

ANTI-LOBBYING CLAUSE

REQUEST FOR PROPOSALS TO DESIGN, BUILD AND OPERATE AN ENERGY FROM WASTE FACILITY

The subsequent anti-lobbying article remains in force for the duration of the procurement process and will be reflected in the Request for Proposals document.

The following article 6.14 was extracted from “*Request for Qualifications to Design, Build and Operate an Energy from Waste Facility, RFQ 601-2007*” (July 12, 2007):

6.14 Anti Lobbying Restrictions and Required Disclosure

RFQ Respondents, their team members, or anyone involved in preparing their RFQ Submission must not engage in any form of political or other lobbying whatsoever with respect to this project or seek to influence the outcome of this qualification process. This anti-lobbying restriction extends to all members of the Joint Waste Management Group, Chairs and elected council and employees of Durham and York and lower tier municipalities within Durham and York, their respective appointees, and the Regions' Project advisors. In the event of any such lobbying, the Regions may reject any RFQ or RFP Submission by that RFQ Respondent without further consideration and terminate that RFQ Respondent's right to continue in the procurement process. All correspondence or contact by interested parties with the Regions must be directly and only with the RFQ Contact Person.

It should be duly noted by all RFQ Respondents that this anti-lobbying restriction extends from the release date of this RFQ through to the date and time when the Regions formally award the contract, i.e., after the RFP evaluations and award. Any lobbying undertaken during this timeframe by any RFQ Respondent or their team members, or anyone involved with their RFQ Submission may result in immediate disqualification from the process. This anti-lobbying restriction is not meant to affect the day-to-day operations of members of the Joint Waste Management Group, Chairs and elected council and employees of Durham and York and lower tier municipalities within Durham and York, their respective appointees, and the Regions' Project advisors, that may necessarily include contact with potential respondents to this RFQ regarding other business.

This section shall not be intended to disallow any meetings, interviews or clarifications requested or authorized by the Regions, the RFQ Contact Person, or any authorized designate.