

# TPS/NHE

SERVING  
GREEN POWER  
TO THE WORLD

## TPS / NHE LANDFILL SOLUTION, LLC

Orellana N27-36; Edificio La Moraleja Piso 2, Ofc. 201; Quito, Ecuador

Telephone #: 011-593-2-254-3000 \* USA Telephone #: 001-281-459-2435 \* E-Mail: sleett@tpshoustongroup.com

### FORM Nº 3 LETTER OF COMMITMENT

Sirs

Metropolitan Public Company of Integral Management of Solid Waste EMGIRS-EP Quito.--

Interested: TPS/NHE Landfill Solutions, LLC

Ref.: International Public Contest for the selection of a Strategic Partner for the development of the "New North Transfer Station and South Separation Plant for Ordinary Waste of the Metropolitan District of Quito"

By the present, we declare under oath the following:

1. We are committed to comply with all the obligations described in the Strategic Partner Selection Bases, as well as in explanatory and amending notes and other related documents that are of public knowledge and others that result from participation in this public contest.
2. The only person or persons interested in competing in this process are or is named in it, without engaging in acts of concealment or simulation in order to not appear any person disabled to participate in this process.
3. That all the information presented to accredit our experience in construction, operation and administration of similar projects recorded in the documents presented is reliable.
4. The Sample of Interest and potential Binding Offer is made independently and without hidden connection with another person, companies or groups participating in this Contest and that, in every aspect, the offer is honest and in good faith. Consequently, it ensures that it has not infringed and will not violate any principle or norm related to free, fair and fair competition; As well as declares that it will not establish, coordinate or coordinate directly or indirectly, explicitly or in hidden form - positions abstentions or results with another or other offerors, whether or not they are considered related parties under the terms of the applicable regulations.
5. In presenting this Sample of Interest and Potential Binding Offer, it considers all the mandatory costs that must be assumed in the contractual execution, especially those related to social, labor, social security, environmental and tax obligations.
6. The external consultants of the Interested Party have not directly provided any services in favor of EMGIRS-EP or its members during the course of the present process, whether full-time, part-time or occasional, related to the aforementioned Public Selection of a Strategic Partner.
7. In the event that a breach of the commitments set forth in the preceding paragraphs is verified, the EMGIRS-EP will disqualify us as Interested, or proceed to the unilateral termination of the contract, as the case may be.
8. The documentation is formulated according to the requirements and conditions of the Bases and documents of the contest.

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9. We study and know the instructions, including the scope issued, so we are satisfied with the knowledge acquired in relation to contractual obligations. Therefore, we waive any subsequent claim, alleging ignorance of the regulation.
10. We are aware that EMGIRS-EP may award, declare void or cancel the Contest, if this is in accordance with national and institutional interests.
11. In case of being adjudicated, we commit to subscribe the partnership agreement before fulfilling the corresponding requirements.
12. The Interested Party and its shareholders waive invocation or exercise any diplomatic privilege or other privilege or claim through the diplomatic channel and any claim that may be invoked by or against EMGIRS-EP, its members and advisers, under Ecuadorian law or under any other legislation.

Entity TPS/NHE Landfill Solutions, LLC

Interested

Name Stephan C. Lett

Name of Stakeholder's Representative

Signature [Signature]

Signature of Stakeholder's Representative

Entity Renewable Diesel Micro Refinery, LLC  
dba New Hope Energy

Interested

Name Stephan C. Lett for Johnny D. Combs

Name of Stakeholder's Representative

Signature [Signature]

Signature of Stakeholder's Representative





# The State of Texas

Secretary of State

Not for use within the United States of America

This Apostille only certifies the signature, the capacity of the signer and the seal or stamp it bears. It does not certify the content of the document for which it was issued.

Certificate Validation available at [www.sos.state.tx.us](http://www.sos.state.tx.us)

## APOSTILLE

(Convention de La Haye du 5 Octobre 1961)

- |                                |   |
|--------------------------------|---|
| 1. Country                     | United States of America  |
| This public document           |   |
| 2. has been signed by          | ELIZABETH CORONADO  |
| 3. acting in the capacity of   | Notary Public, State of Texas   |
| 4. and bears the seal/stamp of | ELIZABETH CORONADO,<br>Notary Public, State of Texas,<br>Commission Expires: 12-02-20 |

## CERTIFIED

- |                                       |                    |
|---------------------------------------|--------------------|
| 5. at Austin, Texas                   | 6. on May 17, 2017 |
| 7. by the Secretary of State of Texas |                    |
| 8. Certificate No. 11257755           |                    |
| 9. Seal                               | 10. Signature:     |



A handwritten signature in black ink, appearing to read "Rolando B. Pablos".

Rolando B. Pablos  
Secretary of State

GF/eg

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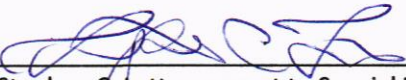


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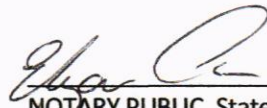
Telephone #: 011-593-2-254-3000 \* USA Telephone #: 001-281-459-2435 \* E-Mail: slett@tpshoustongroup.com

**RENEWABLE DIESEL MICRO REFINERY, LLC**

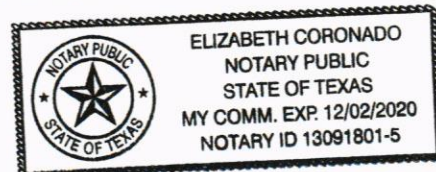
By:   
Stephan C. Lett, pursuant to Special Power of Attorney dated May 12, 2017  
Executed by Johnny D. Combs, Manager of Renewable Diesel Micro Refinery, LLC


STATE OF TEXAS                   §  
   §  
COUNTY OF HARRIS           §

This instrument was acknowledged before me on this 16 day of May, 2017, by Stephan C. Lett, pursuant to the Special Power of Attorney dated May 12, 2017 executed by Johnny D. Combs, the Manager of RENEWABLE DIESEL MICRO REFINERY, LLC, a Texas Limited Liability Company, on behalf of said company.

  
\_\_\_\_\_  
NOTARY PUBLIC, State of Texas

**TPS/NHE LANDFILL SOLUTIONS, LLC**

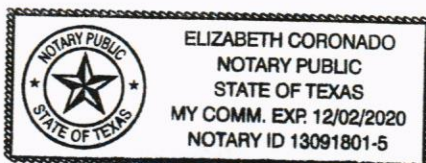


By:   
Stephan C. Lett, Manager of TPS/NHE Landfill Solutions, LLC

STATE OF TEXAS                   §  
   §  
COUNTY OF HARRIS           §

This instrument was acknowledged before me on this 16 day of May, 2017, by Stephan C. Lett, the Manager of TPS/NHE LANDFILL SOLUTIONS, LLC, a Texas Limited Liability Company, on behalf of said company.

  
\_\_\_\_\_  
NOTARY PUBLIC, State of Texas



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