b. So-called trust account that is not a legal or valid trust under state law	The actual owner <sup>1</sup>
6. Sole proprietorship or disregarded entity owned by an individual	The owner <sup>3</sup>
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor*
For this type of account:	Give name and EIN of:
8. Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity <sup>4</sup>
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
11. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee

For this type of account:	Give name and EIN of:
14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
15. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

<sup>1</sup> List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

<sup>2</sup> Circle the minor's name and furnish the minor's SSN.

<sup>3</sup> You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

<sup>4</sup> List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships*, earlier.

**\*Note:** The grantor also must provide a Form W-9 to trustee of trust.

**Note:** If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

**Secure Your Tax Records From Identity Theft**

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

**Protect yourself from suspicious emails or phishing schemes.**

Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to [phishing@irs.gov](mailto:phishing@irs.gov). You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at [spam@uce.gov](mailto:spam@uce.gov) or report them at [www.ftc.gov/complaint](http://www.ftc.gov/complaint). You can contact the FTC at [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft) or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see [www.IdentityTheft.gov](http://www.IdentityTheft.gov) and Pub. 5027.

Visit [www.irs.gov/IdentityTheft](http://www.irs.gov/IdentityTheft) to learn more about identity theft and how to reduce your risk.

## Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.

## Representative Sheet

Contact Person For This RFP \_\_\_\_\_

Title \_\_\_\_\_

Company Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Phone Number \_\_\_\_\_

Fax Number \_\_\_\_\_

Mobile Number \_\_\_\_\_

E-mail Address \_\_\_\_\_

## **ADDENDA ACKNOWLEDGEMENT**

FEDERAL I.D. NO. \_\_\_\_\_

The undersigned hereby acknowledges receipt and acceptance of the following Addenda and further acknowledges that the provisions of each addendum have been included in the preparation of this Proposal.

ADDENDA RECEIVED

DATE RECEIVED

SIGNATURE

Addendum # \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Addendum # \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Addendum # \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Respectfully submitted:

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Printed title

\_\_\_\_\_  
Company

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip

Date acknowledgement submitted to SWACO \_\_\_\_\_

SEAL (if BID is by a Corporation)



## LOCAL VENDOR AFFIDAVIT

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, being duly sworn, deposes and says that he/she is  
(Name)  
\_\_\_\_\_ of \_\_\_\_\_ (hereinafter,  
(Title) (Company)  
“Proposer”) which is submitting a proposal on a contract with the Solid Waste Authority of Central Ohio  
and that one or more of the following “checked off” assertions apply to the Proposer:

\_\_\_\_\_ That Proposer is a domestic corporation, sole proprietorship, partnership, or joint venture that has its principal place of business located within Franklin County, Ohio or a county contiguous to Franklin County, Ohio (“Contiguous County”) as registered in official documents filed with the Secretary of State, State of Ohio or the Franklin County Ohio recorder's office or a Contiguous County's recorder's office, and that there is documentation supporting such assertions attached to this Affidavit.

\_\_\_\_\_ That Proposer is a domestic corporation, sole proprietorship, partnership, or joint venture that has its principal place of business located within Franklin County, Ohio or a county contiguous to Franklin County, Ohio (“Contiguous County”) and that Bidder holds a valid vendor's license which indicates its principal place of business is located within Franklin County or Contiguous County and that a copy of such vendor's license is attached to this Affidavit.

\_\_\_\_\_ That Proposer is a domestic corporation, sole proprietorship, partnership, or joint venture that employs more than one hundred (100) employees in Franklin County, Ohio and/or a county contiguous to Franklin County, Ohio and that documentation supporting such assertion is attached to this Affidavit.

\_\_\_\_\_ That Proposer is a domestic corporation, sole proprietorship, partnership, or joint venture that has more than fifty percent (50%) of its total employment located within Franklin County, Ohio and/or a county contiguous to Franklin County, Ohio and that documentation supporting such assertion is attached to this Affidavit.

\_\_\_\_\_ That none of the four assertions set forth above applies to the Proposer.

\_\_\_\_\_  
Affiant's Signature

\_\_\_\_\_  
Affiant's Printed Name

Sworn to before me and subscribed in my presence this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_  
(Date)

\_\_\_\_\_  
(County)

\_\_\_\_\_  
(State)

## MINORITY AFFIDAVIT

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, being duly sworn, deposes and says that he/she is  
*Name of Affiant*  
\_\_\_\_\_ of \_\_\_\_\_ (hereinafter  
*Affiant's Title* *Company Name*  
"Proposer"), which is submitting a proposal on a contract with the Solid Waste Authority of Central Ohio, is certified through the State of Ohio's Minority Business Enterprise (MBE) or the Encouraging Diversity Growth and Equity (EDGE) program, or the Federal Disadvantaged Business Enterprise (DBE) program and that a copy of the supporting documentation is attached to this Affidavit as it applies to said business.

Any person who intentionally misrepresents himself as owning, controlling, operating, or participating in a minority business enterprise for the purpose of obtaining contracts, subcontracts, or any other benefits under sections 123.151 and 125.081 of the Ohio Revised Code shall be guilty of theft by deception as provided in section 2913.02 of the Revised Code and such other provisions as may apply.

Under the penalty of perjury, I certify, to the best of my knowledge, that the above statements are true and accurate.

\_\_\_\_\_  
*Affiant's Signature*

\_\_\_\_\_  
*Affiant's Printed Name*

Sworn to before me and subscribed in my presence this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_  
(Date)

\_\_\_\_\_  
(County)

\_\_\_\_\_  
(State)

## ENVIRONMENTAL AFFIDAVIT

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, being duly sworn, deposes and says that he/she is  
*Name of Affiant*  
\_\_\_\_\_ of \_\_\_\_\_ (hereinafter  
*Affiant's Title* *Company Name*  
“Proposer”), which is submitting a Proposal on a contract with the Solid Waste Authority of Central Ohio, is certified through a third-party verified Green Business program and that a copy of the supporting documentation is attached to this Affidavit as it applies to said business.

Under the penalty of perjury, I certify, to the best of my knowledge, that the above statements are true and accurate.

\_\_\_\_\_  
*Affiant's Signature*

\_\_\_\_\_  
*Affiant's Printed Name*

Sworn to before me and subscribed in my presence this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_  
(Date)

\_\_\_\_\_  
(County)

\_\_\_\_\_  
(State)

# Addendum No. 1



## Request for Proposal to Develop a Solar Panel Array Project

Posted: May 6, 2019

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This Addendum No. 1 shall be considered part of the Proposal package for the Request for Proposal to develop a Solar Panel Array Project and is intended to correct, change, and/or add to the documents as described below. Please make sure to complete the Addenda Acknowledgement form included in the RFP.

The following questions were received with answers from SWACO:

Question #1: *Would there be any room to push that back the proposal due date?*

**Answer:** Yes. Pursuant to the RFP, the new proposal due date will be extended thirty (30) days to **1:30 p.m., Friday, June 21, 2019**. Therefore, the deadline for questions or clarification of the RFP will be extended to **4:00 p.m., Friday, June 7, 2019**.

Question #2: *Will the RFP need to be advertised again to reflect the new proposal due date?*

**Answer:** The new Proposal due date is changed pursuant to this addendum and will be announced in *The Columbus Dispatch*. SWACO's website will also reflect the new Proposal due date.

Question #3: *Page 4 identifies Proposer must submit One (1) original and One (1) electronic copy. However, Page 9 indicates Proposals submitted by Facsimile transmission, email, or in any other form shall not be accepted. Can you clarify if we are to submit our electronic copy via email, or USB memory stick? If email is acceptable by the due date, can the hard copy come by overnight mail to arrive on 5/11/19 if it is post marked on 5/10?*

**Answer:** Pursuant to Section VI, Proposals are to be submitted in a sealed envelope that is properly labeled. We requested the original hard copy of the Proposal and its electronic copy to be submitted in the sealed envelope.

Question #4: *Can the designated address receive overnight deliveries by registered mail? (4239 London Groveport Road)?*

**Answer:** Yes, the address provided in the RFP can receive overnight or registered mail during the hours specified in Section VI, Paragraph B.

Question #5: *How far down are the gas lines?*

**Answer:** On average, four (4) to six (6) feet from the existing grade.

Question #6: *How often have you had to make repairs to the gas system in the past several years?*

**Answer:** There have been some minor repairs made to the lateral gas lines and leachate system in the past several years. SWACO is performing a gas collection and control system assessment on the entire wellfield this year. If there are any updates needed for the system, SWACO will coordinate with the Successful Proposer before making any updates.

Question #7: *Does the solar array need to be designed to get access for repairs?*

**Answer:** SWACO will work collaboratively to be able to access the wells and could do work to accommodate it.

Question #8: *Are the lateral gas lines located throughout the property?*

**Answer:** Yes, reference to the map is in the presentation included with this addendum.

Question #9: *Are there plans to drill any new wells?*

**Answer:** Currently, no. Depending on the results of the assessment, additional wells may be needed.

Question #10: *Would access be needed to the well heads?*

**Answer:** Yes, SWACO would need access to all wellheads. Coordination is needed to be able to run laterals to the wellheads when the solar array is in place.

Question #11: *The RFP states questions are due Wednesday, April 30, but April 30 is Tuesday. Please clarify.*

**Answer:** The deadline for questions in this RFP has been extended (please see question number 1). The new deadline for questions is 4:00 p.m., Friday, June 7, 2019.

Question #12: *Can we put in our proposal to use more than 50 acres?*

**Answer:** Yes.

Question #13: *Will Ohio EPA need to be involved in this project?*

**Answer:** Yes, any disturbance of the cap must be done in accordance with OAC 3745-27-13.

Question #14: *Any limitations who we sell power to or is it open book?*

**Answer:** SWACO would prefer the power be sold in Franklin County, Ohio.

Question #15: *Can you draw a picture of what you feel is a perfect partner to this project?*

**Answer:** Good communication and trust between partners. A successful partnership would be open and transparent, creating the ability to maximize production together.

Question #16: *Please confirm there is no rubber geo-membrane in the cap layer.*

**Answer:** There is no HDPE geo-membrane used for the cap of the landfill.

Question #17: *Average depth from bottom of cap to bottom of cell of landfill?*

**Answer:** It was stated in the meeting that the average depth of waste is 30 feet; however, the average depth of waste is fifty (50) feet.

Question #18: *Are there as-built records showing the 500,000 CY of imported fill material stated in the RFP?*

**Answer:** SWACO has included three (3) DWG files showing: 1) topo of the site prior to the import of the 500,000 CY of material, 2) topo of the site after the 500,000 CY of material, and 3) the most current topo map from December 2016.

Question #19: *Is the perimeter of the site already fenced?*

**Answer:** There is a perimeter fence along I-270 and I-71, but nothing along SR 104. Installation of perimeter fence will need to be included.

Question #20: *If we use ballasted system if we have a 180 delay can be avoided, is that correct?*

**Answer:** Correct.

Question #21: *Gen set tied into the substation or to the lines down 104?*

**Answer:** It is not tied into the substation.

Question #22: *Regardless of the system installed, whose responsibility is it to maintain the remaining site not included in the solar array project?*

**Answer:** SWACO will maintain the site that is not included in the solar array.

Question #23: *Could you put some clarity to page 6 and 7 to fee components and total cost of ownership?*

**Answer:** SWACO seeks a clear description of products and services recommended to complete the Project proposed. The cost should be broken down by a line item level so that we can make fair comparisons of the products and services proposed. In addition, it is imperative what considerations SWACO should take into account for the proposed “lifetime” ownership cost considerations for any costs that have recurring elements on a monthly or annual basis, or that would require repair or replacement in the proposed lifetime value described for the proposed Project.

Question #24: *Is there any guarantee of any other customer – how deep a scope?*

**Answer:** SWACO would like to have a clear understanding of any discounts, rebates, or other cost considerations that have been provided for products or services offered for the proposed Project.

Question #25: *Can we get a copy of the presentation?*

**Answer:** Yes, a copy of the presentation is included in this addendum.

Question #26: *What is the size of the generators onsite?*

**Answer:** This information will be included in Addendum No. 2.

Question #27: *Can we schedule a site visit?*

**Answer:** Yes, please coordinate any future site visits with Scott Perry.

Question #28: *When will the attendees list be sent out?*

**Answer:** The attendee list is attached to this addendum.

Question #29: *Can a fence be installed anywhere on the landfill itself or just off the perimeter?*

**Answer:** Fencing can be installed in the berm of the landfill and in the landfill as long as it does not penetrate the cap.

Question #30: *Once the panels are installed, who will be responsible for maintaining the grounds, cutting grass, repairing roadways, providing access ways to the panels and surface water controls?*

**Answer:** The Successful Proposer will be responsible for maintaining the grounds, cutting the grass, repairing roadways, providing access way to the panels and surface water controls inside the solar array fencing. SWACO will take care of all other areas.

Question #31: *If an alteration to the final cover is required or if an Authorization 13 is required due to the location of panel supports, buried utilities or control lines, who will be submitting the requests to the Ohio EPA, SWACO or the Developer?*

**Answer:** SWACO and the developer will work together for the submittal.

Question #32: *Was additional top soil placed on the 24" of clay as part of the final cover or was there a layer of soil added between the top of existing waste and the clay layer?*

**Answer:** Soil was added to the top of the clay liner; 500,000 cubic yards of dirt.

The following pages include the sign-in sheets from the pre-proposal meeting and the presentation. Drawings mentioned in Question No. 18 are included as separate attachments.

Pre-Bid Meeting Sign In Sheet  
Solar Panel Array Project  
Model Landfill  
April 24, 2019

Name	Company	Cell Phone Number	Email
Chris McIntyre	RB Jorgens (Contractors) Inc	513 907 1263	chris.mcintyre@rbjorgens.com
Wes Rhiel	T&M Assoc.	614 802-9200	WRHIEL@TANDM ASSOCIATES.COM
DON PINTO	T&M Assoc.	614.314.0105	dpinto@tandmassociates.com
Todd Minenhardt	Arcadis	518-744-8687	Todd.Minenhardt@Arcadis.com
Michelle Jorgensen	AMERESCO	614-561-5700	MJorgenson@ameresco.com
Curt Gray	BURGESS & NIPLE	614-459-2050	curt.gray@burgessniple.com
Zac Sambofsky	MESN Associates INC.	614-288-7698	Zsambofsky@mesninc.com
Kellie Pike	Arcadis	614-885-9185	kellie.pike@arcadis.com
GREG AKERS	Solar Power & Light	513-260-9472	GREG.AKERS@SPLSOLAR.COM
David Cohen	Solar Planet	614 937 4486	DCohen@SolarPlanetPower.com
Bruce Bruden	Telamon Energy	317 418 3545	Bruce.Bruden@Telamon.com
Michael McNulty	BQ Energy	845-702-9280	michael.mcnullty@BQEnergy.com

Name	Company	Cell Phone Number	Email
Don Gaithen	Terracon	614 329 2965	Don.Gaithen@Terracon.Com
PATRICK SMITH	IGS	614 448 7655	PATRICK.SMITH@IGS.COM
RYAN FROMAN	IGS		RYAN.FROMAN@IGS.COM
Rob Pfendler	T&M Associates	614-332-8411	rpfendler@tandmassociates.com
BABA YAHAYA	Terracon	614 577 7864	Baba.Yahaya@terracon.com






## Model Landfill Site




- Located in Grove City, Ohio
- Five miles South of Columbus
- 174 Acres
- 13.9 Million CY of Waste

## **Pre-SWACO History of Model Landfill**

- Operated from 1967 – 1985
  - 1986 - Capped with 2-ft. thick low permeable soil
  - 1989 - 47 gas extraction wells installed for methane recovery project
  - 1992 - First 13 permanent gas monitoring probes installed
  - 1993 - Ownership transferred to SWACO
- 

## **Model Landfill History 1999 - Present**

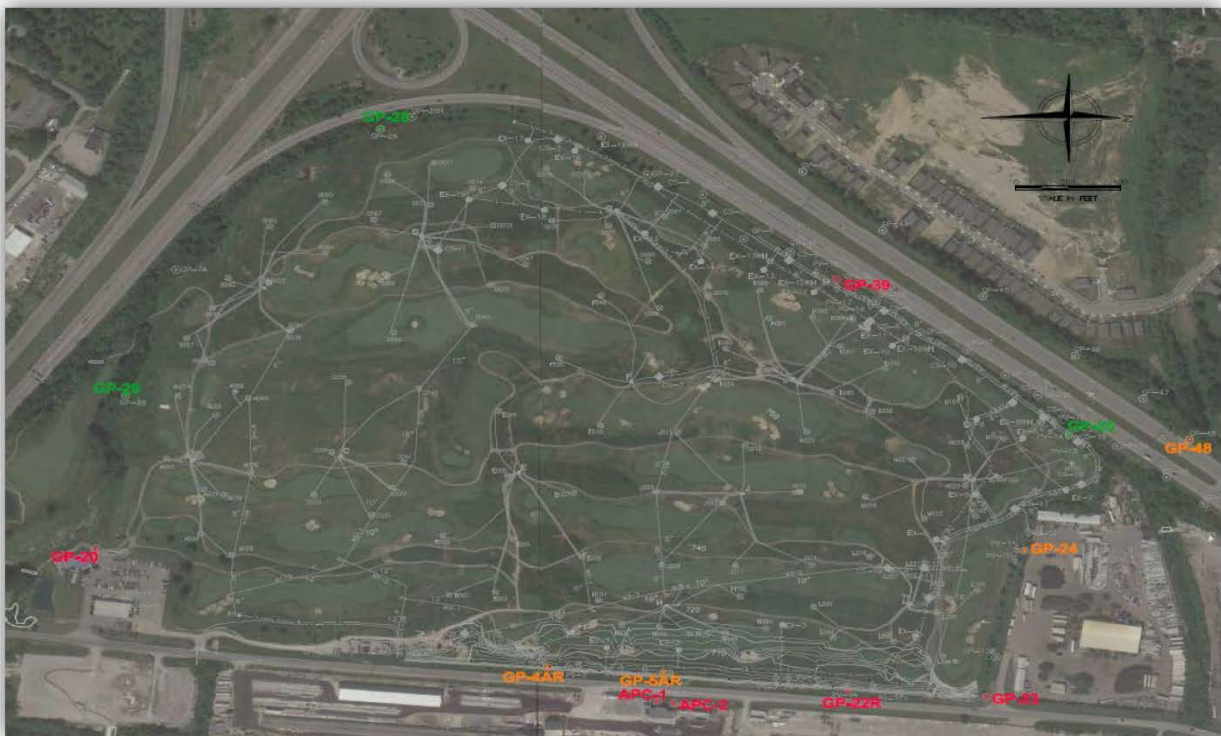
- 1999 - GCCS expanded, 55 additional wells
  - 1999 - Golf course developed
  - 1999 - Third party began operation of the GCCS
  - 2001 - 34 gas monitoring probes added by SWACO
  - 2002 - Gas migration observed; added 7 gas monitoring probes
  - 2014 – Golf course closed and SWACO began operation of the GCCS
  - Currently have 138 GCCS wells in operation
- 



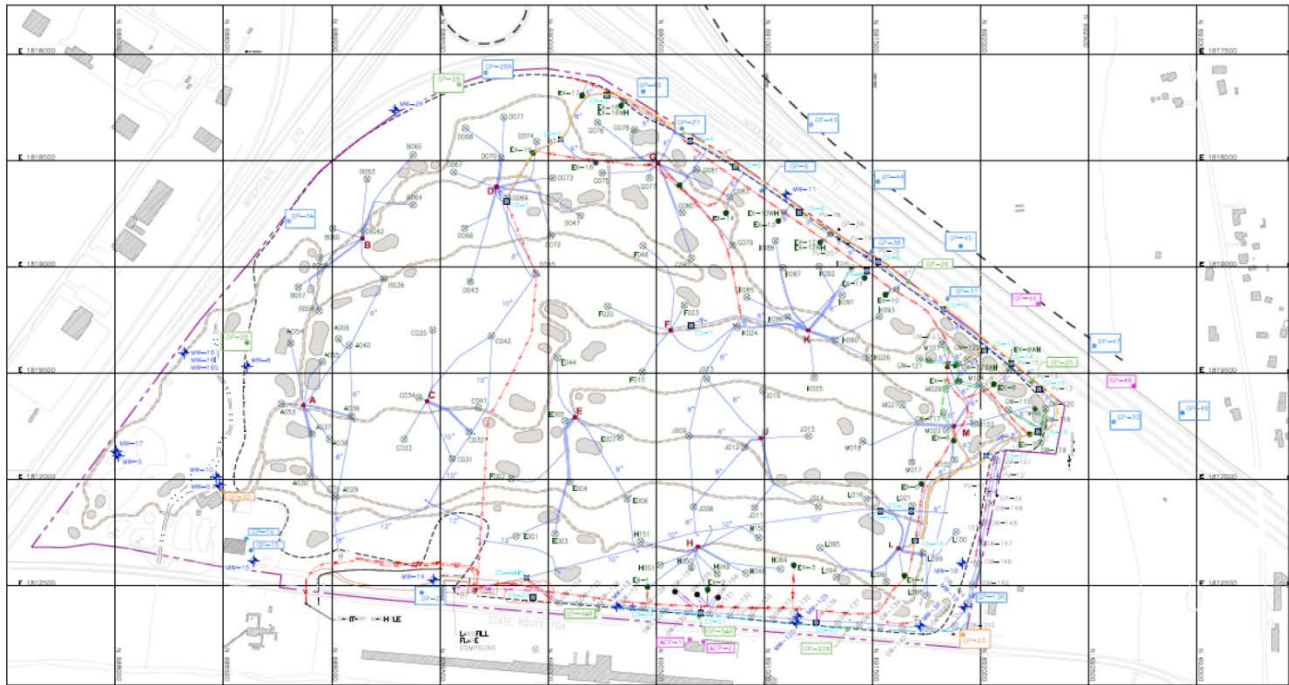
## Model Landfill Aerial



## Model Landfill Gas System



## Model Landfill Gas System



Questions?

 @SWACOGreen

 /SWACO.org



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**Please note the NEW deadline to submit questions relating to this RFP is  
4:00 p.m., Friday, June 7, 2019.**

**Proposals are now due no later than 1:30 p.m., Friday, June 21, 2019.**

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++ This completes Addendum No. 1 ++

## Addendum No. 2



### Request for Proposal to Develop a Solar Panel Array Project

Posted: May 7, 2019

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This Addendum No. 2 shall be considered part of the Proposal package for the Request for Proposal to develop a Solar Panel Array Project and is intended to correct, change, and/or add to the documents as described below. Please make sure to complete the Addenda Acknowledgement form included in the RFP.

Question #20 from Addendum No. 1 should be deleted:

~~Question #20: If we use ballasted system if we have a 180 delay can be avoided, is that correct?~~

~~Answer: Correct.~~

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**Please note the deadline to submit questions relating to this RFP is 4:00 p.m., Friday, June 7, 2019. No questions submitted after June 7<sup>th</sup> will be answered.**

**Proposals are due no later than 1:30 p.m., Friday, June 21, 2019.**

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++ This completes Addendum No. 2 ++

## Addendum No. 3



### Request for Proposal to Develop a Solar Panel Array Project

Posted: June 18, 2019

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This Addendum No. 3 shall be considered part of the Proposal package for the Request for Proposal to develop a Solar Panel Array Project and is intended to correct, change, and/or add to the documents as described below. Please make sure to complete the Addenda Acknowledgement form included in the RFP.

Question #21: ***Proposed Solution Recommendation and Project Implementation*** – *Provide a brief overview of Proposer's professional and integration services organization(s).*  
Can you describe what you are looking for here?

**Answer:** This section is for the Proposer to provide information on projects they have already constructed. What products did they use? How many sites has the proposer used this same technology at. Tell us about the professional and integration services you provide during your last solar project.

Question #22: For the landfill do you have a Letter of Map Revision (LOMR)? Did you start the process? How far did you get in the process?

**Answer:** SWACO does not have a Letter of Map Revision.

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**Please note the deadline to submit questions relating to this RFP is now CLOSED.**

**Proposals are due no later than 1:30 p.m., Friday, June 21, 2019.**

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++ This completes Addendum No. 3 ++