

EXHIBIT F.4

NON-COLLUSION BIDDING CERTIFICATE

The undersigned Proposer acknowledges and agrees that the attached response and offer submitted by Proposer is submitted in connection with the proposal to provide the Participating Organizations with a power purchase agreement or other contract(s) with respect to the design, financing, construction, installation, operation and maintenance of a solar PV system. By submission of its proposal, each Proposer and each person signing on behalf of any Proposer certifies, and in the case of a joint proposal, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

The prices set forth within the proposal have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other Proposer or with any competitor;

Unless otherwise required by law, the prices which have been quoted in the proposal have not been knowingly disclosed by the Proposer and will not knowingly be disclosed by the Proposer prior to opening, directly or indirectly, to any other Proposer or to any competitor; and

No attempt has been made or will be made by the Proposer to induce any other person, partnership or corporation to submit or not to submit, a proposal for the purpose of restricting competition.

In compliance with this RFP, and subject to the conditions thereof, the undersigned offers and agrees that the CNY RPDB and Participating Organizations may rely upon both the within representations and the indemnifications set forth within the hold harmless agreement attached hereto as **Appendix A**.

FIRM NAME

ADDRESS

SIGNED BY

PRINTED NAME AND TITLE

DATE

TELEPHONE #

Subscribed and sworn to before me
this __ day of _____, 201__

Notary Public

This form must be signed and returned with proposal

APPENDIX A TO EXHIBIT F.4

HOLD HARMLESS AGREEMENT

_____ (“Proposer”) hereby agrees that it will indemnify and hold harmless the CNY RPDB and each Participating Organization (as defined in the RFP) from and against all losses from claims, demands, payments, suits, actions, recoveries and judgments of every nature and description brought or recovered against the CNY RPDB and/or any Participating Organization by reason of any omission or act of Proposer, its agents, employees, contractors or subcontractors in connection with that certain NON-COLLUSION BIDDING CERTIFICATE submitted herewith, to the extent permissible by law. This indemnification shall include all costs and disbursements incurred by the CNY RPDB or any Participating Organization in defending any claim, demand, cause of action or suit, including attorneys’ fees. Furthermore, at the option of the CNY RPDB or any Participating Organization, as the case may be, the Proposer shall provide defense for and defend all claims, demands, causes of action and suits referred to above, and bear all costs and expenses related thereto.

FIRM NAME

ADDRESS

SIGNED BY

PRINTED NAME AND TITLE

DATE

TELEPHONE #

Subscribed and sworn to before me
this __ day of _____, 201__

Notary Public

This form must be signed and returned with the proposal