



September 25, 2018

REQUEST FOR PROPOSALS

**FOR COMPOSTABLE MATERIAL TRANSPORT SERVICES
FOR THE
SONOMA COUNTY WASTE MANAGEMENT AGENCY**

Proposals due 3:00 p.m. on November 2, 2018

Submit proposal to:

Patrick Carter, Executive Director
Sonoma County Waste Management Agency
2300 County Center Drive, Suite B100
Santa Rosa, CA 95403

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- Exhibit C: Form of Agreement
- Exhibit D: Organic Material Tonnages By Transfer Station
- Exhibit E: Approved Sites and Future Site

1. INTENT AND BACKGROUND

1.1 Definitions

This section contains definitions that are used throughout this RFP.

Compost Facility. A facility with a current solid waste facility permit from the California Department of Resources Recycling and Recovery for accepting and processing compostable materials.

Compostable Material. Any organic material that when accumulated will become active compost, as defined by 14 CCR § 17852. Definitions.

County. The County of Sonoma, a political subdivision of the State of California.

PROPOSER A person or entity submitting a proposal under this Request for Proposals.

RFP. This Request for Proposals to transport compostable materials for the Sonoma County Waste Management Agency.

SCWMA. The Sonoma County Waste Management Agency, a joint powers authority composed of the County of Sonoma and the nine incorporated jurisdictions within Sonoma County: Cloverdale, Cotati, Healdsburg, Petaluma, Rohnert Park, Santa Rosa, Sebastopol, Sonoma, and Windsor.

Transfer Stations: Permitted Solid Waste Transfer Stations owned by the County of Sonoma, including Annapolis (33549 Annapolis Road, Annapolis), Central (500 Mecham Road, Petaluma), Guerneville (13450 Pocket Road, Guerneville, CA), Healdsburg (166 Alexander Valley Road, Healdsburg), and Sonoma (4376 Stage Gulch Road, Sonoma).

1.2 Overview of Requested Services

The Sonoma County Waste Management Agency (SCWMA) is seeking proposals from interested and qualified contractors for transport of compostable materials to permitted composting facilities.

Approximately 72,000 tons per year of compostable material is currently accepted at the transfer stations for transport to out-of-county compost facilities which are contractually obligated to accept SCWMA generated Organic Materials. The Organic Material currently originates from all Transfer Stations, except the Central Disposal Site. There is a possibility material may originate from the Central Disposal Site in the future. Organics Materials are delivered to two compost facilities, Redwood Landfill's compost facility and Cold Creek Compost.

The SCWMA is nearing completion of a separate RFP process to secure long term Organic Material processing capacity. Locations of the proposed facilities will be provided. As site selection has not been made at this time, the SCWMA is requesting transport pricing to the top ranked sites, as the material may be redirected to those locations when those facilities are ready to accept the material.

Recology Sonoma Marin currently performs these tasks for the Sonoma County Waste Management Agency under an agreement which is set to expire on February 11, 2019.

1.3 Responsibility of SCWMA

SCWMA has included tonnage information, by transfer station of origin for 2017, which represents the most recent calendar year tonnage for Compostable Materials.

2. GENERAL INFORMATION

The general guidelines for preparing a response to this RFP are explained in this section.

2.1 Questions

All questions pertaining to this RFP must be directed in writing or via email to:

Patrick Carter, Executive Director
Sonoma County Waste Management Agency
2300 County Center Drive, Suite B100
Santa Rosa, CA 95403
E-mail: Patrick.carter@sonoma-county.org

Questions must be submitted no later than 3:00 p.m. on **October 12, 2018**; no response will be made to questions submitted after this date. An addendum to this RFP will be prepared in response to any questions received. The PROPOSER is solely responsible for providing their email address by **October 12, 2018** to the contact above so that the addendum can be circulated as soon as available. The SCWMA cannot assure that every entity receiving a RFP will receive the addenda. All addenda shall become part of the Agreement documents, and all PROPOSERS are bound by such addenda, whether or not received by the PROPOSER.

2.2 SCWMA Contact for Information

All requests for additional information regarding this RFP should be directed in writing or via email to the SCWMA's Executive Director, noted above. Do *not* directly contact other SCWMA staff or members of the Board of Directors. Individuals or organizations that do so may be disqualified from further consideration. SCWMA will recognize only those responses to inquiries issued in writing by SCWMA in Addendum form as binding modifications to this RFP.

2.3 Appeals Process

Should any PROPOSER dispute the SCWMA's determinations and findings during the RFP process, such PROPOSER shall give the SCWMA written notice of the matter in dispute within five (5) days of PROPOSER's first knowledge of the decision or determination. The PROPOSER shall thereafter, within ten (10) days of PROPOSER's first knowledge of the SCWMA decision or determination in dispute, provide SCWMA with a complete and comprehensive "Statement of Dispute" that discusses all the reasons why the PROPOSER disputes the SCWMA's determination or decision and submit all documentary evidence relied on by the PROPOSER. The Statement of Dispute must meet the following conditions and requirements:

- A. The Statement of Dispute must contain a complete statement of the factual and legal basis for the protest.
- B. The Statement of Dispute must specifically refer to the specific portions of the RFP, which form the basis for the protest, and all documentary evidence relied upon.
- C. The Statement of Dispute must include the name, address and telephone number of the person representing the protesting party.
- D. The party filing the Statement of Dispute must concurrently transmit a copy of the initial protest document and any attached documentation to all other parties with a direct financial interest, which may be adversely affected by the outcome of the protest. Such parties shall include all other PROPOSERS, who shall have seven (7) calendar days to respond to the Statement of Dispute.

The SCWMA will review the Statement of Dispute, and may elect to hold an administrative hearing thereon, and may request PROPOSER to produce such further evidence as SCWMA deems material to a decision on the issue, after which time SCWMA will issue a determination which shall be final. The procedure and time

limits set forth in this paragraph are mandatory and are the PROPOSER's sole and exclusive remedy in the event of protest and failure to comply with these procedures shall constitute a waiver of any right to further pursue the protest, including filing a Government Code Claim or legal proceedings. Failure to strictly follow this procedure shall waive any further rights to dispute the SCWMA's decisions and determinations made during the RFP process.

2.4 Confidentiality

SCWMA has made a determination in accordance with Section 6255 of the Government Code that all Proposals submitted in response to this RFP shall not be made public by SCWMA until the time SCWMA is considering award of a contract for the services. In addition, SCWMA has made a determination in accordance with Section 6255 of the Government Code that all PROPOSER proprietary financial information which is specifically identified by the PROPOSER as "confidential" shall not be made public by SCWMA and shall be returned to each PROPOSER, unless otherwise required by law. In the event a PROPOSER wishes to claim other portions of its proposal exempt from disclosure under the Public Records Act, it is incumbent upon PROPOSER to clearly identify those portions with the word "confidential" printed on the lower right-hand corner of the page, along with a written justification as to why such information should be exempt from disclosure. Blanket designations of "confidential" shall not be effective. However, SCWMA will make a decision based upon applicable laws. SCWMA shall notify PROPOSER of any requests for disclosure under the Public Records Act. If the PROPOSER wishes to prevent the disclosure of such material, including proprietary financial information that is marked confidential, the PROPOSER shall bear the sole burden of seeking review in a court of competent jurisdiction. In addition, PROPOSER shall defend and indemnify SCWMA from any claims and/or litigation relating to a claim of confidentiality.

Proprietary or confidential data must be readily separable from the proposal in order to facilitate eventual public inspection of the non-confidential portion of the proposal. The cost of services shall not be designated as proprietary or confidential information.

3. INSTRUCTIONS TO PROPOSERS AND PROCEDURES FOR SUBMITTAL

3.1 Submittal Rules

Proposals must be presented in accordance with the information requested in Section 4, Proposal Requirements. Other relevant information that the PROPOSER feels is appropriate may be included. The following rules shall apply:

- A. All proposals shall be in accordance with the requirements of this Request for Proposals. No facsimile proposals will be accepted. All proposals submitted by e-mail shall be compliant with all Americans with Disabilities Act requirements and shall be ready for posting on the SCWMA website. Proposals submitted by e-mail which fail to meet these requirements may be rejected by SCWMA.
- B. Three (3) paper copies of the proposal or one e-mailed proposal shall be submitted to the SCWMA no later than **3:00 p.m.** on the time clock located at 2300 County Center Drive, Suite B100, Santa Rosa, California, on **November 2, 2018**. Proposals submitted in physical form must be clearly labeled on the outside with the name and the address of the firm submitting the proposal with the words: "Compostable Material Transport Services" in the address. If paper copies are submitted, one of the copies of the proposal shall be unbound to allow for ease of copying. Proposals must be addressed and delivered to the SCWMA contact found in Section 2 above.
- C. PROPOSERS shall label one of the copies "Original", which shall govern in the event of any inconsistency among copies of the proposal. This original copy shall be bound.
- D. Each physical copy of the proposal shall be printed on 8 1/2" by 11" paper, double-sided where appropriate, or if larger paper is required, it must be folded to 8 1/2" by 11". Paper shall be 100% post-consumer recycled content.

- E. Each proposal shall include all information required by this RFP and any subsequent addenda.
- F. Proposals received after the required submittal date will be rejected and will be returned. The SCWMA will not, in any manner, be liable or responsible for any late delivery of proposals.

3.2 Evaluation Process

The SCWMA shall evaluate each proposal received by the submission deadline listed in Section 3.1. All determinations with regard to the evaluation of proposals will be at the sole discretion of the SCWMA. Each proposal shall first be evaluated for completeness and for compliance with the requirements of this RFP. The SCWMA will then evaluate the benefit of the proposed services described in the proposal to the SCWMA and its citizens.

3.3 Rights of the SCWMA

PROPOSERS shall submit an appropriately signed Exhibit B – Proposal Authorization and Acknowledgement Form stating that the PROPOSER agrees with the rights of the SCWMA as described below. The SCWMA shall have the right to:

- Award an agreement for services described in this RFP.
- Reject all proposals and not award an agreement.
- Reject any proposal.
- Select a proposal other than the lowest cost/highest payment proposal.
- If during the course of negotiations with a selected PROPOSER, the SCWMA determines in its sole discretion that an acceptable Agreement cannot be negotiated, the SCWMA reserves the right to suspend negotiations with that PROPOSER and begin negotiations with another PROPOSER. Also, the SCWMA reserves the right to undertake simultaneous negotiations of the final Agreement with more than one PROPOSER.
- Waive defects and/or irregularities in any proposal.
- Request from any PROPOSER at any time during the evaluation process, clarification of any information contained in the proposal.
- Request “Best and Final” offers.
- Conduct interview(s) with any PROPOSER(s).
- Negotiate terms and conditions that are different from those described in this RFP and Agreement.
- Contact references provided and seek information from any client with which the PROPOSER has done business.
- Take other such action that best suits the needs of the SCWMA and/or its citizens.

PROPOSERS are notified that the costs of preparing and submitting proposals and the risks associated therewith shall be borne solely by the PROPOSER. No compensation will be provided to PROPOSERS for work performed or costs incurred during the preparation, submittal or evaluation of Proposals neither for the negotiation or execution and delivery of an Agreement awarded as a result of this RFP.

4. PROPOSAL REQUIREMENTS

A proposal shall be complete and concise and should be prepared in substantial conformance with the format and order described below to assist in the review process. *A Proposal that omits or inadequately addresses any of the topics below may be rejected.*

4.1 Letter of Submission

The proposal must contain a submission letter that contains the PROPOSER's unconditional acceptance of the performance obligations set forth in the RFP. An officer of the proposing entity authorized to bind the PROPOSER to the proposal terms must sign this letter.

The Letter of Submission shall also include a description of the ownership of the proposing company, including, but not limited to:

- Official name and address. Indicate the type of entity and list its officers (e.g. corporation, partnership, sole proprietorship). Indicate the date and place of incorporation or organization.
- If entity is a joint venture, submit a current copy of the joint venture agreement or contract.
- Federal Employer I.D. Number
- Complete name, mailing address, phone number, and email address of the person to receive notices and who is authorized to make decisions or represent the company with respect to this RFP.

4.2 Proposed Scope of Work

The PROPOSER must include a scope of work which, at minimum, addresses the items listed in Exhibit A – Scope of Work and Evaluation Criteria.

4.3 Insurance

The PROPOSER should demonstrate the ability to submit proof of the required insurance as set forth in the Agreement. Prior to award of the Agreement, the successful PROPOSER shall furnish the SCWMA with Certificates of Insurance clearly evidencing all required insurance and endorsements. The successful PROPOSER shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the successful PROPOSER, its agents, representatives, employees or subcontractors.

4.4 Qualifications and Experience of Firm

The proposal should include the PROPOSER's experience relevant to the requested services and qualifications and resumes of key personnel that will be assigned to the management of the Agreement.

PROPOSER should provide a minimum of two (2) California governmental clients that the SCWMA may contact to conduct a reference check regarding provision of the proposed service.

If the PROPOSER cannot provide all of the information requested under Section 4.4 above, then the PROPOSER must provide descriptions of similar work performed for other clients. In either case, the description shall list the:

- Dates and a description of the services that were provided;
- Names and responsibilities of the team members involved with the referenced work; and

- Name, address, and telephone number of a contact person of each client who would be most familiar with the services provided.

4.5 Agreement for Compostable Material Transport Services

The selected PROPOSER must execute the Agreement and submit Exhibit B, acknowledging their willingness to sign the Agreement for Organic Material Transport Services attached hereto as Exhibit C to this RFP, unless modified pursuant to the procedures set forth herein. PROPOSER shall identify in its proposal any proposed modifications to the Agreement for Transportation and Recycling Services.

5. SCHEDULE

<u>Date</u>	<u>Action</u>	<u>Responsible Party</u>
September 25, 2018	Distribution of RFP	SCWMA
October 12, 2018	Submit Addenda Distribution Information	PROPOSER
October 12, 2018	Submit Written Questions	PROPOSER
November 2, 2018	Proposals Due (3:00 p.m.)	PROPOSER
December 19, 2018	Board Approval of Agreement (tentative)	SCWMA

6. ATTACHMENTS

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