

Form C**EXCEPTIONS TO PROPOSAL, TERMS, CONDITIONS,
AND SOLUTIONS REQUEST**Company Name: KOMPTECH AMERICAS LLC

Any exceptions to the terms, conditions, specifications, or proposal forms contained in this RFP must be noted in writing and included with the Proposer's response. The Proposer acknowledges that the exceptions listed may or may not be accepted by Sourcewell or included in the final contract. Sourcewell will make reasonable efforts to accommodate the listed exceptions and may clarify the exceptions in the appropriate section below.

Section/page	Term, Condition, or Specification	Exception	Sourcewell ACCEPTS

Proposer's Signature: B. LygnerDate: APRIL 29, 2019**Sourcewell's clarification on exceptions listed above:**

No exceptions noted.



Contract Award
RFP #050119



FORM D

Formal Offering of Proposal
(To be completed only by the Proposer)

RECYCLING AND REPURPOSING EQUIPMENT WITH RELATED ACCESSORIES, SUPPLIES, AND SERVICES

In compliance with the Request for Proposal (RFP) for RECYCLING AND REPURPOSING EQUIPMENT WITH RELATED ACCESSORIES, SUPPLIES, AND SERVICES, the undersigned warrants that the Proposer has examined this RFP and, being familiar with all of the instructions, terms and conditions, general and technical specifications, sales and service expectations, and any special terms, agrees to furnish the defined products and related services in full compliance with all terms and conditions of this RFP, any applicable amendments of this RFP, and all Proposer's response documentation. The Proposer further understands that it accepts the full responsibility as the sole source of solutions proposed in this RFP response and that the Proposer accepts responsibility for any subcontractors used to fulfill this proposal.

Company Name: KOMPTECH AMERICAS LLC Date: APRIL 29, 2019

Company Address: 6345 DOWNING STREET

City: DENVER State: COLORADO Zip: 80216

CAGE Code/DUNS: 079500269

Contact Person: BRANDON LAPSYS Title: VICE PRESIDENT / GENERAL MANAGER

Authorized Signature:  BRANDON LAPSYS
(Name printed or typed)

FORM E

CONTRACT ACCEPTANCE AND AWARD



(Top portion of this form will be completed by Sourcewell if the vendor is awarded a contract. The vendor should complete the vendor authorized signatures as part of the RFP response.)

Sourcewell Contract #: 050119-KMP

Proposer's full legal name: Komptech Americas LLC

Based on Sourcewell's evaluation of your proposal, you have been awarded a contract. As an awarded vendor, you agree to provide the products and services contained in your proposal and to meet all the terms and conditions set forth in this RFP, in any amendments to this RFP, and in any exceptions that are accepted by Sourcewell.

The effective date of the Contract will be July 15, 2019 and will expire on July 15, 2023 (no later than the later of four years from the expiration date of the currently awarded contract or four years from the date that the Sourcewell Chief Procurement Officer awards the Contract). This Contract may be extended for a fifth year at Sourcewell's discretion.

Sourcewell Authorized Signatures:

DocuSigned by:

Jeremy Schwartz

C0FD2A139D06489

SOURCEWELL DIRECTOR OF OPERATIONS AND
PROCUREMENT/CPO SIGNATURE

DocuSigned by:

Chad Coauette

7E42B8F817A64CC

SOURCEWELL EXECUTIVE DIRECTOR/CEO SIGNATURE

Jeremy Schwartz

(NAME PRINTED OR TYPED)

Chad Coauette

(NAME PRINTED OR TYPED)

Awarded on July 10, 2019

Sourcewell Contract # 050119-KMP

Vendor Authorized Signatures:

The Vendor hereby accepts this Contract award, including all accepted exceptions and amendments.

Vendor Name KOMPTech AMERICAS LLC

Authorized Signatory's Title VICE PRESIDENT

B. Lapsys

VENDOR AUTHORIZED SIGNATURE

BRANDON LAPSYS

(NAME PRINTED OR TYPED)

Executed on JULY 18, 2019

Sourcewell Contract # 050119-KMP

Form F

PROPOSER ASSURANCE OF COMPLIANCE

Proposal Affidavit Signature Page

PROPOSER'S AFFIDAVIT

The undersigned, authorized representative of the entity submitting the foregoing proposal (the "Proposer"), swears that the following statements are true to the best of his or her knowledge.

1. The Proposer is submitting its proposal under its true and correct name, the Proposer has been properly originated and legally exists in good standing in its state of residence, the Proposer possesses, or will possess before delivering any products and related services, all applicable licenses necessary for such delivery to Sourcewell members agencies. The undersigned affirms that he or she is authorized to act on behalf of, and to legally bind the Proposer to the terms in this Contract.
2. The Proposer, or any person representing the Proposer, has not directly or indirectly entered into any agreement or arrangement with any other vendor or supplier, any official or employee of Sourcewell, or any person, firm, or corporation under contract with Sourcewell, in an effort to influence the pricing, terms, or conditions relating to this RFP in any way that adversely affects the free and open competition for a Contract award under this RFP.
3. The Proposer has examined and understands the terms, conditions, scope, contract opportunity, specifications request, and other documents in this solicitation and affirms that any and all exceptions have been noted in writing and have been included with the Proposer's RFP response.
4. The Proposer will, if awarded a Contract, provide to Sourcewell Members the /products and services in accordance with the terms, conditions, and scope of this RFP, with the Proposer-offered specifications, and with the other documents in this solicitation.
5. The Proposer agrees to deliver products and services through valid contracts, purchase orders, or means that are acceptable to Sourcewell Members. Unless otherwise agreed to, the Proposer must provide only new and first-quality products and related services to Sourcewell Members under an awarded Contract.
6. The Proposer will comply with all applicable provisions of federal, state, and local laws, regulations, rules, and orders.
7. The Proposer understands that Sourcewell will reject RFP proposals that are marked "confidential" (or "nonpublic," etc.), either substantially or in their entirety. Under Minnesota Statute §13.591, Subd. 4, all proposals are considered nonpublic data until the evaluation is complete and a Contract is awarded. At that point, proposals generally become public data. Minnesota Statute §13.37 permits only certain narrowly defined data to be considered a "trade secret," and thus nonpublic data under Minnesota's Data Practices Act.
8. The Proposer understands that it is the Proposer's duty to protect information that it considers nonpublic, and it agrees to defend and indemnify Sourcewell for reasonable measures that Sourcewell takes to uphold such a data designation.

[The rest of this page has been left intentionally blank. Signature page below]

By signing below, Proposer is acknowledging that he or she has read, understands, and agrees to comply with the terms and conditions specified above.

Company Name: KOMPTECH AMERICAS LLC

Address: 6345 DOWNING STREET

City/State/Zip: DENVER, COLORADO 80216

Telephone Number: 720-890-9090

E-mail Address: B.LAPSYS@KOMPTECHAMERICAS.COM

Authorized Signature: B. Lapsys

Authorized Name (printed): BRANDON LAPSYS

Title: VICE PRESIDENT / GENERAL MANAGER

Date: APRIL 29, 2019

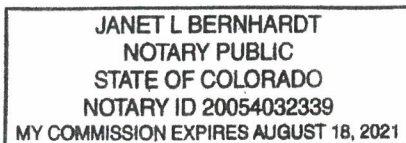
Notarized

Subscribed and sworn to before me this 29TH day of APRIL, 2019

Notary Public in and for the County of Adams State of Colorado

My commission expires: 8-18-21

Signature: Janet L. Bernhardt





Form P

PROPOSER QUESTIONNAIRE

Payment Terms, Warranty, Products and Services, Pricing and Delivery, and Industry-Specific Questions

Proposer Name: KOMPTECH AMERICAS LLC

Questionnaire completed by: BRANDON LAPSYS

Payment Terms and Financing Options

- 1) What are your payment terms (e.g., net 10, net 30)?

Net 30

- 2) Do you provide leasing or financing options, especially those options that schools and governmental entities may need to use in order to make certain acquisitions?

Yes. We have a very flexible finance program both internally and with external partners. We can customize a program to meet a customers needs from term length, lease vs. traditional loan, seasonal payment, etc.

- 3) Briefly describe your proposed order process. Please include enough detail to support your ability to report quarterly sales to Sourcewell. For example, indicate whether your dealer network is included in your response and whether each dealer (or some other entity) will process the Sourcewell Members' purchase orders.

We have a very simple and straightforward order process. We require PO's along with our dealership partners. We have visibility to all sales our dealership partners make, so quarterly reporting to Sourcewell would be easy for our organization and for our partners. We prefer a customer issues a PO directly to one of our dealers in that dealers territory if that is where the piece of equipment is going to be used. In direct sales territories supported by Komptech Americas we would require the PO be issued directly to us.

- 4) Do you accept the P-card procurement and payment process? If so, is there any additional cost to Sourcewell Members for using this process?

We are not familiar with this payment process and do not accept it currently. We would be open to working with members that wish to pay with this payment process and make sure we can accept it in future.

Warranty

- 5) Describe in detail your manufacturer warranty program, including conditions and requirements to qualify, claims procedure, and overall structure. You may include in your response a copy of your warranties, but at a minimum please also answer the following questions.

- Do your warranties cover all products, parts, and labor?

Yes, our warranty covers products, parts and labor. Think of it as a bumper to bumper warranty besides normal wear cost.

- Do your warranties impose usage restrictions or other limitations that adversely affect coverage?

No. Our standard warranty is industry leading in our opinion with all new machines being sold with a 2 year and/or 2,000 hour warranty, whichever comes first.

- Do your warranties cover the expense of technicians' travel time and mileage to perform warranty repairs?

Yes. Travel time and mileage is covered.

- Are there any geographic regions of the United States for which you cannot provide a certified technician to perform warranty repairs? How will Sourcewell Members in these regions be provided service for warranty repair?

No. We warranty all products sold in North America.

- Will you cover warranty service for items made by other manufacturers that are part of your proposal, or are these warranties issues typically passed on to the original equipment manufacturer?

We typically require the customer to work directly with the engine manufacturer in the case of warranty (CAT or Perkins are the two engines we use). However, with that being said we also stay in communication with the CAT or Perkins dealer and the customer during the event of a warranty claim. We are very conscious about maintaining uptime for our customers and will provide loaner machines or bridging machines in certain cases.

- What are your proposed exchange and return programs and policies?

We have a very flexible return program for almost all parts. In most cases we require that freight is covered by the customer in the event of a return and sometimes a small restocking fee. We have the mentality that if a customer can't use the part, we would prefer they spend their \$\$'s on parts they can use.

- 6) Describe any service contract options for the items included in your proposal.

We are open to service contracts on all of our products. Typically these are handled at the local dealership partner level, but we also have field technicians on the Komptech Americas staff capable of performing service contracts. We have some contracts which have been for the life of a machine and others which are only for major service intervals. We are very flexible on customizing a program for the customer based on their individual needs.

Pricing, Delivery, Audits, and Administrative Fee

- 7) Provide a general narrative description of the equipment/products and related services you are offering in your proposal.

Komptech is a full solution provider with Shredding, Turning, Screening and Separation equipment for the waste and recycling industry. We offer a complete after sales program with parts support, service contracts and a full time training program to better support our growing customer base in North America. Our product portfolio is

engineered to deal with a multitude of waste streams from Organics, MSW, C&D, Single Stream as well as more niche applications like Tires, Rail Road Ties, White Goods, E-Scrap, etc. Our products are meant to be used together with each other for a complete turn key solution and/or can be combined with other OEM products to deliver a processing solution for a customer.

- 8) Describe your pricing model (e.g., line-item discounts or product-category discounts). Provide detailed pricing data (including standard or list pricing and the Sourcewell discounted price) on all of the items that you want Sourcewell to consider as part of your RFP response. If applicable, provide a SKU for each item in your proposal. (Keep in mind that reasonable price and product adjustments can be made during the term of an awarded Contract. See the body of the RFP and the Price and Product Change Request Form for more detail.)

We offered preferred pricing for municipal entities including both government and education customers. Please refer to our price list attached to this proposal for all pricing on all products offered.

- 9) Please quantify the discount range presented in this response. For example, indicate that the pricing in your response represents a 50% percent discount from the MSRP or your published list.

Pricing represented in our response is representative of between a 10 – 15% preferred customer discount only available to municipal agencies, government and education customers.

- 10) The pricing offered in this proposal is

- _____ a. the same as the Proposer typically offers to an individual municipality, university, or school district.
- _____ b. the same as the Proposer typically offers to GPOs, cooperative procurement organizations, or state purchasing departments.
- X _____ c. better than the Proposer typically offers to GPOs, cooperative procurement organizations, or state purchasing departments.
- _____ d. other than what the Proposer typically offers (please describe).

- 11) Describe any quantity or volume discounts or rebate programs that you offer.

These are typically addressed on a case by case basis.

- 12) Propose a method of facilitating “sourced” products or related services, which may be referred to as “open market” items or “nonstandard options”. For example, you may supply such items “at cost” or “at cost plus a percentage,” or you may supply a quote for each such request.

We would prefer to provide an individual quote for such items in order to offer the best quality solution for “nonstandard options” to the customer at the time they are requesting it.

- 13) Identify any total cost of acquisition costs that are **NOT** included in the pricing submitted with your response. This cost includes all additional charges that are not directly identified as freight or shipping charges. For example, list costs for items like installation, set up, mandatory training, or initial inspection. Identify any parties that impose such costs and their relationship to the Proposer.

There are no additional costs for acquisition not identified.

- 14) If travel expense, delivery or shipping is an additional cost to the Sourcewell Member, describe in detail the complete travel expense, shipping and delivery program.

There is no additional expense to the Sourcewell member.

- 15) Specifically describe those travel expense, shipping and delivery programs for Alaska, Hawaii, Canada, or any offshore delivery.

There will be a freight surcharge for shipment to Hawaii and Alaska based on the size and scope of the product ordered. This is calculated at time of order.

- 16) Describe any unique distribution and/or delivery methods or options offered in your proposal.

No additional description to offer after considering all of which has been previously outlined.

- 17) Please specifically describe any self-audit process or program that you plan to employ to verify compliance with your proposed Contract with Sourcewell. This process includes ensuring that Sourcewell Members obtain the proper pricing, that the Vendor reports all sales under the Contract each quarter, and that the Vendor remits the proper administrative fee to Sourcewell.

We will submit a quarterly summary to our appointed contracts administrator which show any sales for the preceding quarter which were a result of the Sourcewell contract. This report will include any sales through our dealership partners and/or direct sales by Komptech Americas. We will also include a summary of the sales along with the industry and application the customer plans to use the equipment. We feel this would be of interest to Sourcewell so they can have a better understanding of market segments that their members are doing business in.

- 18) Identify a proposed administrative fee that you will pay to Sourcewell for facilitating, managing, and promoting the Sourcewell Contract in the event that you are awarded a Contract. This fee is typically calculated as a percentage of Vendor's sales under the Contract or as a per-unit fee; it is not a line-item addition to the Member's cost of goods. (See RFP Section 6.29 and following for details.)

We are comfortable with an administrative fee of 2% of the sales price per the price list for all products.

Industry-Specific Questions

- 19) Describe any key designs, processes or innovations that promote or enhance the safety, reduce down-time and simplify the operation of your equipment.

Komptech always has the customer in mind when it comes to serviceability and maintenance. We regularly invite customers for strategic working sessions on how to improve our product, make it more accessible for maintenance and safer to operate. We try and drive as much innovation into our products as possible through our customers voices.

Komptech regularly spends between 7 – 10% of their total revenue on R&D, product development and product improvement each year. This is generally the highest in the industry.

20) Describe any service programs and products that are unique in the marketplace that you or your dealer network offer.

Between flexible service agreements, a large appetite for taking used trade in machines (both Komptech and others) and a large rental fleet there are not many options we don't offer to our customers. Our entire product portfolio is available for rent.

21) Describe the various types of configurations your equipment can be supplied in such as tracked, wheeled, electric, etc.

Our product lines can be provided on tracks, wheel chassis (king pin / fifth wheel or pintle), hook lift / roll off chassis, stationary electric and mobile electric. We have a very wide range of equipment mobility and power unit options.

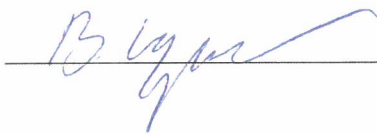
22) Identify any third-party issued eco-labels, ratings or certifications that your company has received for the equipment or products included in this Proposal related to fuel efficiency, emission reductions, or other green/sustainability factors.

Komptech received the International Industrial Design award in the mid 2000's for their Windrow Turner and the unique design, mobility and flexibility built throughout the product. The Windrow Turner also happens to be the very first product that Komptech built when the company was founded.

23) If you are awarded a contract, provide a few examples of internal metrics that will be tracked to measure whether you are having success with the contract.

- Year over year sales volume to government and education customers before award and after
- Change in volume of service contracts offered before award and after

Signature: _____



Date: APRIL 29, 2019