

**Texas Emissions Reduction Plan (TERP)
TEXAS NATURAL GAS VEHICLE GRANT PROGRAM (TNGVGP)**

Texas Commission on Environmental Quality (TCEQ)

Request for Proposals (RFP) for Participating Dealers

Solicitation No. 582-12-20714

Fiscal Biennium 2012 / 2013

Return Proposals to:

Texas Commission on Environmental Quality (TCEQ)

Air Quality Division

Texas Natural Gas Vehicle Grant Program, MC-204

P.O. Box 13087

Austin, Texas 78711-3087

512-239-4950

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Texas Commission on Environmental Quality (TCEQ)

Texas Natural Gas Vehicle Grant Program (TNGVGP)

Request for Proposals (RFP) for Participating Dealers

Fiscal Biennium 2012/2013

1.0 INVITATION

The Texas Commission on Environmental Quality (TCEQ) invites proposals from entities interested in entering into an Agreement with TCEQ as a Participating Dealer for the Texas Natural Gas Vehicle Grant Program (TNGVGP). A Participating Dealer is an entity that sells, leases, or otherwise commercially finances the sale or lease of on-road heavy-duty or medium-duty natural gas vehicles or heavy-duty or medium-duty natural gas engines. A Participating Dealer may also be an entity that repowers original vehicles with natural gas engines or conversion systems. All entities must demonstrate, at a minimum, the capability to submit grant applications for replacement and/or repower projects that result in a reduction in emissions of nitrogen oxides (NO_x) of at least 25% as compared to the original vehicle or engine. The TCEQ will make the final determination of eligibility under the TNGVGP.

1.1 PURPOSE

This RFP is to implement a portion of the TNGVGP as authorized under Texas Health and Safety Code (THSC), Chapter 394, to encourage an entity that owns and operates a heavy-duty or medium-duty motor vehicle to repower the vehicle with a natural gas engine or replace the vehicle with a natural gas vehicle. Only entities that are selected as Participating Dealers have an opportunity to submit TNGVGP grant applications, on behalf of Grant Applicants, for all TNGVGP grant solicitations occurring in the 2012/2013 fiscal biennium.

1.2 DEFINITIONS

Terms as they are defined in THSC, Chapter 394, apply to this RFP, as well as terms further defined below.

Agreement -- The Participating Dealer Terms and Conditions.

Agreement Life -- The period of time from the Effective Date of the Agreement through August 31, 2013, unless the Agreement is otherwise terminated in accordance with its terms.

Baseline vehicle or engine -- A new diesel or gasoline vehicle or engine that is equivalent to the new natural gas vehicle or engine to be purchased, leased, commercially financed, or repowered with TNGVGP funding. The cost of the baseline vehicle or engine is used to calculate the incremental cost of the natural gas vehicle or engine.

Conversion system -- Aftermarket systems that convert existing diesel or gasoline vehicle models to natural gas operation.

Dealer -- The entity that is submitting a proposal for eligibility as a Participating Dealer under this RFP.

EPA -- The U.S. Environmental Protection Agency.

Grant Applicant -- The entity that is applying through Participating Dealer for a TNGVGP grant.

Grant application -- An application submitted on behalf of a Grant Applicant by a Participating Dealer.

Grant solicitation -- A request for grant applications for funding under the TNGVGP.

Grantee -- A Grant Applicant that has received an award of a TNGVGP grant from TCEQ based upon a grant application submitted through Participating Dealer.

Heavy-duty motor vehicle -- A motor vehicle with a gross vehicle weight rating of more than 8,500 pounds and an engine certified to the EPA standards for heavy-duty engines.

Incremental cost -- The difference between the manufacturer's suggested retail price of a baseline vehicle, the documented dealer price of a baseline vehicle, cost to lease or otherwise commercially finance a baseline vehicle, cost to repower with a baseline engine, or other appropriate baseline cost established by the commission, and the actual cost of the natural gas vehicle purchase, lease, or other commercial financing, or repower.

Medium-duty motor vehicle -- A motor vehicle with a gross vehicle weight rating of more than 8,500 pounds that is certified to the EPA light-duty emissions standard, or has an engine certified to the EPA light-duty emissions standard.

Natural gas engine -- An engine that receives not less than 75% of its power from compressed or liquefied natural gas.

Natural gas vehicle -- An on-road, heavy-duty or medium-duty motor vehicle with a gross vehicle weight rating of more than 8,500 pounds powered by a natural gas engine.

Natural Gas Vehicle List -- The listing of natural gas vehicles, engines, and conversion systems compiled and maintained by TCEQ that satisfies the requirements of THSC, § 394.008 (b)(1).

OEM -- Original Equipment Manufacturer or the entity named as the manufacturer on the EPA Certificate of Conformity for the vehicle, engine, or conversion system.

Original vehicle -- The on-road heavy-duty or medium-duty motor vehicle that is either being replaced with a natural gas vehicle or repowered with a natural gas engine.

Project Life -- The fourth anniversary of the date of reimbursement of the grant-funded expenses or until the date the vehicle has been in operation for 400,000 miles after the date of reimbursement of the grant-funded expenses of each Grantee contract for which Participating Dealer submitted the grant application to TCEQ.

Replacement -- The replacement of an original vehicle with a new, natural gas vehicle, which results in a reduction in emissions of nitrogen oxides of at least 25% as compared to the engine of the original vehicle.

Repower -- The replacement of an existing engine on an original vehicle with a new natural gas engine, or the installation of a conversion system, which results in a reduction in emissions of nitrogen oxides of at least 25% as compared to the engine of the original vehicle.

1.3 ELIGIBLE DEALERS

Entities that sell, lease, or otherwise commercially finance the sale or lease of on-road heavy-duty or medium-duty natural gas vehicles or heavy-duty or medium-duty natural gas engines, or repower original vehicles with qualifying natural gas engines may submit proposals for Participating Dealer eligibility under the TNGVGP. Eligibility as a Participating Dealer is not guaranteed and TCEQ will make the final determination.

1.3.1 Minimum Eligibility Requirements

1.3.1.1 The Participating Dealer must have the authority to conduct business in the State of Texas, maintain a physical presence within the State, and maintain all permits and licenses necessary for performance under the Agreement.

1.3.1.2 The Participating Dealer must have all legal authority from OEMs to offer the natural gas vehicles, engines, conversion systems, and fuel systems proposed for sale, lease, and/or the commercial financing of sales or leases.

1.3.1.3 The Participating Dealer must be the primary entity that will sell or lease the grant equipment, perform the repower activities, or provide the commercial financing for these activities.

1.3.1.4 The Participating Dealer must be the entity that will deliver the vehicle or service and provide the final, packaged invoice to the grantee.

1.3.1.5 The Participating Dealer must accept assignment of the payment of the grant reimbursement by the grantee, where assignment is approved by TCEQ.

1.3.2 Entity Type

The TNGVGP allows for standard vehicle dealerships as well as leasing, commercial finance, and repower entity types to submit proposals for Participating Dealer eligibility. Dealers must demonstrate in the proposal how they qualify as a Participating Dealer in the entity type category selected in Section 3 of the Participating Dealer Proposal Forms. The TCEQ assigns the same responsibilities and duties to all Participating Dealers. All dealers must describe how they successfully meet the requirements and how they plan to fulfill the required Agreement Activities. Dealers must also meet minimum expectations for the entity type for which they applied.

1.3.2.1 Sale, Leasing, and/or Commercial Finance Entities

Entities submitting proposals under this RFP to offer qualifying natural gas vehicles for sale, lease, or the commercial financing of sales or leases to potential Grant Applicants should establish in the proposal that they are qualified to successfully oversee the grant application process for those types of projects.

1.3.2.2 Repower Entities

Entities submitting proposals under this RFP to repower original vehicles with qualifying natural gas engines or conversion systems should establish in Section 3 of the Participating Dealer Proposal Forms that they are qualified to successfully oversee the grant application process for those types of projects. Entities submitting proposals for repower services should understand that a change in fuel alone, from diesel or gasoline to natural gas, may not be an eligible project and these entities may not qualify as Participating Dealers.

Participating Dealers providing repower services through conversion of an original engine to natural gas operation must be sure that the conversion systems are certified by the EPA through issuance of an EPA Certificate of Conformity. Entities that install conversion systems should include a copy of the EPA Certificate of Conformity for each model, as well as the EPA Certificate of Conformity for the original vehicle. The EPA Certificate of Conformity must show that the conversion system is certified to an emission standard that is at least 25% lower for NO_x emissions than the standard to which the engine of the original vehicle was certified.

Note that the certification test results, or other test results, are not the determining factor for meeting this requirement. The determining factor is the NO_x emissions standard to which the vehicle or conversion system is certified under the EPA Certificate of Conformity.

Many of the conversion systems for gasoline-powered engines may be certified to operate independently on either gasoline or natural gas. However, as explained earlier in the definition of a “natural gas engine”, vehicles and engines must be certified and configured to operate only on natural gas for at least 75% of its power.

1.4 ELIGIBLE GRANT PROJECTS

The TCEQ will review each proposal submitted under this RFP to determine whether the entity is able to offer eligible, natural gas vehicles and/or engines for sale, lease, or the commercial financing of a sale or lease, and/or able to offer repower services. A dealer should provide the necessary details in the Participating Dealer Proposal Forms that confirm its ability to submit eligible grant applications on behalf of Grant Applicants for replacement or repower projects. The TCEQ will only consider proposals from entities that meet the minimum conditions for general project eligibility.

General project eligibility requirements for the program are outlined below. This information is provided for instructional purposes only, and is not the full or final set of eligibility requirements.

1.4.1 Eligible Vehicles

In order to be eligible as a Participating Dealer who will submit grant applications for replacement projects, a dealer must demonstrate that it can offer eligible vehicles for sale, lease, and/or for the commercial financing of sales or leases to potential Grant Applicants. An eligible vehicle:

- is a newly manufactured, on-road vehicle between 8,501 pounds (lbs) and 14,000 lbs;
- is powered by a natural gas engine;
- is chassis-certified by the EPA to light-duty vehicle emission standards, Bin 5 or lower, or is alternatively chassis-certified by the EPA to heavy-duty vehicle emission standards; and
- results in a reduction in emissions of NO_x of at least 25% as compared to the engine of the original vehicle.

1.4.2 Eligible Engines

In order to be eligible as a Participating Dealer who will submit grant applications for repower projects or for replacement projects where the engine in the natural gas vehicle is certified by the EPA to heavy-duty engine standards, a dealer must demonstrate that it can offer eligible engines to potential Grant Applicants. An eligible engine:

- is a new natural gas engine;
- is certified to emit not more than 0.2 grams of NO_x per brake horsepower hour (bhp-hr); and
- results in a reduction in emissions of NO_x of at least 25% as compared to the engine of the original vehicle.

1.4.3 Eligible Conversion Systems

In order to be eligible as a Participating Dealer who will submit grant applications for repower projects involving conversion systems, a dealer must demonstrate that it can offer eligible conversion systems to potential Grant Applicants. An eligible conversion system:

- is certified by the EPA to be installed on an on-road, heavy duty or medium duty vehicle weighing at least 8,501 pounds (lbs);
- is powered by a natural gas engine;
- is installed on an on-road, heavy duty or medium duty vehicle that is chassis-certified by the EPA to light-duty vehicle emission standards, Bin 5 or lower, or is alternatively chassis-certified by the EPA to heavy-duty vehicle emission standards; and
- results in a reduction in emissions of NO_x of at least 25% as compared to the engine of the original vehicle.

1.4.4 Eligible Counties for Replacement and Repower Projects

As a condition of receiving a grant, a Grantee must continuously own, lease, or commercially finance a sale or lease and register and operate the grant-funded vehicle for the project Life. Not less than 75% of the annual use of the grant-funded vehicle, either mileage or fuel use as determined by TCEQ, must occur in one or more of the counties listed below.

- **Dallas-Fort Worth 8-Hour Ozone Nonattainment Area:** Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, and Tarrant Counties.
- **Houston-Galveston-Brazoria 8-Hour Ozone Nonattainment Area:** Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties.
- **El Paso PM10 Nonattainment Area:** El Paso County.
- **Additional counties along Interstate Highway (IH) 10:** Austin, Colorado, Fayette, Gonzales, and Guadalupe Counties.
- **Additional counties along IH 35:** Bell, Bexar, Caldwell, Comal, Falls, Hays, Hill, McLennan, Travis, and Williamson Counties.
- **Additional counties along IH 45:** Freestone, Leon, Madison, Navarro, and Walker Counties.

In Section 3 of the Participating Dealer Proposal Forms, a dealer must demonstrate the capability to submit grant applications for projects that meet each of the conditions for the project type for which it intends to submit grant applications. Dealers that thoroughly explain and support any claims made in their proposal will increase their chances of selection.

1.5 AGREEMENT ACTIVITIES

Responsibilities of a Participating Dealer are listed in the Participating Dealer Terms and Conditions, a copy of which is available along with the proposal documents, at www.terpgrants.org or by contacting TCEQ at (800) 919-TERP (8377).

The TCEQ will assess each dealer's eligibility based on the information provided in the Participating Dealer Proposal Forms, including the demonstrated capability to meet the requirements and Agreement Activities assigned to Participating Dealers through the Agreement. If selected as a Participating Dealer under the TNGVGP, Participating Dealer must continue to meet obligations for the time period specified in the Agreement. If selected, any breach or inability on the part of Participating Dealer to fulfill the Agreement Activities and all other duties agreed to in the Agreement, may result in termination of the Agreement, a low score on the contractor evaluation, which would affect a dealer's ability to qualify as a Participating Dealer in any future solicitations, and/or possible monetary damages for poor performance that results in improper grant awards.

1.6 ADDITIONAL REQUIREMENTS

Additional criteria that apply to activities under this program are discussed below.

- a. Dealers that maintain multiple dealerships or locations must submit separate proposals for each location or dealership that intends to participate in the TNGVGP.
- b. If submitting a proposal as an individual or sole proprietor, a photocopy of a state or federally issued photo identification card must be included in the proposal (i.e., driver's license).
- c. All proposals must be completed according to the proposal instructions and submitted within the required deadline. The complete requirements and instructions are included in this RFP and the Participating Dealer Proposal Forms.
- d. All services or work carried out under the Agreement awarded as a result of this RFP must be completed within the scope, time frames, and other limitations specified in the Agreement.

1.7 PERFORMANCE EVALUATION

The TCEQ will prepare written evaluations of the performance of Participating Dealers upon completion of the Agreement Life or more frequently, as deemed necessary by TCEQ. These evaluations will impact a dealer's eligibility in any future RFP for Participating Dealers. Agreements will not be renewed automatically and entities may be required to re-submit a new proposal each biennium for eligibility determination as Participating Dealers.

Please review Article 8 (Standards for Performing Party's Performance) of the Participating Dealer Terms and Conditions for more details.

1.8 SELECTION

- a. The TCEQ reserves the right to award multiple agreements, no agreements, or limit the number of agreements awarded based on the needs of the TNGVGP. Selection is not guaranteed and TCEQ will make the final eligibility determination.
- b. Participating Dealers must receive an executed, original version of the Agreement and satisfy Article 4.7 of the Participating Dealer Terms and Conditions before submitting grant applications on behalf of Grant Applicants under the TNGVGP.

1.9 INSTRUCTIONS FOR PROPOSAL SUBMISSION

Dealers must complete and submit the following documents in order to be considered for eligibility as a Participating Dealer under the TNGVGP 2012-2013 Fiscal Biennium:

- Participating Dealer Terms and Conditions
- Participating Dealer Proposal Forms, with original signatures, including any attachments

1.9.1 General Instructions

Sign the signature page and Section 2 of the Participating Dealer Proposal Forms. Attach the Participating Dealer Terms and Conditions along with the completed Participating Dealer Proposal Forms and any supporting documentation or responses that could not fit into the space provided in the forms. Proposals must be typed and should be signed in BLUE ink. Proposals should not be put into binders or stapled. Please rubber band or paperclip proposals. All forms must be legible and unaltered. ***Participating Dealer Proposal Forms that are altered will not be accepted.*** Proposals may be mailed to TCEQ to the address in Section 2.0, Item b, of this RFP, or hand delivered to TCEQ at the reception desk, Rm. 2202, 2nd floor of Building F on the premises of TCEQ, through no later than 5:00 p.m., Central Time, on April 1, 2013. Applications received in the TCEQ mail room on that date are not guaranteed to be delivered to Rm. 2202 by the required deadline, so applicants are encouraged to plan their submission date accordingly. Dealers are strongly encouraged to submit proposals to TCEQ on or before March 30, 2012, or delays may occur. Any proposals submitted after this date will still be considered for eligibility, however any entities selected may not be under Agreement and trained in time for the opening of the grant solicitation for grant applications. Dealers that submit proposals after March 30, 2012, must be prepared to make arrangements to satisfy the training requirement prior to the submission of any grant application.

Each of the sections for the Participating Dealer Proposal Forms is on an individual Excel worksheet within a Workbook. Use the tabs located at the bottom of the worksheet to access each form. In order to print all the pages located in the workbook, please follow these directions:

(1) Click on "File" (2) Click on "Print" (3) Under the "Print What" section, select "Entire Workbook"

1.9.2 Confidentiality Notice

Do not submit any confidential / proprietary information anywhere in the Participating Dealer Proposal Forms. You agree that you waive any claim of confidentiality you may have in any information you submit in any part of the Participating Dealer Proposal Forms even if you have marked it confidential.

1.9.3 Public Information Notices

If you have questions on how to fill out this form or about the TNGVGP, please contact us at 1-512-239-4950 or (800) 919-TERP (8377).

Upon submission, all proposals become the property of the State of Texas and as such become subject to the Texas Open Records Act, Texas Government Code, Chapter 552.

Personal Information Policy: Individuals are entitled to request and review their personal information the agency gathers on its forms. They may also have any errors in their information corrected. To review such information for the TNGVGP program, contact TNGVGP at 1-512-239-4950 or (800) 919-TERP (8377).

1.9.4 Participating Dealer Proposal Forms – Section 4

The TCEQ will use Section 4 of the Participating Dealer Proposal Forms to determine eligibility for entities submitting proposals under the RFP for Participating Dealers. Please provide written responses to all of the items in this section, describing how the requirements will be met. Proposals with no response to one or more items may be deemed non-responsive and ineligible for consideration under this RFP.

For information about Section 3, Item 1 (Entity Type), please refer to Section 1.3.2 of this RFP.

For Section 4, Items 1 through 6, of the Participating Dealer Proposal Forms, please describe how the Agreement Activities (listed below) will be met or satisfied. It is not acceptable to simply agree to and restate the required activity. Please describe the business process to be used for each activity. You may also reference past experience with each activity.

- **Directing potential grant applicants to the TNGVGP grant solicitation materials**

Participating Dealers will provide information about TNGVGP grants to potential Grant Applicants using materials created by TCEQ.

- **Completing and submitting grant applications on behalf of Grant Applicants to the TNGVGP grant solicitation**

Participating Dealers must use the grant application submission process as determined by TCEQ and presented at the training workshops described in Article 4.7 of the Participating Dealer Terms and Conditions.

- **Receiving and reviewing documentation provided by the Grant Applicant for the vehicle being replaced or repowered, and determining whether eligibility requirements have been met**

Participating Dealers will certify to TCEQ that a project is eligible for funding under the TNGVGP according to the eligibility requirements established in the applicable grant solicitation document and as presented at the training workshops. Participating Dealers must follow the procedures and use the forms determined by TCEQ for eligibility review.

- **Arranging for inspection of the original vehicle and confirming that it is in operating condition**

Participating Dealers must inspect the original vehicle if Participating Dealer is a certified mechanic, or arrange for inspection by a certified mechanic as agreed to by TCEQ, to confirm it is in operating condition and has at least two years of remaining useful life, as determined in accordance with criteria established by the commission.

- **Arranging the destruction of the original vehicle**

Participating Dealers must arrange for the destruction of the original vehicle and assist the Grant Applicant to submit the required disposition certification forms to TCEQ.

- **Maintaining and safeguarding project documentation**

Participating Dealers must maintain any documentation pertaining to Grant Applicants and grant applications for the time period specified in the Agreement. This documentation may be subject to the Public Information Act, Texas Government Code Chapter 552, and should be safeguarded according to the Agreement. Participating Dealers must agree to audits of records by State Auditor's Office, TCEQ, or any successor agency to TCEQ.

2.0 PROPOSAL SUBMISSION PROCESS

- a. **Required Forms.** Participating Dealer Proposal Forms and all other forms required to be submitted for eligibility consideration under this RFP may be viewed and downloaded from the TERP web site at <www.terpgrants.org>. Copies of the forms may also be obtained by calling the TERP toll free number at (800) 919-TERP (8377).
- b. **Proposal Submission.** To submit a proposal for eligibility as a Participating Dealer, dealers must complete, sign, and submit the Participating Dealer Proposal Forms and Participating Dealer Terms and Conditions. Two original copies of the completed and signed forms should be submitted to:

Regular Mail:

Texas Commission on Environmental Quality
Air Quality Division
Implementation Grants Section (TERP Grants), MC-204
Texas Natural Gas Vehicle Grant Program
P.O. Box 13087
Austin, TX 78711-3087

Express Mail:

Texas Commission on Environmental Quality
Air Quality Planning Division
Implementation Grants Section (TERP Grants), MC-204
Texas Natural Gas Vehicle Grant Program
12100 Park 35 Circle
Austin, TX 78753

- c. **Deadline for Proposal Submission.** Proposals will be accepted and considered until April 1, 2013. There is no limit on the number of agreements that TCEQ may issue for Participating Dealers, however, TCEQ is under no obligation to select a minimum amount of proposals. The TCEQ may suspend acceptance and/or processing of proposals at any time during the proposal acceptance period with no obligation to continue processing an otherwise eligible proposal received within the deadline. Dealers are strongly encouraged to submit proposals to TCEQ on or before March 30, 2012, or delays may occur. Any proposals submitted after this date will still be considered for eligibility, however any entities selected may not be under Agreement and trained in time for the opening of the grant solicitation for grant applications. Dealers that submit proposals after March 30, 2012, must be prepared to make arrangements to satisfy the training requirement prior to the submission of any grant application.
- d. **Additional Program Information.** Individuals desiring further information are encouraged to call the TERP staff at **1-800-919-TERP (8377)**.
- e. **Public Information.** Upon submission, all proposals become the property of the State of Texas and as such become subject to the Texas Public Information Act, Texas Government Code Chapter 552.

3.0 SELECTION CRITERIA

- a. **First-Come-First-Served.** Proposals will be date and time stamped as they are received by the TERP program staff. The date and time a proposal is received in the TCEQ mail room will not be the determining factor. Subject to the additional criteria in this section, properly completed and eligible projects will be processed for approval on a first-come first-served basis. Incomplete or ineligible proposals will be returned to the dealer. Corrected or changed proposals will be considered based on the date and time at which the corrected or changed versions are received and stamped by the TERP program staff.
- b. **Additional Criteria.** Regardless of the date and time that an otherwise eligible proposal is received, TCEQ may consider the additional criteria explained below when selecting proposals for eligibility.
 1. The TCEQ may base eligibility decisions on other factors associated with best achieving the goals of the program.
 2. The TCEQ may make selection for eligibility contingent upon agreement by the dealer to additional conditions or changes to the Participating Dealer's Agreement Activities and other program elements.
 3. The TCEQ is not obligated to select a proposal from a dealer that has demonstrated marginal or unsatisfactory performance on previous grants and contracts with TCEQ and other state agencies. A rating of marginal or unsatisfactory performance on past contracts may be used as a basis to not contract with a dealer.
 4. The TCEQ is not obligated to select a proposal from a dealer based on a determination of the risks associated with the dealer and/or dealer's operations as may be determined by TCEQ. The TCEQ may also include additional controls in an Agreement to address the risks that may be involved with selecting a dealer considered to be high risk.
 5. The TCEQ is not obligated to select a proposal from a dealer that is under federal, state, or local enforcement action for violation of environmental laws or permit conditions.
 6. The TCEQ is not obligated to select a proposal from a dealer with an overall compliance history classification of *Poor* (45.01 or greater) on the TCEQ's Compliance History Database, for dealers that are subject to the rating.

4.0 PROPOSAL PROCESSING AND CONTRACTING

- a. **Proposal Review.** The TCEQ will review proposals in the order received. Incomplete or ineligible proposals will be returned to the dealer. TERP staff may contact dealers to address any part of the proposal that may be unclear or perceived as a risk. Properly completed proposals will be reviewed by TERP staff and recommended for approval by the authorized TCEQ official.
- b. **Contracting.** In signing the signature page of the Participating Dealer Forms, the dealer is agreeing to the conditions of the Agreement, as well as the conditions and requirements of this RFP and all applicable laws and regulations.

If the proposal is approved, an original, signed and executed Agreement will be returned to Participating Dealer.

- c. **Agreement Term.** The Agreement will terminate on August 31, 2013.