**ITP Form B**

**NON-COLLUSION AFFIDAVIT**

INSTRUCTIONS:

* + 1. Submit one copy of ITP Form B for the Proposer. For the avoidance of doubt, only one copy is required despite a Proposer submitting Proposals for multiple NEVI Zones. Proposer should delete any bracketed and italicized text and replace with the information requested therein.
    2. Duplicate or modify this form as necessary so that it accurately describes the entity making the Proposal and so that it is signed on behalf of all partners, members and joint venture members.
    3. Initially capitalized terms not otherwise defined herein shall have the meanings ascribed thereto pursuant to the Instructions to Proposers within the Request for Proposals for the Project.

STATE OF )

COUNTY OF )

Each of the undersigned, being first duly sworn, deposes and says that:

1. [*Insert Name*] is the [*Insert Title*] of [*Insert Firm Name*] and [*Insert Name*] is the [*Insert Title*] of [*Insert Firm Name*], which entity(ies) are the [*Insert Relationship to Proposer*] of, the entity making the foregoing Proposal.
2. The Proposal is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, joint venture, limited liability company or corporation; the Proposal is genuine and not collusive or a sham; the Proposer has not directly or indirectly induced or solicited any other Proposer to put in a false or sham Proposal, and has not directly or indirectly colluded, conspired, connived or agreed with any Proposer or anyone else to put in a sham Proposal or that anyone shall refrain from proposing; the Proposer has not in any manner, directly or indirectly, sought by agreement, communication or conference with anyone or participated in any collusion or otherwise taken any action to fix the prices of the Proposer or any other Proposer, or to fix any overhead, profit or cost element included in the Proposal, or of that of any other Proposer, or to restrain free competitive bidding in connection with its Proposal or to secure any advantage against ADOT, or anyone interested in the proposed Project Agreement(s); all statements contained in the Proposal are true; and, further, the Proposer has not, directly or indirectly, submitted its prices or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company, association, joint venture, limited liability company, organization, Proposal depository or any member, partner, joint venture member or agent thereof to effectuate a collusive or sham Proposal.
3. The Proposer will not, directly or indirectly, divulge information or data regarding the price or other terms of its Proposal to any other Proposer, or seek to obtain information or data regarding the price or other terms of any other Proposal, until after award of the Project Agreement(s) or rejection of all Proposals and cancellation of the Request for Proposals.

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| --- | --- |
| (Signature) | (Signature) |
| (Name Printed) | (Name Printed) |
| (Title) | (Title) |

Subscribed and sworn to before me this \_\_ day of , 2024.

Notary Public in and for

said County and State

[Seal]

My commission expires: