



September 21, 2023

Via USPS Mail Delivery and E-mail (Tyler.Prince@edcgov.us)

County of El Dorado
330 Fair Lane
Placerville, CA 95667
Attention: Tyler Prince, Administrative Analyst II

RE: BID Protest: #23-918-053 Electric Vehicle Supply Equipment Replacement, Maintenance, Billing, and Customer Service

Dear Mr. Prince:

I am writing on behalf of TurnOnGreen Inc. to formally submit this bid protest to the County of El Dorado in regards to the RFP identified above. After email correspondence with you on 9/20/23 and 9/21/23 regarding the TurnOnGreen application, it has become clear that the rationale applied to the scoring of our experience was incorrect. TurnOnGreen believes that the review process for our bid was flawed and that our application was scored incorrectly. We respectfully request a formal review of our application for Section III item C, and a more thorough review of the Awardee to ensure the network services and equipment will meet the standards of El Dorado County.

You issued scores of 0 for each of the sections listed below based on the interpretation that our partners had all the experience and not our firm. We believe this rationale to be flawed and incorrectly applied across all bidders. We believe that our firm is being penalized for transparency and your misinterpretation of the facts.

- A. **Section III Item C - Firm experience removing and replacing EV Chargers - Maximum 5 Points –** TurnOnGreen score, 0 points: Our bid response to this section was, "*TurnOnGreen and PH electric have 4 years of experience removing, installing, maintaining, and repairing EV Chargers in commercial, municipal, and residential properties.*" Clearly you interpret this statement as TurnOnGreen has 0 years of experience, which is incorrect. Nowhere in the bid document does it state that we should not list the experience of our firm and our partners. The firm who won the award is a consulting firm in Virginia with no discernable operating infrastructure, clearly they use sub-contractors to perform all their work and yet you scored them 2.5 points for this section. We should at a minimum be awarded a score of 1 point for this section, and you may want to review how you score Consulting firms who are only listing the experience of their sub-contractors.

- B. **Section III Item C - Firm experience providing maintenance for new EV Chargers - Maximum 5 Points** – TurnOnGreen Score, 0 points. Our bid response to this section was, *“TurnOnGreen and PH electric have 4 years of experience removing, installing, maintaining, and repairing EV Chargers in commercial, municipal, and residential properties.”* The County interprets this statement as TurnOnGreen has 0 years of experience, which is incorrect. Nowhere in the bid document does it state that we should not list the experience of our firm and our partners. We should at a minimum be awarded a score of 1 point for this section, and you may want to review how you score Consulting firms who are only listing the experience of their sub-contractors.
- C. **Section III Item C - Firm experience providing billing network services for new EV Chargers - Maximum 5 Points** – TurnOnGreen Score, 0 points. Our bid response to this section was, *“TurnOnGreen is an enterprise partner with network provider ChargeLab, and uses the ChargeLab system to provide billing and network services for new EV chargers. ChargeLab has been providing network and billing services since 2015 (8 years). TurnOnGreen has been working with ChargeLab since 2021. TurnOnGreen and ChargeLab manage over 7,000 networked chargers on the North American platform, working primarily in the commercial fleet, hospitality, and multifamily property segments.”* The County interprets this statement as TurnOnGreen has 0 years of experience and manages nothing, which is incorrect. Not only do we have 2.5 years of experience as listed above, but our partner has an additional 8 years of experience. Nowhere in the bid document does it state that the experience of a bidder’s partners cannot be listed. If this is the case, then every bidder should be scored 0, as every bidder is using a software license to provide network services.

On 9/20/23, you wrote to me the following statement *“Does TurnOnGreen own ChargeLab or vice versa? It appears that TurnOnGreen uses the ChargeLab system to provide billing and network services, and 24/7 customer service. We can use that experience if TurnOnGreen owns ChargeLab or vice versa, but it appears that the experience is ChargeLab’s and not TurnOnGreen’s.”* Our firm believes that your interpretation of the relationship between ownership and experience is flawed and incorrect. The bid was awarded to a Consulting Firm, who was given a score of 2.5 for this section, but owns no software or equipment confirms our position on this matter, and highlights the flawed logic applied to the scoring of the TurnOnGreen bid. We should at a minimum be awarded a score of 1 point for this section, and you may want to review how you score Consulting firms who are only listing the experience of their sub-contractors.

- D. **Section III Item C - Firm experience providing 24 hours a day 7 days a week customer service support to users/customers for new EV Chargers - Maximum 5 Points** - TurnOnGreen Score, 0 points. Our bid response to this section was, *“TurnOnGreen and ChargeLab offer EV driver support 24 hours per day 7 days a week, 365 days per year. ChargeLab has offered 24/7 support for the past 2 years, and TurnOnGreen provides site*

host and driver support Mon-Sun 8am-8pm as a second layer to the ChargeLab support line.” We should at a minimum be awarded a score of 1 point for this section, and you may want to review how you score Consulting firms who are only listing the experience of their sub-contractors. Every bidder in this RFP is using an outside call center to offer 24/7 driver support.

TurnOnGreen is a company with over 50 years of experience providing custom power solutions to mission critical industries. As an EVSE provider based in California and working across North America with some of the biggest corporations in the world, we find it concerning that this bid was awarded to a consulting firm with no discernable infrastructure, corporate offices and who is based across the Country, to support the effective operation and management of level 2 chargers in California. The reliability and consistency of EV chargers in California is essential for the increased adoption of electric vehicles and the rapid shift from fossil fuel powered transportation. If counties like El Dorado do not take the extra steps to ensure that the vendors they work with are equipped to fulfill their duties as EVSE providers in the state, then our industry, our State, and our future generations will all suffer the consequences. It is our hope that you have awarded this bid to a corporation with the means and experience to provide equipment and network services that will endure the environmental pressures of the region.

Regards,



Marcus Charuvastra
President
TurnOnGreen Inc.



Amos Kohn
CEO
TurnOnGreen Inc.
Digital Power Corp.