



March 9, 2018

REQUEST FOR PROPOSALS

**TO TRANSPORT AND RECYCLE ELECTRONIC WASTE
FOR THE
SONOMA COUNTY WASTE MANAGEMENT AGENCY**

Proposals due 3:00 p.m. on April 6, 2018

Submit proposal to:

Courtney Scott, Waste Management Specialist - HHW
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: Annual E-Waste Quantities

1. INTENT AND BACKGROUND

1.1 Definitions

This section contains definitions that are used throughout this RFP.

CANCELLATION	Means a processing or treatment method that qualifies CEWs for recycling payments, removes the CEWs from the payment system eliminating the possibility of double payments, dismantles or destroys the original CEW, and results in treatment residuals as specified in Section 18660.32 of Title 14, Natural Resources--Division 7, Chapter 8.2. Electronic Waste Recovery and Recycling.
CRT	Cathode Ray Tube (Televisions and/or Computer Monitors)
CONTRACTOR	E-Waste Collector and/or Recycler
COUNTY:	The County of Sonoma
CEWs	Covered Electronic Wastes (Pursuant to SB20/SB50/as defined by Public Resources Code Section 42463)
E-STEWARDS RECYCLER	Means an electronics recycler that has been certified by accredited, independent e-Stewards certification bodies to adhere to the Basel Action Network's e-Stewards Standard for Responsible Recycling and Reuse of Electronic Equipment.
E-WASTE	Electronic Waste (Includes CEWs and UWEDs)
RFP	Request for Proposals
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.
UWEDs	Universal Waste Electronic Devices (as defined by California Code of Regulations, Title 22, section 66273.3)

1.2 Overview of Requested Services

The Sonoma County Waste Management Agency (SCWMA) is seeking proposals from Approved Recyclers for the transport and recycling of Covered Electronic Wastes (CEWs) and Universal Waste Electronic Devices (UWEDs), collectively referred to as electronic waste (E-waste). The SCWMA seeks a company to transport and recycle E-waste in compliance with all appropriate laws and regulations and in a manner that is beneficial to the communities and environment where the materials are dismantled and recycled. The contract for services being sought under this RFP will be between the successful Proposer and the SCWMA.

The SCWMA accepts E-waste for recycling at five solid waste disposal facilities and currently transfers it to the Central Disposal Site, 500 Mecham Road, Petaluma, California. Contractor must be an Approved Recycler with the State of California Department of Resources Recycling and Recovery (CalRecycle) and maintain this designation throughout the term of the contract. The successful Proposer shall collect E-waste from the Central Disposal Site, transport the E-waste to a designated recycling facility, cancel each CEW unit to qualify for recycling payments under the Electronics Recycling Act of 2003, and recycle the component parts and the UWED's. The proposer may also choose to offer sorting and packaging services, as well as transportation services from four solid waste disposal facilities to the Central Disposal Site. The SCWMA has particular concerns that the E-waste is recycled in a beneficial manner that is not harmful to human health or safety and the environment and is in compliance with all applicable laws, including international laws. The term of the contract will be for three (3) years with the option for two annual extensions upon written approval from both parties.

A Pre-Proposal tour for Potential Proposers interested in touring the E-waste collection site is tentatively scheduled, site conditions permitting, to be held on **Friday, March 16, 2018, from 10:00 a.m. to 11:30 a.m.**, at the following address:

Central Disposal Site, Administration Office, 500 Mecham Road, Petaluma, California, 94952

Potential Proposers interested in touring the E-Waste collection site shall RSVP to the Waste Management Specialist noted in Section 2 below by 3 p.m. on March 14, 2018.

Completion of Exhibit A by the PROPOSER will define the key parameters and Scope of Work requested by the SCWMA for this RFP.

1.3 Responsibility of SCWMA

The SCWMA will provide all necessary collection logs and CEW transfer receipts.

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:

Courtney Scott, Waste Management Specialist - HHW
Sonoma County Waste Management Agency
2300 County Center Drive, Suite B100
Santa Rosa, CA 95403
E-mail: courtney.scott@sonoma-county.org

Questions must be submitted no later than 3:00 p.m. on **March 23, 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 **March 23, 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 Waste Management Specialist, 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, 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 e-mailed proposals 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 **April 6, 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: "E-Waste Transport and Recycling" in the address. 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. 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, fax number and email address (if available) 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 E-Waste Transport and Recycling Services

The selected PROPOSER must execute the Agreement and submit Exhibit B, acknowledging their willingness to sign the Agreement for Transportation and Recycling 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>
March 9, 2018	Distribution of RFP	SCWMA
March 14, 2018	RSVP for Pre-Proposal Tour	PROPOSER
March 16, 2018	Pre-Proposal Tour (10:00) (site conditions permitting)	SCWMA
March 23, 2018	Submit Addenda Distribution Information	PROPOSER
March 23, 2018	Submit Written Questions	PROPOSER
April 6, 2018	Proposals Due (3:00 p.m.)	PROPOSER
May 16, 2018	Board Approval of Agreement (tentative)	SCWMA

6. ATTACHMENTS

- Exhibit A: Proposed Scope of Work and Evaluation Criteria
- Exhibit B: Proposal Authorization and Acknowledgement Form
- Exhibit C: Form of Agreement
- Exhibit D: Annual E-Waste Quantities