



**EL PASO ELECTRIC COMPANY
Request for Proposals-
Electric Vehicle Charging Stations Instant
Rebate Solution and EV Charging Data
Collection Platform**

RFP# EPE-93036381-LG

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1.0 INTRODUCTION

1.1 OVERVIEW AND PURPOSE

El Paso Electric Company (“EPE” or the “Company”) issues this Request for Proposal (“RFP”) for software platform(s) providing:

1. Instant rebates on a purchase an Electric Vehicle (“EV”) smart charging stations offered to customers on EPE’s website: www.epelectric.com/ev; and/or
2. EV charging data collection from smart electric vehicle supply equipment (“EVSE”).

EPE will consider commercially available solutions for either or both capabilities.

On December 30, 2020, EPE filed an application with the New Mexico Public Regulatory Commission (“NMPRC” or “Commission”) to expand transportation electrification. EPE’s Transportation Electrification Plan (“TEP”) proposed an initial portfolio of programs and rate options designed to expand transportation electrification in EPE’s New Mexico Service Territory over the next two years. EPE’s TEP proposes:

1. Two residential and four commercial rebate programs to incentivize the purchase and installation of smart charging infrastructure,
2. A Customer Outreach Program to improve public understanding of EVs and the benefits of transportation electrification, and
3. Rate options designed to incentivize off-peak charging.

The TEP Program is expected to be open to EPE’s NM residential and commercial customers in Q1 2022, pending a final order from the NMPRC. EPE’s intends to implement the software obtained from this RFP in Q1 2022.

EPE’s TEP includes offering instant customer rebates on the purchase of residential smart charging stations, collecting EV charging data to analyze charging behaviors.

This RFP requires Bidders to describe their proposal in detail, including their software platform and associated functionalities in accordance with the Technical Requirements specified herein. The proposal should indicate how it enables EV data gathering and reporting. In addition, Bidders should indicate if their proposals have capabilities for passive or active managed charging which could be leveraged by EPE for future programs.

Bidders must detail all costs associated with the proposed software platform, implementation schedule, and any associated labor or service fees for the two-year pilot TEP program period from January 2022 through the end of 2023. Bidders shall describe how their proposed software will enable EPE's customers to purchase smart EV charging stations on the Company's website. Bidders submitting a proposal for EV charging data collection solution shall describe how they are able to collect EV charging data from smart EVSE. In addition to being a customer-friendly software, the proposed solution shall be scalable. The solution architecture needs to incorporate the latest cyber security techniques and standards provided by the Company. The Company will consider the overall cost of the proposed software solution and services, the Bidder's experience with similar type of utility solutions, estimated project implementation timeline, and value of the proposed solution to EPE's customers and the Company.

1.2 Communications

All communications from Bidders to EPE, including questions regarding this RFP, must be submitted via e-mail. Based upon the nature and frequency of the questions EPE receives, EPE will choose to respond to individual Bidders either directly, post a response to the question on EPE's website, or address the question through a conference call.

All submittals, inquiries, and communications related to this RFP shall be directed solely to the following EPE point of contact:

Louie Gonzalez
Contract Negotiator
E-mail: louie.gonzalez@epelectric.com

The EPE's EV Charging Station Instant Rebate Solution and Charging Data Collection Platform RFP Solicitation webpage can be found at:
<https://www.epelectric.com/company/request-for-proposals>

All communications between Bidders and EPE shall be conducted via email. Oral communications are discouraged and shall not be binding upon EPE.

1.3 Confidentiality of Responses

EPE will consider proposals and associated information submitted by Bidders to be confidential. It is the Bidders' responsibility to clearly indicate in its proposal what information it deems to be confidential. Bidders may not mark an entire proposal as confidential, but instead must mark specific information on individual pages to be confidential in order to receive confidential treatment.

Except as required by regulatory reviews, EPE will use reasonable efforts to avoid disclosure of information designated as confidential to persons other than those involved with the evaluation, selection and any subsequent negotiations. To the extent that Bidders receive information from EPE, Bidders shall maintain the confidentiality of such information and such information shall not be available to any entity before, during or after this RFP process unless required by law or regulatory order.

Bidders shall be aware that information received in response to this RFP will be subject to the review of applicable local, state and/or federal regulatory agencies, specifically including, but not limited to, the New Mexico Public Regulation Commission (“NMPRC”) and the Public Utility Commission of Texas (“PUCT”). All Bidders shall cooperate with EPE in making technological descriptions, pricing and other contract terms available for review as part of any regulatory approval process as EPE deems necessary or appropriate. EPE will follow applicable orders and rules of the NMPRC, PUCT and/or other applicable agency, including any protective orders issued, such as disclosure of price, terms or other information as required; therefore, EPE cannot promise that information marked as confidential will not be publicly disclosed, and, as such, EPE cannot be held liable for any information that is ordered to be released or that is inadvertently released.

Moreover, information submitted in response to this RFP may become subject to federal or state laws pertaining to public access to information as a result of any reviews conducted by the aforementioned agencies. EPE shall not be liable for the release of any information subject to disclosure under any laws pertaining to public access to information.

2.0 EL PASO ELECTRIC COMPANY SYSTEM DESCRIPTION

2.1 Company Overview

EPE is a public utility engaged in the generation, transmission and distribution of electricity in an area of approximately 10,000 square miles in the Rio Grande Valley in West Texas and south-central New Mexico as illustrated in Figure 1. As of July 2021, EPE serves approximately 444,300 residential, commercial, industrial, and wholesale customers. EPE distributes electricity to retail customers, principally in El Paso, Texas and Las Cruces, New Mexico, utilizing remote and local generating stations.

For a complete history of the Company and its services, please visit its web site at: <https://www.epelectric.com/about-el-paso-electric/history>

As of August 2021, EPE estimates there are over 200 plug-in vehicles registered in its New Mexico service territory. Table 1 below presents EPE’s forecasted EV saturation in New Mexico service territory over the next 10-years:

Table 1: Forecasted Light-duty EVs in EPE's NM Service Territory

Year	Estimated Number of Vehicles
2020	185
2021	242
2022	317
2023	416
2024	545
2025	713
2026	935
2027	1,224
2028	1,604
2029	2,101
2030	2,752

EPE is in the process of seeking regulatory approval in both its New Mexico and Texas service territories for an Advanced Metering System (“AMS”). Proposals that include AMS-based communications as an option for future integration may be submitted.

2.2 El Paso Electric Property



Figure 1 - EPE Service Territory

3.0 BIDDER TERMS

3.1 Pricing

- a. Proposals shall include costs for all components of the proposed software platform and services and indicate any discounts relative to the Bidder’s cost or list price for the two-year TEP term (2022-2023). If Bidder’s pricing is dependent on the number of customers using the proposed software solution/s, Bidders must provide pricing options based on estimated customer utilization rate provided below:

TEP Years	Estimated Number of EVSE Sold through Online Platform Annually	Estimated Cumulative Number of EVSE sold through Online Platform
2022	160 (calculated as 50% of 317 EVs)	160
2023	50 (calculated as 50% of 416 EVs -160 that used online platform to purchase EVSE in 2022)	210

Bidder shall submit pricing in the following format:

Item Description	2022	2023
EVSE Instant Rebate Solution: Set-Up Costs (A)		
EVSE Instant Rebate Solution: Ongoing Costs (B)*		
EVSE Instant Rebate Solution: Subtotal (A+B)		
EV Charging Data Collection: Set-up Costs (C)		
EV Charging Data Collection: Ongoing costs (D) *		
EV Charging Data Collection: Subtotal (C+D)		
Total (A+B+C+D)		

* Please specify if Ongoing Costs are fixed annual fees or variable fees based on the number of devices. If variable, please specify a price per device.

EPE will be responsible for Customer Marketing and Outreach. Bidder shall not include pricing for marketing and customer education. EPE’s TEP does not include a budget for a managed charging program during 2022-2023 program years, however bidders may include pricing for managed charging capabilities as an optional service.

3.2 Collusion

By submitting a proposal to EPE in response to this RFP, the Bidder certifies that the Bidder has not divulged, discussed or compared its Proposal with any other Bidder(s) and has not colluded whatsoever with any other Bidder or third parties with respect to this or other Proposals.

4.0 RFP SCHEDULE

The following schedule and deadlines apply to this solicitation:

RFP Issuance Date	October 15, 2021
Bidder's Conference Call	October 29, 2021
Submission of Bidder Questions	November 5, 2021
Response to Bidder Questions	November 12, 2021
Proposal Due Date	December 3, 2021
EPE Selection of Bidder(s) Tentative Date	December 17, 2021
Pilot Project Implementation Date	January 2022

EPE reserves the right to modify, cancel or withdraw this RFP and to revise the schedule specified above if, in the sole discretion of EPE, such changes are necessary.

4.1 RFP Issuance

EPE will extend an electronic invitation to companies and entities that EPE identified while conducting market research on available software solutions. In addition EPE will post the RFP on its website at <https://www.epelectric.com/company/request-for-proposals> to allow other entities to participate in the RFP process.

Receipt of the RFP invitation must be confirmed via e-mail response from Bidders with EPE's point of contact, Louie Gonzalez, at the following e-mail address:

louie.gonzalez@epelectric.com

4.2 Submission of Bidder Questions

The deadline for submission of written RFP related questions will be **November 5th, 2021** at 5:00 p.m. Mountain Daylight Time to EPE's point of contact:

louie.gonzalez@epelectric.com

Any questions submitted after that deadline will NOT be addressed.

EPE will prepare written responses to questions received and distribute the questions and responses to Bidders. Responses will be distributed to such Bidders with the question included but will not identify who originally submitted the question.

4.3 Proposal Due Date

All proposals must be submitted to the Contract Negotiator, Louie Gonzalez, at Louie.Gonzalez@epelectric.com by 5:00 p.m. Mountain Daylight Time on **December 3rd, 2021**. Any proposal submitted after the due date will be excluded from consideration. Proposals shall be as complete as possible.

Bidders are solely responsible for ensuring the proposals are received by EPE in accordance with the RFP instructions prior to the date and time specified, and at the place specified. EPE shall not be responsible for any delays in mail, or by common carriers, by transmitting errors, delays, or mislabeling.

4.4 Tentative Date for Selection of Projects

Following a review of technical information, Bidders' experience and feedback obtained from references, EPE will determine which, if any, of the proposals best meet EPE's objectives, and may initiate negotiations with those applicable Bidders. EPE will notify the selected Bidders on or before **December 17th, 2021**. EPE may choose to initiate negotiations with one or more Bidders. Any contract between EPE and a Bidder/s will be conditioned upon regulatory approval by the applicable governmental agencies. EPE, at its sole discretion, reserves the right to reject any proposed contract(s) that result from this RFP for any reason including if subsequently issued regulatory approvals or authorizations are subject to conditions, including ratemaking treatments, which are unacceptable to EPE.

4.5 Proposal Validity

Each Bidder must hold its proposal open and valid for a period of two hundred forty (240) days following the submittal or during the time necessary to complete state regulatory approvals, whichever is longer.

4.6 Division of responsibilities

This section identifies some, but not all, roles and responsibilities of EPE and the selected Bidder. Bidders will be expected to identify specific information needed from EPE, as well as additional responsibilities required by Bidders to successfully deploy the software platform and services to meet the objectives of this RFP and EPE's TEP filing. Bidders must describe the software and services implementation plan, including but not limited to identifying required resources and associated costs, project management processes and procedures, project implementation milestones schedule and change control procedures.

EPE's primary responsibilities will include the following:

- Provide any public information updates on EPE's TEP filing which may impact the requirements of this RFP,
- Provide interface for Bidder(s) systems integration to EPE's website or other systems;
- Develop and implement marketing materials and strategy;
- Provide minimum information technology requirements including cyber security requirements (please refer to Section 7.0); and
- Validate data reports provided by the selected Bidder(s) to evaluate and report TEP program deliverables to the state regulatory agencies.

Bidder(s) primary responsibilities will include the following:

- Describe in detail proposed software solution and services;
- Deliver timely implementation to be launched in Q1 2022;
- Provide all system functionalities specified in the Bidder's proposal;
- Provide a hosted or internal system/application that will be used for administration of the proposed software solution;
- Collect EV charging data from EVSE and provide performance reporting to EPE; and
- Acquire and maintain all applicable present and future licenses and meeting EPE's functional, technical and cyber security requirements necessary for operation of the proposed software solution.

5.0 SUBMITTAL PREPARATION INSTRUCTIONS

General Information

a. Schedule

Proposals shall be submitted in strict accordance with the RFP schedule.

b. Extensions

EPE will not grant any extensions to the RFP schedule and will not accept late proposals. Any proposal received after the scheduled date will not be considered and the Bidder will be notified of its elimination.

c. Reservation of Rights

EPE reserves the right to accept or reject in its sole discretion any or all proposals for any reason at any time after submittal. EPE also reserves the right to select an offer that is not the lowest price, if EPE determines that to do so would result in the greatest value to EPE's customers.

d. Failure to Comply

Failure to comply with all requirements of this RFP may result in the rejection of the applicable proposal in EPE's sole discretion.

e. No Liability

Bidders that submit proposals do so without legal recourse against EPE or its directors, management, employees, agents, contractors or independent monitor based on EPE's rejection of any proposal or for failure to execute any agreement in connection with this RFP in law or equity, for any reason whatsoever relating to EPE's acts or omissions arising out of or in connection with this RFP. EPE shall not be liable to any Bidder or to any other party in law or equity. EPE further declares that it will incur no financial liability or obligation for Bidder's costs in preparing proposals.

f. Return of Documents

None of the materials received by EPE from Bidders in response to this RFP will be returned. All proposals and exhibits will become the property of EPE, subject to the provisions for confidentiality described in this document.

Proposal Content

Proposals must be prepared in accordance with the guidelines set forth in this section. Failure to follow the preparation instructions may result in the exclusion of the proposal from consideration.

Each proposal shall be organized by section as described below. Each page of the proposal shall have the following information in top right corner.

- EV Charging Station Instant Rebate Solution and Charging Data Collection Platform
- RFP number: EPE-93036381-LG
- Bidder Name

5.1 Proposal Content Requirements

This section outlines the content and format requirements for proposals submitted in response to this RFP. Unless EPE in its sole discretion elects otherwise, proposals that do not include the information requested in this section will be ineligible for further evaluation, unless the information requested is not applicable or relevant to a given proposal. EPE reserves the right to conduct any

further due diligence it considers necessary to fully understand and evaluate proposals.

5.2 Proposal Format

A complete proposal will include a thorough written discussion about the proposed software solution and services, assembled in the following format:

- Tab 1 - Executive Summary
- Tab 2 - Software Description and Functional Requirements
- Tab 3 - Bidder Roadmap and Future Proofing
- Tab 4 - High-level Implementation Schedule
- Tab 5 - Software and Services Costs
- Tab 6 - Bidder Experience and Qualifications

Tab 1-Executive Summary

The Executive Summary should provide an overall description of the proposal, which includes: 1) instant rebates on a purchase an EV smart charging stations offered to customers on EPE's website: www.epelectric.com/ev; and/or 2) EV charging data collection platform from smart EVSE. Bidders are encouraged to propose both solutions but may submit a proposal for just one solution. The Executive Summary shall also highlight key quantitative and qualitative benefits to EPE and its customers. The summary should specify how the proposed software and services will enable EPE customers to purchase a smart charging station and/or share EV charging data with EPE using smart EVSE, and if available, directly from vehicle telematics, or other special devices. The Executive Summary should also mention case studies from other utilities with accomplished results from those programs using the proposed solution.

Tab 2- Software Description and Functional Requirements

All proposals must include a thorough description of the software and its functional requirements including, but not limited to, the following:

Software Description

All proposals must provide a comprehensive description of the software solution(s) and its functionality, including software features that can enable instant rebates on charging stations, EV data collection identifying if the proposed software can collect data from smart EVSE, directly from vehicle telematics, and/or other devices including models the software can connect to by end of 2021.

In addition, Bidders should summarize the commercial operating experience of the software proposed and provide specifics on available performance reporting. Bidders should also describe the utility interface; provide graphics demonstrating utility's web-portal, as well as to describe the expectation of EPE's infrastructure (server needs, database capacities, security requirements, etc.)

In the software description section, bidders should define if the software interface will be hosted by the Bidder or the utility; describe necessary software licenses and associated costs. The bidders shall also describe necessary communication infrastructure for the proposed EV charging data collection, discuss the methodology of checking that communication signal is being received to ensure reliable operation and describe the frequency and type of data that will be shared with EPE. Bidders shall also identify if the proposed equipment can enable two-way communication with participating customers and how it is achieved. Bidders shall also specify if reports can be provided as a dashboard with the ability to download data on a regular basis.

Software Requirements

The following requirements shall be discussed in this section, as applicable for the software solution(s) proposed:

EV Charging Instant Rebate Solution

- Must have a functionality to offer customer instant rebate on the qualified charging station by applying EPE's rebate (\$500) to customer's shopping cart;
- Must limit purchases to EPE's customers;
- Must offer a minimum of two smart charging station models that meet the following criteria:
 - UL 2594 listed;
 - ENERGY STAR ® certified;
 - Networked/Smart charging capabilities to program the station to off-peak periods and respond to managed charging events;
 - Wi-Fi or cellular capabilities;
 - Ability to share the charging data with EPE; and
- Must provide reports of issued incentives.

EV Charging Data Collection Platform

- Open Automatic Demand Response ("OpenADR"), Open Charge Point Protocol ("OCPP"), or Open Charge Point Interface ("OCPI") messaging protocols for network service providers;
- Communication via Wi-fi or cellular networks required. EPE does not currently employ AMI in its service territory. However, proposals that include AMI based communications as an option for future integration may be submitted;

- Must have a functionality to collect the data from smart EVSE, and describe availability of collecting charging data directly from vehicle telematics or special devices;
- Specify if information will be provided for individual EVSE, devices, EVs or for an entire group of devices; Provide sample reports and specify what type of data can be collected and provided to utility, including but not limited to:
 - Total number of enrolled vehicles, EVSE, other special devices if applicable
 - Instantaneous demand draw at any given time among all enrolled vehicles, EVSE or other devices.
 - Total charging energy over any given time period (e.g. on-peak, off-peak, super off-peak)
 - 24-hour average load profile (baseline) for EV charging with enrolled vehicles, EVSE, devices and any managed charging capabilities
 - Average charging rate in kW
 - Breakdown of how many EVs charge at various rates (e.g. Level 1, Level 2, etc.)
 - Customer performance metrics
 - Historical analyses that show customer load shapes, at an aggregate and individual level, over time; and
 - Ability to filter or otherwise place customers into distinct groups to allow for evaluation on the parameters outlined above in comparison to each other.
- **Solution Maintenance and Service Plan Requirements**

Bidders shall provide software maintenance and service plans for both EV Charging Station Instant Rebate Solution and/or Charging Data Collection Platform, which may include the following:

 - Current or expected system maintenance plan, including staffing, budget, management and control over IT platform, authority over the maintenance budget;
 - Cost of an annual service plan;
 - Maintenance and service guarantees and associated costs;
 - Maintenance schedule such as frequency and length of maintenance and any required down time during specific hours.
 - Discussion of contracting for outside services, if applicable;
 - Any cost of mandatory and optional system upgrades to ensure ongoing compliance with changing industry standards.
- **Cybersecurity Requirements:**

Bidders shall describe and adhere to the following EPE's cybersecurity requirements:

- Vendor shall provide summary documentation of the product's security features and security-focused instructions
- Share a SIG-Lite Questionnaire or SOC II report (if solution is hosted)?
- Authentication and password management
 - a. Active Directory Integration?
 - b. SSO/Azure AD
 - c. Support for Multi-Factor Authentication
- Authorization and role management:
 - a. Must support role-based access
- Audit logging and analysis:
 - a. Account activity must be logged
 - b. Must have time stamps and control access to audit trails and log files
 - c. Log export shall be supported
- Network, host and data security:
 - a. Do you support Conditional Access?
 - b. Firewalls
 - c. If multi-tenet, will EPE be separate from other tenets?
 - d. Multi-Factor?
 - e. Do you support VPN connectivity?
 - f. Types of end-point security (AV, Malware, EDR, etc.)
 - g. IDS/IPS/HIDS
- Patch Management and validation testing
 - a. How are vulnerabilities found and patched?
 - b. Is there a regular patch release schedule?
 - c. Vendor needs to provide appropriate software and service updates and/or workarounds to mitigate all vulnerabilities
- Cryptography and key management
 - a. Encryption at rest
 - b. Encryption in transit i. Must support TLS 1.2 and above
 - c. If Hosted, is it Azure, AWS, Google?
- Data validation and sanitization
 - a. Web Application Firewall support?
- Third party component analysis
 - a. What third-party components are required? (i.e. Java, .NET, Apache, etc.)
 - b. Does the system depend on any legacy applications that are no longer supported? i.e. End-of-Life Windows or SQL/Oracle versions
- Backup and Recovery
 - a. Explain Data Retention/Archival policies
 - b. Ransomware protection

If the proposed software solution is a “hosted solution”, it will also be subject to the following requirements:

1 Hosting Services. Host shall provide EPE with access to any online Hosting System and will provide for the storage and retrieval of EPE data in connection with use of the hosting system.

2 Access. EPE users may include EPE employees, customers and contractors. EPE is responsible for the confidentiality and use of account names and passwords. Host shall deem any communication, data transfer, or use of the Hosting System received under EPE account names and passwords to be for EPE users benefit and use. EPE agrees to notify Host if account names or passwords are lost, stolen, or being used in an unauthorized manner. EPE represents and warrants that it has the rights to all EPE Data, including the right to upload EPE Data to the Host Server in connection with its authorized use of the Hosting System. EPE agrees that the customer data and its use do not infringe the rights of any third party and agrees to indemnify and hold Host harmless from any third-party claims of infringement as provided herein.

3 Data Security. When required, EPE agrees to access the Hosting System and to store and retrieve data using third party programs, including specifically Internet "browser" programs that support data security protocols compatible with those specified by Host. Host shall (i) back-up and maintain the security of EPE data using industry-standard back-up tools and data security protocols, and other methods reasonably deemed to be adequate for secure business data, (ii) notify EPE as provided in Section 7.1.4 in the event of a breach of security involving EPE user Data, and (iii) have in place a formal written security program that includes industry-standard policies and procedures for safeguarding EPE users data from loss, theft, and disclosure to unauthorized persons.

If EPE entrusts the Host with personally identifiable information or information deemed by EPE to be sensitive personal information, Host would agree to use reasonable measures to prevent the unauthorized processing, capture, transmission and use of the information that may be disclosed to Host during the course of the business relationship. Host would use reasonable measures to prevent unauthorized persons from gaining access to the data processing equipment or media where information is stored or processed. Host would agree to provide its employees and agent's access to information on a need-to-know or need-to-access basis only and agrees that any persons having authorized access to such information will be bound by obligations of confidentiality, non-use and non-disclosure.

4 Data Breach Notification. HOST shall notify EPE in writing of any breach involving Unsecured EPE users' data immediately upon becoming aware of such breach. All reports of breaches of Unsecured EPE users' data shall be made in compliance with applicable laws, unless otherwise directed by law enforcement officials due to any criminal investigation that may arise from such breach.

In addition, Bidders proposing a “hosted solution” must provide the following information, if applicable:

- Use of Accounts; username passwords for access;
- Backup and maintain the security of EPE users’ data;
- Notify EPE in the event of a breach;
- Have in place a formal written security program (provide a copy of written security program);
- EPE users shall retain ownership of the data stored or retrieved in connection with use of hosting system.

Tab 3- Bidder Roadmap and Future Proofing

Bidders shall specify which EVSE and EV companies the Bidder plans to partner with in the future for purposes of: a) EV Charging Data Collection and b) Enabling Managed Charging Capabilities for utilities, with estimated availability dates. In addition, Bidders shall specify if the proposed software solution has any other capabilities planned as part of Bidder’s roadmap (with estimated availability date and types of strategies available to utilities). Bidders shall also describe the following:

- If software solution will be capable to shift EV load to off-peak, low carbon hours, times of high renewable generation, schedule demand response events, or other;
- Describe customer enrollment process in managed charging programs, load shaping studies/data, sample reports and other pertinent information;
- Describe any software forecasting capabilities that can enable the Company to know the % and kW of EV load that can be shifted;
- Discuss the extent to which customer action is required to control/adjust charging (active and passive managed charging capabilities);
- Describe the types of payment/rewards that your system can issue to customers for shifting EV load or participating in managed charging demand response events;
- Identify how the load shed, load shift or ramping can be measured;
- Describe how the baseline usage will be estimated for evaluation of potential managed charging programs; and
- Indicate if the proposed EV data collection solution with managed charging capabilities can allow for load control by geographical areas, average customer consumption, customer type, etc.

Tab 4 - Project Schedule

All proposals must provide a detailed schedule of project development activities and target completion dates for software procurement, integration with EPE’s

website, any training and software solution rollout. Describe the overall project development strategy and work breakdown structure that will ensure that the EV Charging Station Online Instant Rebate Solution can be implemented in time to meet the proposed online date of Q1, 2022, followed by EV Charging data collection solution.

Bidders must provide a high-level project development and completion schedule along with key milestone dates for software solution(s) implementation.

Tab 5 –Project Cost

Proposals must clearly state all components of the proposed software and services solution. Bidders must provide a breakout of the costs such as software implementation costs, licenses, administrative, and ongoing costs. Bidders must specify which costs are fixed and which are variable based on the number of EVSE sold on EPE’s website using online instant rebate solution or EV/EVSE/ or other devices enrolled in EV Charging data sharing with EPE.

Tab 6 – Experience and Qualifications

The capability and experience of any Bidder must be demonstrated to provide assurance that the Bidder, and any other party involved in the proposal, has adequate competence, resources and skills. Each proposal must include the following information as a minimum.

- Description of technical and project management experience, specifically with respect to the implementation of software solutions like those proposed, and previous collaboration efforts with electric utilities, if any;
- Identify what systems are in production with other utilities and what systems are under development;
- Description of maintenance and service experience for similar type solutions as contained in the proposal;
- Description of completed projects and documented results; and
- List of references.

Risk Management and Insurance Program

Bidders shall provide a list of existing insurance contracts, listing policies by coverage, expiration date, insurer and limits per policy. Also, on a per coverage basis, provide current experience modifier and prior Loss History for the last three (3) years. Bidders shall also describe their Risk Management program if insurance coverage will derive from a parent company. Additional information may be requested based on information provided with the original proposal.

6.0 EVALUATION PROCESS

EPE will assess the proposals to determine which, if any, will provide the most value for EPE's customers and the Company.

6.1 Proposal Review

EPE will first determine if each proposal satisfies the threshold requirements summarized below. Those that do will be further evaluated through EPE's screening process described below. Only those proposals that satisfy the requirements of the screening process will be further evaluated. If at any time during the evaluation process EPE determines that a proposal does not meet its requirements, including timely submission of all documents pursuant to this RFP, EPE reserves the right to disqualify the Bidder's proposal and EPE will notify the Bidder accordingly during its notification process.

Favorable proposal characteristics include:

- Software platform(s) and/or services can offer: a) instant rebates on multiple smart EV Charging Stations to utility customers, and b) EV charging data collection from smart charging stations;
- Costs of the proposed software and services;
- Reporting capabilities: solutions that enable the creation of reports or data in a usable format to the Company;
- Completeness and Responsiveness – Proposals must meet all criteria set forth in the RFP. A thorough explanation of all aspects of the proposal shall be included. Detailed project implementation plan shall be provided;
- Experience – EPE seeks proposals from Bidders that possess extensive technical, and maintenance experience, and a history of successful projects of a similar nature;
- Scalability-EPE seeks proposals that will allow future project expansion and development of a pilot managed charging program.

Threshold Evaluation

Step 1 – Bid Eligibility Determination

Each proposal will be reviewed to determine if it meets the requirements outlined in this RFP. The Company reserves the right to reject any, all, or portions of any proposal received for failure to meet any criteria set forth in this RFP. The proposal must be submitted on time and comply with the submission instructions.

Step 2 – Initial Bid Screening Process

EPE will review each proposal for completeness in accordance with RFP requirements. Furthermore, the Company will evaluate if proposal meets EPE's

TEP objectives. EPE will take into consideration the software solution design, technical and functional capabilities, overall project costs, Bidder's demonstrated competence and experience delivering similar types of solutions, quality of proposed solution and services and references feedback.

Step 3 – Due Diligence

The Company will conduct due diligence efforts primarily focused on those proposals that pass through the initial screening process described in Step 2.

The Company will conduct other due diligence as part of the overall bid evaluation process, including, but not limited to, consideration of the following proposal characteristics:

- Software Solution(s) design;
- Bidder Roadmap and Future Proofing responses;
- Cost and benefits of the proposed software solution(s) and services to EPE and its customers;
- Bidder experience;
- Bidder's performance on previous projects with utilities/companies;
- Quality of proposed solution and/or services; and
- Proposed project schedule and project execution planning

EPE will evaluate the proposals submitted and select the proposals that will be subject to contract negotiations.

6.2 EPE's Selection of Bids and Discussions with Bidders

a. Evaluation and Selection

After conclusion of the detailed evaluation of proposals, EPE may make a final selection of one or more proposals for negotiation of online instant rebate solution and EV data collection solution. EPE will notify Bidders whose proposals are eliminated from further consideration.

b. Right to Terminate Negotiations

If EPE cannot reach acceptable agreement terms with the final selected Bidder or Bidders, EPE reserves the right to terminate negotiations with such Bidders and begin discussions with other Bidders, begin a new solicitation, or cancel this RFP. Furthermore, EPE, in its sole discretion, reserves the right to not select any proposals for negotiation of any agreement if warranted by its evaluation.

Notice of Disclaimer

EPE has prepared the information provided in this RFP to assist interested persons and entities in making a decision whether to respond with a proposal. EPE reserves the right to modify, change, supplement or withdraw the RFP at its sole discretion. No part of this document or any other correspondence from EPE, its employees, officers or consultants shall be taken as legal, financial or other advice, nor as establishing a contract or any contractual obligations. All communication between Bidders and EPE shall be conducted in writing.

EPE makes no representations or warranties regarding the completeness of the information contained within the RFP and does not purport that this RFP contains all of the information needed for Bidders to determine whether to submit a proposal. Neither EPE nor its employees, officers or consultants will make, or will be deemed to have made, any current or future representation, promise or warranty, expressed or implied, as to the accuracy, reliability or completeness of the information contained within the RFP or any other information provided to Bidders.

Bidders who submit proposals do so without legal recourse against EPE, or EPE's directors, management, employees, agents or contractors, due to EPE's rejection, in whole or in part, of their proposal or for failure to execute any agreement with EPE. EPE shall not be liable to any Bidder or to any other party, in law or equity, for any reason whatsoever related to EPE's acts or omissions arising out of, or in connection with, the RFP process.

EPE reserves the right to reject, for any reason, any and/or all proposals. EPE further reserves the right to waive any irregularity or technicality in proposals received, or to consider alternatives outside of this solicitation, at its sole discretion, to satisfy the needs of the Project. In addition, EPE reserves the right, in its sole discretion, to modify or waive any of the criteria contained herein and/or the process described herein.

No Bidder will have any claim whatsoever against EPE, its employees, officers, or consultants arising from, in connection with, or in any way relating to this RFP. Without limiting the generality of the foregoing, each Bidder agrees, by and through its submission of a proposal, that rejection of a proposal will be without liability on the part of EPE, its employees, officers, or consultants, nor shall a Bidder seek recourse of any kind against any of the foregoing on account of such rejection. The filing of a proposal shall constitute an agreement of the Bidder to each and all of these conditions. Each Bidder and recipient of this RFP is responsible for all costs incurred in evaluating, preparing and responding to this RFP. Any other costs incurred by any Bidder during negotiations are also the responsibility of the Bidder.