

Meeting Date: 3/24/15

Agenda Item 4

REQUESTED COMMISSION ACTION:

Consent Ordinance Resolution Consideration/Discussion Presentation

SHORT TITLE Approve ranking order for RFP T-05-15, Residential and Commercial Solid Waste
Collection Services and authorize staff to negotiate a contract with the highest ranked firm
Waste Management Inc. of Florida (no cost at this time).

Summary of Purpose and Why:

RFP T-05-15 was issued to obtain responses from qualified firms to provide exclusive franchised residential and commercial solid waste collection, and recycling services to the City of Pompano Beach, FL. City Commission approval of the ranking order presented by the Selection/Evaluation Committee is requested, and authorization is requested for appropriate City staff to negotiate a contract with the highest ranked firm, Waste Management Inc. of Florida. Commission approval of "Residential Collection Service Option #2 (SO#2)" is also requested. Further authorization is requested to continue with the succeeding ranked firms should an impasse occur in the negotiations with the recommended firm. The recommended firm is a Local Business.

- (1) Origin of request for this action: Staff
- (2) Primary staff contact:: Robert McCaughan, Public Works Director 954 786-4097
- (3) Expiration of contract, if applicable: n/a
- (4) Fiscal impact and source of funding: No cost at this time

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE
Public Works	<u>3/12/15</u>	<u>APPROVE</u>	<u>[Signature]</u>
General Services	<u>3/11/15</u>	<u>APPROVE</u>	<u>[Signature]</u>
Finance	<u>3/12/15</u>	<u>approval</u>	<u>S. Sibble</u>
Budget			

[Signature]
 City Manager

[Signature]

ACTION TAKEN BY COMMISSION:

<u>Ordinance</u>	<u>Resolution</u>	<u>Consideration</u>	<u>Workshop</u>
1 st Reading	1 st Reading	Results:	Results:
2 nd Reading			

MEMORANDUM

Purchasing #15-050
February 23, 2015

To: Dennis W. Beach, City Manager
From: Otis J. Thomas, General Services Director
Subject: Background for T-05-15, Residential and Commercial Solid Waste Collection Services

Contract Need/Background

A Request for Proposals, T-05-15 was issued to obtain responses from qualified firms to provide exclusive franchised residential and commercial solid waste collection, and recycling services to the City of Pompano Beach, FL. The City requested pricing for three (3) different service options for residential collection services as outlined in the RFP document. The Public Works (Waste) Department provided the scope of services.

Mailing List

The mailing list for this project was created by using companies suggested by the requesting department, companies that have responded to prior bids, companies that have requested their names be placed on the mailing list, and companies from appropriate listings in other sources.

Number of firms submitting proposals.....5

Advertising

The RFP was advertised in the Sun Sentinel, and notices were sent to bid notice agencies throughout the nation. The RFP package was also posted on the City's web page for download by interested firms.

Selection/Evaluation Committee

Five responses were received to the solicitation. The Selection/Evaluation Committee met on January 30 (in a public meeting) to review and evaluate the responses. All responses were scored, and the Committee determined that all five (5) firms would be asked to make presentations to the Committee. Presentations were made to the Committee at the meeting held on February 18. This meeting was exempt from the public in accordance with Florida State Statute 286.0113 (2) (b) 1 and 2. After the final presentation, the Committee discussed their perception of each presentation and each firm's overall response to the City's project. Committee members scored the firm they considered most qualified to provide the required services to the City. Copies of the minutes and voting matrix from each meeting and scoring sheets are attached.

Recommendation

The recommendation from the Selection/Evaluation Committee to the City Commission is to approve the ranking order, approve the Residential Collection Service Option #2, and authorize City staff to negotiate a contract with the highest ranked firm Waste Management, Inc., with additional authorization to negotiate with succeeding ranked firms should an impasse occur in the negotiations with the recommended firm.

attachments

cc: file

MEMORANDUM

Purchasing #15-057
March 19, 2015

To: Mayor and City Commission

Through: Dennis W. Beach, City Manager 

From: Otis J. Thomas, General Services Director 

Subject: RFP T-05-15, Residential and Commercial Solid Waste Collection Services Bid
Protest by Southern Waste Systems (SWS)

Background

Southern Waste Systems (SWS) filed a bid protest for T-05-15, Residential and Commercial Solid Waste Collection Services (Agenda Item No. 4, March 24, 2015 City Commission meeting) with the Director of the General Services Department. In accordance with the General Services Procedures Manual, Chapter 13 (Protest Procedure), of which is attached, staff has carefully reviewed and considered the specific documents that were submitted by SWS in support of their protest, and found that they do not substantiate their claims. Accordingly, the bid protest was found to be without merit. Not being satisfied with the outcome of its appeal at this level, SWS took its protest to the next level of appeal, which is the City Manager, who also reviewed the facts and denied it. Copies of the letters sent by the General Services Director and the City Manager in response to SWS's bid protest are attached for your information.

Attachments

cc: file



City of Pompano Beach, Purchasing Division
1190 N.E. 3rd Avenue, Building C
Pompano Beach, Florida, 33060

March 2, 2015

Joseph M. Goldstein, Partner
Shutts & Bowen, LLP
200 East Broward Boulevard, Suite #2100
Fort Lauderdale, FL 33301

Via Certified Mail and Email: JGoldstein@shutts.com

Dear Mr. Goldstein,

I have reviewed your letter of protest regarding the outcome of the evaluation of Request for Proposals (RFP) T-05-15, Residential and Commercial Solid Waste Collection Services.

The proposals received in response to this RFP were evaluated in accordance with the procedures published in the RFP. A Selection/Evaluation Committee, composed of four subject matter experts, reviewed the submissions. Scoring was conducted as described by the procedures in the RFP. The final outcome was determined based on the sum of scores submitted by all Committee members.

The evaluation process was not arbitrary or capricious, and did not give any proposer an unfair competitive advantage. The recommendation conforms to our established procurement procedures. Accordingly, I find that your protest is without merit. I support the recommendation by the Selection/Evaluation Committee to the City Commission to approve the ranking and authorize negotiations with the highest-ranked firm, Waste Management Inc. of Florida.

Sincerely,

A handwritten signature in black ink, appearing to read "Otis J. Thomas", written over a horizontal line.

Otis J. Thomas
General Services Director

cc: file



CITY MANAGER'S OFFICE

Dennis W. Beach, City Manager

E: dennis.beach@copbfl.com | P: 954.786.4601 | F: 954.786.4504

CERTIFIED MAIL: 7007 0710 7349 7050

March 13, 2015

Joseph M. Goldstein, Partner
Shutts & Bowen, LLP
200 East Broward Boulevard, Suite #2100
Fort Lauderdale, FL 33301

Via Certified Mail

Dear Mr. Goldstein,

This letter is to confirm that I have received your letter of protest regarding the outcome of the evaluation of Request for Proposals (RFP) T-05-15, Residential and Commercial Solid Waste Collection Services.

The General Services Procedure Manual, Chapter 13, states that the City Manager shall consider the protest to have merit if it can be proven that an action or lack of action by the City has given a vendor an unfair competitive advantage. If the protest is found to have merit, the City Manager will direct the appropriate City staff to take corrective action. If the City Manager finds no merit in the protest and does not direct alternative action by City staff, then the award process will then continue. If the award valuation is \$25,000.00 or higher, the written recommendations of both the General Services Director and the City Manager will be included in the Agenda item presented to the City Commission.

Southern Waste Systems (SWS) submitted documentation stating that the "Selection/Evaluation Committee failed to reasonably consider the Free HHW Drop off Services and other enhancements offered by SWS and the Selection/Evaluation Committee unduly diminishes the cost savings to residents of the City of Pompano Beach." Please be advised that we have carefully reviewed and considered the specific documents that you have submitted to us in support of your allegations, and found that they do not substantiate your claims. The evaluation process was not arbitrary or capricious, and did not give any proposer an unfair competitive advantage. Accordingly, I find that your protest is without merit. I support the recommendation by the Selection/Evaluation Committee to the City Commission to approve the ranking and authorize negotiations with the highest ranked firm, Waste Management Inc. of Florida.

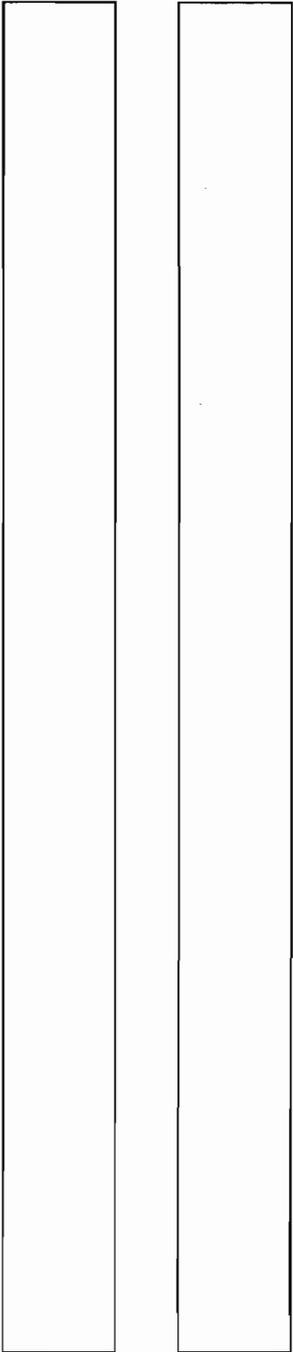
Sincerely,

Dennis W. Beach
City Manager

General Services Procedures Manual



Florida's Warmest Welcome



CHAPTER 13
PROTEST PROCEDURE

PROTEST PROCEDURE

The procedure which must be followed for all protests of Invitation for Bids, Request for Proposals and Request for Letters of Interest is basically the same in all cases, with few exceptions.

A. WHERE TO FILE PROTEST

In order to be considered, protests concerning the proposed solicitation award must be filed in writing with the General Services Director and may only be filed by bidders or proposers who may be aggrieved by the solicitation or award. The initial protest must be addressed to the following:

General Services Director, City of Pompano Beach
1190 N.E. 3rd Avenue, Building C, Pompano Beach, Florida 33060
(if to be hand delivered)

-- or --

P.O. Box 1300, Pompano Beach, Florida 33061-1300
(if to be mailed)

B. TIME LIMIT

The time limit for filing a protest is as follows:

1. Invitation for Bids (IFB)
Five (5) calendar days from the bid opening date.
2. Request for Proposals (RFP)
 - a. Five (5) calendar days from the date a short-list is created by the Selection/Evaluation Committee.
 - b. Five (5) calendar days from the date the final ranking of proposers is created by the Selection/Evaluation Committee.
3. Request for Letters of Interest (RLI)
 - a. Five (5) calendar days from the date a short-list is created by the Selection/Evaluation Committee.
 - b. Five (5) calendar days from the date the final ranking of proposers is created by the Selection/Evaluation Committee.

C. PROTEST EVALUATION

No further action to award an IFB/RFP/RLI under protest will be taken until either the aggrieved vendor withdraws the protest or it is determined that the protest is without merit.

Upon receipt of a timely protest, the General Services Director will review the protest, consult with appropriate City staff, and issue a written finding within ten (10) working days of receipt of the protest. A protest will be considered to have merit only if it can be proven that an action, or lack of action, by the City gave a vendor an unfair competitive advantage. If the protest is found to have merit, appropriate action to correct the situation will be taken. Such action could include, but is not limited to, canceling the original solicitation and reissuing the requirement with the corrective action included in the documentation.

The written finding of the General Services Director shall be sent by certified mail, return receipt requested, to the address of the protesting vendor as set forth in their solicitation response. Receipt of this notice shall be deemed to occur within five (5) calendar days from the mailing of the notice or the receipt of the "certified return receipt card", whichever is shorter.

D. APPEAL PROCESS

If the General Services Director finds that the protest is without merit, these findings may be appealed, by the vendor lodging the protest, to the City Manager. This appeal must be filed within five (5) calendar days after the protesting vendor receives the initial finding. The appeal must be addressed to:

City Manager, City of Pompano Beach
100 West Atlantic Boulevard, Pompano Beach, Florida 33060
(if to be hand delivered)

-- or --

P.O. Box 1300, Pompano Beach, Florida 33061-1300
(if to be mailed)

Upon receipt of a timely appeal, the City Manager will review the appeal, consult with appropriate City staff and issue a written finding within ten (10) working days of receipt of the appeal.

The City Manager shall consider the protest to have merit if it can be proven that an action, or lack of action, by the City has given a vendor an unfair competitive advantage. If the protest is found to have merit, the City Manager will direct the appropriate City staff to take the corrective action as outlined above.

E. PROCESS FOLLOWING DENIAL OF APPEAL

If the City Manager finds no merit in the protest and does not direct alternative action by City staff, the award process will then continue. The recommendation of staff in the written findings of both the General Services Director and the City Manager will be included as follows:

1. If the award valuation is less than \$25,000.00, the findings will be included in the City Manager concurrence to the General Services Director award package.
2. If the award valuation is \$25,000.00 or higher, the findings will be included in the agenda item presented to the City Commission.

Once the award is made, or the time has expired for timely appeal process, the protest procedure is no longer valid.

SHUTTS
&
BOWEN
LLP

Founded 1910

JOSEPH M. GOLDSTEIN
PARTNER
(954) 847-3837 Direct Telephone
(954) 888-3066 Direct Facsimile

E-MAIL ADDRESS:
jgoldstein@shutts.com

February 25, 2015

VIA HAND DELIVERY

Otis J. Thomas, *General Services Director*
City of Pompano Beach
1190 N.E. 3rd Avenue, Building C
Pompano Beach, Florida 33060

**Re: Bid Protest of Southern Waste Systems, LLC as to Request for Proposals
No.: T-05-15 for Residential and Commercial Solid Waste Collection
Services**

Dear Mr. Thomas:

On behalf of our client, Southern Waste Systems, LLC ("SWS"), we hereby file this bid protest challenging the City of Pompano Beach, Florida (the "City")'s decision to award a contract to Waste Management Inc. of Florida ("Waste Management") pursuant to Request for Proposals No.: T-05-15 for Residential and Commercial Solid Waste Collection Services (the "RFP"). Because the City improperly evaluated SWS's proposal and unequally treated SWS and Waste Management, this protest has merit as a result of the such improper actions provided Waste Management with an unfair competitive advantage. Therefore the City's decision to award Waste Management a contract is clearly erroneous, arbitrary and capricious, illegal, an abuse of discretion, and contrary to competition, and SWS demands that the City award SWS the

contract. *SWS also invokes its right to an automatic stay of award during the pendency of this bid protest pursuant to Chapter 13, Section C of the General Services Procedures Manual (the "G.S.P.M.")*.

I. The RFP

On or about October 24, 2014, the City issued the RFP, which sought proposals for the exclusive right to collect and transport residential and commercial solid waste in the City. See **Exhibit 1**, the RFP, as amended by Addendum 1 through 9, at RFP0031.¹ Offerors were required to offer pricing for 3 different service options for residential collection services. See **Exhibit 1**, RFP, at RFP00030.

The RFP provided that award was to be made on the basis of best value, price and other factors considered:

Criteria	Maximum Points
Qualifications & References	20
Technical Proposal	25
Financial Proposal – Residential	30
Financial Proposal – Commercial	15
Added Value & Enhancements	10
Total	100

See **Exhibit 1**, RFP, at RFP0044-RFP46.

¹ Cited page numbers refer to the Bates Numbers in the bottom center of the page.

The non-cost factors were to be scored by a Selection/Evaluation Committee. *See Exhibit 1*, RFP, at RFP0044. For Qualifications & References, offerors were to show that the personnel they were proposing were qualified and had previous related work experience, demonstrate a clear understanding of the RFP scope, and provide references/recommendations. *See Exhibit 1*, RFP, at RFP0045. In their Technical Proposals, offerors were to demonstrate the resources they would assign to the contract, their overall approach, and their financial resources. For Added Value and Enhancements, offerors were to demonstrate any additional benefits to the City that an offeror could provide and that were not expressly discussed in the RFP. *See Exhibit 1*, RFP, at RFP0045. The RFP also provided that, even though Technical Proposals and Added Value & Enhancements were separate scoring criteria, offerors were to incorporate their Added Value & Enhancements into their Technical Proposals. *See Exhibit 1*, RFP, at RFP0026.

The Evaluation/Selection Committee was not to score cost proposals: “With the exception of the Financial Proposal, the selection committee will evaluate and score proposals to each evaluation criteria.” *See Exhibit 1*, RFP, at RFP0045. Instead, the RFP provided a mathematical formula by which costs would be scored: $(\text{Lowest Price}/\text{Offeror's Price}) \times \text{Maximum Number of Points} = \text{Score}$. Thus, if the lowest price was \$100, and Offeror B's price was \$150, and the maximum number of points was 30, Offeror B's Price Score was 20 points.² *See Exhibit 1*, RFP, at RFP0045-RFP0046.

² $(100/150) \times 30 = 20$.

II. Proposals & Scoring

SWS submitted a responsive proposal and was determined to be a responsible offeror, and was the second-ranked offeror in this procurement behind Waste Management. *See Exhibit 2, Final Ranking.* A true and correct copy of SWS's proposal is attached hereto as **Exhibit 3**, and a true and correct copy of Waste Management's proposal is attached hereto as **Exhibit 4**. Notwithstanding the additional services that SWS offered the City, three out of the four members of the Evaluation/Selection Committee, Hal Beard, Michael Carter, and Russ Ketchem, assigned SWS zero points for the Added Value & Enhancements category. *See Exhibit 2.* Additionally, Michael Carter assigned SWS only 10 points for its Technical Proposal, even though the other evaluators gave SWS scores ranging from 18 to 22 points for this category. A review of the Final Rankings shows that Mr. Carter appears to have arbitrarily chosen to assign scores to everyone in five-point increments. Furthermore, Claudia McMahon only gave SWS 12 points for the Qualifications and References category, notwithstanding that SWS is as qualified or more qualified than Waste Management to perform the services described in the RFP.

The City's scoring of Financial Proposals was clearly erroneous because they are mathematically impossible. As stated above, offerors were to be given one score each for three options on residential with a maximum of 30 points each, and up to 15 points for their commercial proposals. One offeror, FCC, received overall scores of 39.8 for Option 1, 41.2 for Option 2, and 40.3 for Option 3. A true and correct copy of FCC's Proposal is attached hereto as **Exhibit 5**. However, FCC's are not mathematically possible based on the ground rules of the RFP outlined at RFP0045-RFP0046:

Option 1

	SWS	Waste Management³	FCC
Total Monthly Residential Price	\$370,252.05	\$409,411.54	\$542,479.57
Points for Residential	30	27.1	20.5
Maximum Possible Points for Residential and Commercial	45	42.1	35.5
Points Actually Awarded for Residential and Commercial	38.2	36.2	39.8

Option 2

	SWS	Waste Management	FCC
Total Monthly Residential Price	\$398,090.55	\$372,293.54	\$533,200.07
Points for Residential	28.1	30	20.9
Maximum Possible Points for Residential and Commercial	43.1	45	35.9
Points Actually Awarded for Residential and Commercial	38.2	38.8	41.2

Option 3

	SWS	Waste Management	FCC
Total Monthly Residential Price	\$368,396.15	\$353,734.54	\$527,632.37
Points for Residential	28.8	30	20.1
Maximum Possible Points for Residential and Commercial	43.8	45	35.1
Points Actually Awarded for Residential and Commercial	38.2	38.8	40.3

III. Standing & Timeliness

The Selection/Evaluation Committee created its final ranking, attached hereto as **Exhibit 2**, on Friday, February 20, 2015 (or it was first provided to SWS on that date). Because this protest is being hand delivered to the City's General Services Director prior to 5:00 p.m., on

³ SWS and Waste Management were the low bidders on all three residential options.

Wednesday, February 25, 2015, it is timely filed pursuant to 13 G.S.P.M. § B.1. **Because this protest is timely filed, SWS is entitled to and demands that the award to Waste Management be stayed during the pendency of this protest pursuant to 13 G.S.P.M § C.** SWS is a responsible and responsive offeror in this procurement, and was the second-ranked offeror behind Waste Management. But for the City's wrongful evaluation of proposals, SWS would have been awarded a contract. Therefore, SWS is an interested party with standing to protest.

IV. The City's Evaluation of Proposals Was Improper

Florida's competitive procurement laws have been enacted for the protection of the public. While a public authority has wide discretion in awarding contracts for public works such discretion must always be exercised within the limits set out by a solicitation's defined criteria, and failure to do so is arbitrary and capricious. *City of Sweetwater v. Solo Constr. Corp.*, 823 So. 2d 798, 801-02 (Fla. 3d DCA 2002) (*aff'g* trial court order sustaining judicial bid protest where city's evaluations and award decision deviated from the terms of the solicitation); *State Dep't of Lottery v. Gtech Corp.*, 816 So. 2d 648, 652-53 (Fla. 1st DCA 2001) (*aff'g* trial court ruling sustaining bid protest, agency's evaluation of proposals deviated from criteria in solicitation, offerors were entitled to rely on the RFP process); *Emerald Corr. Mgmt. v. Bay Cnty. Bd. of Cnty. Comm'rs*, 955 So. 2d 647, 653 (Fla. 1st DCA 2007) (*rev'g* dismissal of protest alleging that agency failed to comply with terms of the RFP, if the allegations were true, agency acted arbitrarily). As explained above, the City's evaluations of SWS's non-cost proposal evaluated in an arbitrary and capricious manner, resulting in irrationally low scores.

In particular, the City scored SWS's Technical Proposal 68 points and scored Waste Management's 92 points, even though they were essentially the same. Unequal treatment of

offerors is arbitrary, capricious, and contrary to competition. *Marriott Corp. v. Metro. Dade Cnty.*, 383 So. 2d 662, 668 (Fla. 3d DCA 1980) (rev'g lower court ruling in favor of government, it was improper for government to afford one offeror an opportunity to establish that it was "local" without affording competitor the same opportunity); *James Hinson Elec. Contracting Co., Inc. v. Dep't of Transp.*, DOAH Case No. 13-0685BID ¶¶ 46-51, 2013 WL 3242970, at *8-9 (Fla. Div. Admin. Hrgs. June 21, 2013) (protest sustained where offeror was unequally treated during procurement process, disparate treatment of offerors is contrary to competition). It is also worth noting that Michael Carter, the evaluator who scored SWS 10 points for this category, assigned Waste Management the maximum of 25 points. See **Exhibit 2**, Final Ranking. Furthermore, Hal Beard, Michael Carter, and Russ Ketchem could only have given SWS scores of zero for Added Value & Enhancements by completely failing to evaluate SWS's proposal for that criterion, even though it was required by the RFP. *Sweetwater*, 823 So. 2d at 801-02; *Gtech Corp.*, 816 So. 2d at 652-53. SWS would have won the contract had the City properly evaluated its proposal.

Finally, the City evaluated offerors' cost proposals in a manner that was clearly erroneous, as demonstrated by the fact that mathematically impossible scores have been assigned. Because the City evaluated cost proposals in a manner that is inconsistent with the terms of the RFP, the award to Waste Management must be overturned. *Sweetwater*, 823 So. 2d at 801-02; *Gtech Corp.*, 816 So. 2d at 652-53.

V. Request for Public Records

SWS requests that the City produce, in electronic format, any and all documents, communications, and recordings that relate in any way to the RFP, including but not limited to,

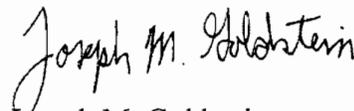
all notes, memoranda, proposals, emails, recordings and/or minutes of meetings, and score sheets. This public records request does not include the proposals of SWS, Waste Management, and FCC, which are already in SWS's possession.

VI. Request for Relief

SWS requests that the City terminate the award to Waste Management and award SWS a contract as the best-value offeror under the RFP. In the alternative, SWS requests the City to reevaluate proposals in a manner that is consistent with the terms of the RFP.

Sincerely,

Shutts & Bowen LLP



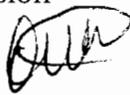
Joseph M. Goldstein

cc w/o exhibits: Gordon Linn, *City Attorney* (gordon.linn@copbfl.com)

FTLDOCS 6782106 4

MEMORANDUM

TO: City of Pompano Beach Commission

VIA: Dennis Beach, City Manager 
Robert McCaughan, Director Public Works 

FROM: Russell Ketchem, Solid Waste Manager 

DATE: 25 February 2015

SUBJECT: Solid Waste Collection RFP T-05-15 Outcome and Recommendations

The City of Pompano Beach (City) retained Kessler Consulting, Inc. (KCI) to assist in the assessment of the City's solid waste and recycling services, and provide options and recommendations for the City's future solid waste program. Another directive to KCI was to assist in providing solutions to the solid waste "blight", such as large amounts of trash curbside for days at a time, illegal dumping in vacant lots, and excessive litter. KCI provided a report in August 2013 that reviewed and provided recommendations to the City's solid waste system based on the evaluation of industry trends and the applicability of those trends in the City's environment.

Background

The City's existing solid waste collection and disposal services have been under contract with the same service provider since 1974. The current solid waste collection contract has been in effect, with several addendums, for over 28 years. In 2003, the City entered into a separate disposal contract with Reuter Recycling of Florida, now a division of Waste Management (WM). The disposal contract expires on September 15, 2022. In anticipation of the collection contract's expiration, the City made the decision to competitively procure new solid waste collection services (RFP T-05-15) that are aligned with its current solid waste needs and to sync the contract expiration date for both the collection and disposal contracts.

The solid waste industry is moving to automated collection for improved productivity and worker safety. Automated vehicles are equipped with a lifting mechanism designed to

pick up and tip the garbage from a standard sized, durable and weather resistant roll cart. The process is fast and requires only one worker, a driver. The driver can stay in the vehicle, avoiding traffic dangers. Worker injuries are reduced by eliminating the need to lift heavy loads of garbage manually. The roll carts are convenient and safer for the customer, as well. A recent KCI study of cities and counties in Florida with populations over 50,000 found that over 50% (7.1 million) of residents receive automated collection service. Benefits include increases in productivity, customer satisfaction and overall curb appeal.

Current

The overall goal was to provide the highest level of service to the residents and commercial sector; combat the of trash curbside for days at a time, illegal dumping in vacant lots, and excessive litter issues; adjust the commercial rates to be more competitive; and increase the overall level of recycling.

The City has completed the procurement process for the collection of solid waste (RFP T-05-15). There were five (5) qualified firms that provided bids in three categories of residential collection. All categories of residential collection included utilization of automated carts and provided for twice per week garbage service and once per week recycling services. The variable for each category was the level of bulk service: twice per week; once per week; or once per month.

The results from the procurement process ranked Waste Management as the number one option for each category.

Conclusion and Recommendation

In conclusion, staff is recommending entering into a contract with Waste Management for the collection of solid waste and recycling services for the residential and commercial sectors utilizing option 2.

The materials generated from the residential sector will be collected in automated carts or dumpsters when appropriate. Single family homes will receive a 95-gallon cart for twice per week collection of solid waste; a 65-gallon cart will be provided for recycling materials and serviced once per week; yard waste can be placed into the 95-gallon cart twice per week; bulk service for larger materials will be provided once per week collection at the curb; and Waste Management has offered within their bid an opportunity for all residents the ability to bring additional bulk materials to a transfer station on a designated day at no additional cost. Multifamily dwellings will automatically receive recycling services at the complex at no additional cost. The commercial sector rate structure will be adjusted to better reflect the current marketplace.

Compared to the current solid waste system, the overall savings from this procurement process is approximately \$3,000,000 per year or approximately \$21,000,000 over the life of the contract.

**MINUTES
SELECTION / EVALUATION COMMITTEE**

**RFP #T-05-15
RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES**

**PURCHASING CONFERENCE ROOM
9:30 a.m. 2/18/15**

The committee consisted of the following voting members:

Hal Beard, Assistant Public Works Director
Michael Carter, Streets Operations Manager
Russell Ketchem, Solid Waste Manager
Claudia McMahon, Chairman of Recycling and Waste Committee

Non-voting members:

Otis J. Thomas, General Services Director

The meeting was held for presentations from the five firms that had been selected by the Committee at the public meeting held on January 30. This meeting was exempt from the public in accordance with Florida State Statute 286.0113 (2) (b) 1 and 2.

The schedule of presentations was:

9:30 a.m. SWS - Southern Waste Systems
10:45 a.m. Republic Services of Florida
12:00 p.m. FCC SA
2:15 p.m. Waste Management Inc. of Florida
3:30 p.m. Waste Pro of Florida, Inc.

Each firm was given thirty minutes for their presentations, with a question-and-answer period immediately following. During their presentations, the firms discussed details on hiring practices, safety and training initiatives, and transition strategies. The Committee had specific follow-up questions for each firm.

After the final presentation, the Committee discussed their perception of each presentation and each firm's overall response to the City's project. Committee members scored the firm they considered most qualified to provide the required services to the City. The Committee scored the responses using voting forms containing the evaluation criteria published in the RFP, with the following results:

	<u>Option #1</u>	<u>Option #2</u>	<u>Option #3</u>
1) Waste Management Inc. of Florida	352.8	363.2	361.2
2) SWS - Southern Waste Systems	282.8	282.8	282.8
3) Waste Pro of Florida, Inc.	266.4	272.4	270.4
4) FCC SA	235.2	240.8	237.2
5) Republic Services of Florida	221.4	225.0	221.8

Copies of the voting matrix and scoring sheets are attached to these minutes.

An agenda item will be prepared to present the final ranking to the City Commission for their approval to negotiate a contract with the highest-ranked firm, Waste Management Inc. of Florida, and approval to implement option #2, with additional authorization to negotiate with

succeeding ranked firms should an impasse occur in the negotiations with the recommended firm.

The meeting adjourned at approximately 5:30 p.m.

Analysis Comparison, Ranking 2/18/15, T-05-15 Residential and Commercial Waste Collection Services

	Total Potential Points	FCC SA			Republic Services of Florida			Southern Waste Systems			Waste Management Inc. of Florida			Waste Pro of Florida, Inc		
Committee Member	Potential Points															
<u>Hal Beard</u>		Opt 1	Opt 2	Opt 3	Opt 1	Opt 2	Opt 3	Opt 1	Opt 2	Opt 3	Opt 1	Opt 2	Opt 3	Opt 1	Opt 2	Opt 3
Qualifications and References	0-20	7.0	7.0	7.0	15.0	15.0	15.0	14.0	14.0	14.0	18.0	18.0	18.0	17.0	17.0	17.0
Technical Proposal	0-25	19.0	19.0	19.0	16.0	16.0	16.0	18.0	18.0	18.0	21.0	21.0	21.0	15.0	15.0	15.0
Financial Proposal	0-45	39.8	41.2	40.3	23.6	24.5	23.7	38.2	38.2	38.2	36.2	38.8	38.3	29.1	30.6	30.1
Added Value & Enhancements	0-10	0.0	0.0	0.0	5.0	5.0	5.0	0.0	0.0	0.0	10.0	10.0	10.0	6.0	6.0	6.0
	Total =	65.8	67.2	66.3	59.6	60.5	59.7	70.2	70.2	70.2	85.2	87.8	87.3	67.1	68.6	68.1
Committee Member	Potential Points															
<u>Michael Carter</u>																
Qualifications and References	0-20	5.0	5.0	5.0	10.0	10.0	10.0	15.0	15.0	15.0	20.0	20.0	20.0	15.0	15.0	15.0
Technical Proposal	0-25	15.0	15.0	15.0	10.0	10.0	10.0	10.0	10.0	10.0	25.0	25.0	25.0	20.0	20.0	20.0
Financial Proposal	0-45	39.8	41.2	40.3	23.6	24.5	23.7	38.2	38.2	38.2	36.2	38.8	38.3	29.1	30.6	30.1
Added Value & Enhancements	0-10	0.0	0.0	0.0	5.0	5.0	5.0	0.0	0.0	0.0	10.0	10.0	10.0	5.0	5.0	5.0
	Total =	59.8	61.2	60.3	48.6	49.5	48.7	63.2	63.2	63.2	91.2	93.8	93.3	69.1	70.6	70.1

Analysis Comparison, Ranking 2/18/15, T-05-15 Residential and Commercial Waste Collection Services

	Total Potential Points	FCC SA			Republic Services of Florida			Southern Waste Systems			Waste Management Inc. of Florida			Waste Pro of Florida, Inc		
Committee Member	Potential Points															
Russ Ketchem																
Qualifications and References	0-20	14.0	14.0	14.0	18.0	18.0	18.0	17.0	17.0	17.0	20.0	20.0	20.0	19.0	19.0	19.0
Technical Proposal	0-25	16.0	16.0	16.0	22.0	22.0	22.0	22.0	22.0	22.0	23.0	23.0	23.0	21.0	21.0	21.0
Financial Proposal	0-45	39.8	41.2	40.3	23.6	24.5	23.7	38.2	38.2	38.2	36.2	38.8	38.3	29.1	30.6	30.1
Added Value & Enhancements	0-10	0.0	0.0	0.0	2.0	2.0	2.0	0.0	0.0	0.0	10.0	10.0	10.0	5.0	5.0	5.0
	Total =	69.8	71.2	70.3	65.6	66.5	65.7	77.2	77.2	77.2	89.2	91.8	91.3	74.1	75.6	75.1
Committee Member	Potential Points															
Claudia McMahon																
Qualifications and References	0-20	0.0	0.0	0.0	10.0	10.0	10.0	12.0	12.0	12.0	19.0	19.0	19.0	10.0	10.0	10.0
Technical Proposal	0-25	0.0	0.0	0.0	14.0	14.0	14.0	18.0	18.0	18.0	23.0	23.0	23.0	14.0	14.0	14.0
Financial Proposal	0-45	39.8	41.2	40.3	23.6	24.5	23.7	38.2	38.2	38.2	36.2	38.8	38.3	29.1	30.6	30.1
Added Value & Enhancements	0-10	0.0	0.0	0.0	0.0	0.0	0.0	4.0	4.0	4.0	9.0	9.0	9.0	3.0	3.0	3.0
	Total =	39.8	41.2	40.3	47.6	48.5	47.7	72.2	72.2	72.2	87.2	89.8	89.3	56.1	57.6	57.1

Analysis Comparison, Ranking 2/18/15, T-05-15 Residential and Commercial Waste Collection Services

	Total Potential Points	FCC SA			Republic Services of Florida			Southern Waste Systems			Waste Management Inc. of Florida			Waste Pro of Florida, Inc		
Committee Members (Average)																
Qualifications and References	0-20	6.5	6.5	6.5	13.3	13.3	13.3	14.5	14.5	14.5	19.3	19.3	19.3	15.3	15.3	15.3
Technical Proposal	0-25	12.5	12.5	12.5	15.5	15.5	15.5	17.0	17.0	17.0	23.0	23.0	23.0	17.5	17.5	17.5
Financial Proposal	0-45	39.8	41.2	40.3	23.6	24.5	23.7	38.2	38.2	38.2	36.2	38.8	38.3	29.1	30.6	30.1
Added Value & Enhancements	0-10	0.0	0.0	0.0	3.0	3.0	3.0	1.0	1.0	1.0	9.8	9.8	9.8	4.8	4.8	4.8
	Ave Score =	58.8	60.2	59.3	55.4	56.3	55.5	70.7	70.7	70.7	88.2	90.8	90.3	66.6	68.1	67.6
Committee Members (Total)																
Qualifications and References	0-80	26.0	26.0	26.0	53.0	53.0	53.0	58.0	58.0	58.0	77.0	77.0	77.0	61.0	61.0	61.0
Technical Proposal	0-100	50.0	50.0	50.0	62.0	62.0	62.0	68.0	68.0	68.0	92.0	92.0	92.0	70.0	70.0	70.0
Financial Proposal	0-180	159.2	164.8	161.2	94.4	98.0	94.8	152.8	152.8	152.8	144.8	155.2	153.2	116.4	122.4	120.4
Added Value & Enhancements	0-40	0.0	0.0	0.0	12.0	12.0	12.0	4.0	4.0	4.0	39.0	39.0	39.0	19.0	19.0	19.0
	Grand Total=	235.2	240.8	237.2	221.4	225.0	221.8	282.8	282.8	282.8	352.8	363.2	361.2	266.4	272.4	270.4
	Ranking	4	4	4	5	5	5	2	2	2	1	1	1	3	3	3

EVALUATION CRITERIA
RFP T-05-15 – RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES

VENDOR NAME: FCC

<u>Criteria</u>	<u>Point Range</u>	<u>Score</u>
1. Qualifications and References Previous related work experience and qualifications in the subject area of personnel assigned. Demonstrates a clear understanding of scope of work and other technical or legal issues related to the project. History and performance of firm/project team on similar projects. References and recommendations from previous clients.	0-20	7
2. Technical Proposal (Resources and Methodology) Adequacy of amount of quality resources assigned to the project. Overall approach to project. Consideration of services provided and approach to meeting goals and deadlines. Financial resources	0-25	19
3. Financial Proposal <ul style="list-style-type: none"> • Residential 0-30 points • Commercial 0-15 points 	0-45	1 2 3 39.8 41.2 40.3
4. Added Value & Enhancements Any additional benefit to the City, commercial or residential sectors that has not been requested within this RFP. Overall point distribution will be based from all proposed added value and enhancement submissions.	0-10	0
Total	0-100	

List the reasons for this evaluation (justify the rating/scoring):

No experience in the State Of Florida or office location in area.

No references in the United States.

Limited technical and transitional information

No added value above CNG and standard items already in place.

Harold Beard
Signature of Evaluator

2/18/15
Date

HAROLD BEARD
Printed Name

EVALUATION CRITERIA
RFP T-05-15 – RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES

VENDOR NAME: Republic Services

<u>Criteria</u>	<u>Point Range</u>	<u>Score</u>
1. Qualifications and References Previous related work experience and qualifications in the subject area of personnel assigned. Demonstrates a clear understanding of scope of work and other technical or legal issues related to the project. History and performance of firm/project team on similar projects. References and recommendations from previous clients.	0-20	15
2. Technical Proposal (Resources and Methodology) Adequacy of amount of quality resources assigned to the project. Overall approach to project. Consideration of services provided and approach to meeting goals and deadlines. Financial resources	0-25	16
3. Financial Proposal <ul style="list-style-type: none"> • Residential 0-30 points • Commercial 0-15 points 	0-45	1 2 3 23.6 24.5 23.7
4. Added Value & Enhancements Any additional benefit to the City, commercial or residential sectors that has not been requested within this RFP. Overall point distribution will be based from all proposed added value and enhancement submissions.	0-10	5
Total	0-100	

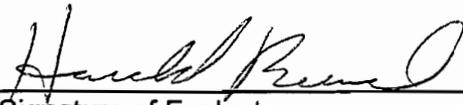
List the reasons for this evaluation (justify the rating/scoring):

Good solid waste collection experience in the State of Florida. Good references and understanding of the scope of project and equipment needed.

2.25 billion Line of Credit, large organization and staff.

Good overall approach

Very good added value with community grants and rewards program.


2/18/15
HAROLD BEARD
 Signature of Evaluator Date Printed Name

EVALUATION CRITERIA

RFP T-05-15 – RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES

VENDOR NAME: SWS

<u>Criteria</u>	<u>Point Range</u>	<u>Score</u>
1. Qualifications and References Previous related work experience and qualifications in the subject area of personnel assigned. Demonstrates a clear understanding of scope of work and other technical or legal issues related to the project. History and performance of firm/project team on similar projects. References and recommendations from previous clients.	0-20	14
2. Technical Proposal (Resources and Methodology) Adequacy of amount of quality resources assigned to the project. Overall approach to project. Consideration of services provided and approach to meeting goals and deadlines. Financial resources	0-25	18
3. Financial Proposal <ul style="list-style-type: none"> • Residential 0-30 points • Commercial 0-15 points 	0-45	1 2 3 38.2 38.2 38.2
4. Added Value & Enhancements Any additional benefit to the City, commercial or residential sectors that has not been requested within this RFP. Overall point distribution will be based from all proposed added value and enhancement submissions.	0-10	0
Total	0-100	

List the reasons for this evaluation (justify the rating/scoring):

Florida based company with local experience.

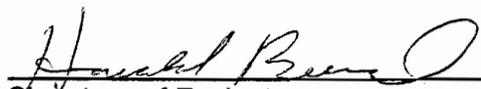
Qualifications are limited and primarily based on one employee and not company.

Growing company but experience in large transitions is limited.

Basic email reporting system.

Good communication with collection trucks.

No added value.


2/18/15
HAROLD BEARIZ
 Signature of Evaluator Date Printed Name

EVALUATION CRITERIA
RFP T-05-15 – RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES

VENDOR NAME: **Waste Management**

<u>Criteria</u>	<u>Point Range</u>	<u>Score</u>
1. Qualifications and References Previous related work experience and qualifications in the subject area of personnel assigned. Demonstrates a clear understanding of scope of work and other technical or legal issues related to the project. History and performance of firm/project team on similar projects. References and recommendations from previous clients.	0-20	18
2. Technical Proposal (Resources and Methodology) Adequacy of amount of quality resources assigned to the project. Overall approach to project. Consideration of services provided and approach to meeting goals and deadlines. Financial resources	0-25	21
3. Financial Proposal <ul style="list-style-type: none"> • Residential 0-30 points • Commercial 0-15 points 	0-45	1 2 3 36.2 38.8 38.3
4. Added Value & Enhancements Any additional benefit to the City, commercial or residential sectors that has not been requested within this RFP. Overall point distribution will be based from all proposed added value and enhancement submissions.	0-10	10
Total	0-100	

List the reasons for this evaluation (justify the rating/scoring):

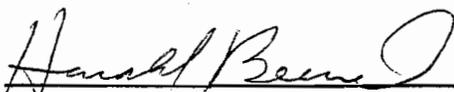
Very qualified and a local Pompano business.

Extensive knowledge of Pompano collection requirements.

2.25 billion Line of Credit, large organization and staff.

Good overall approach

Best submitted added value. Resident use of transfer station is exceptional and community scholarship program is great for the kids.


Signature of Evaluator

2/18/15
Date

HAROLD BEARD
Printed Name

EVALUATION CRITERIA
RFP T-05-15 – RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES

VENDOR NAME: **Waste Pro**

<u>Criteria</u>	<u>Point Range</u>	<u>Score</u>
1. Qualifications and References Previous related work experience and qualifications in the subject area of personnel assigned. Demonstrates a clear understanding of scope of work and other technical or legal issues related to the project. History and performance of firm/project team on similar projects. References and recommendations from previous clients.	0-20	17
2. Technical Proposal (Resources and Methodology) Adequacy of amount of quality resources assigned to the project. Overall approach to project. Consideration of services provided and approach to meeting goals and deadlines. Financial resources	0-25	15
3. Financial Proposal <ul style="list-style-type: none"> • Residential 0-30 points • Commercial 0-15 points 	0-45	$\frac{1}{29.1}$ $\frac{2}{30.6}$ $\frac{3}{30.1}$
4. Added Value & Enhancements Any additional benefit to the City, commercial or residential sectors that has not been requested within this RFP. Overall point distribution will be based from all proposed added value and enhancement submissions.	0-10	6
Total	0-100	

List the reasons for this evaluation (justify the rating/scoring):

Florida based company with state wide experience.

Key milestones are TBD and no timeline for implementation.

Well done brochure and information flier.

Limited added value.

Harold Beard 2/18/15 HAROLD BEARD
 Signature of Evaluator Date Printed Name

EVALUATION CRITERIA
RFP T-05-15 – RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES

VENDOR NAME: FCC

<u>Criteria</u>	<u>Point Range</u>	<u>Score</u>
1. Qualifications and References Previous related work experience and qualifications in the subject area of personnel assigned. Demonstrates a clear understanding of scope of work and other technical or legal issues related to the project. History and performance of firm/project team on similar projects. References and recommendations from previous clients.	0-20	5
2. Technical Proposal (Resources and Methodology) Adequacy of amount of quality resources assigned to the project. Overall approach to project. Consideration of services provided and approach to meeting goals and deadlines. Financial resources	0-25	15
3. Financial Proposal <ul style="list-style-type: none"> • Residential 0-30 points • Commercial 0-15 points 	0-45	$\frac{1}{39.8}$ $\frac{2}{41.2}$ $\frac{3}{40.3}$
4. Added Value & Enhancements Any additional benefit to the City, commercial or residential sectors that has not been requested within this RFP. Overall point distribution will be based from all proposed added value and enhancement submissions.	0-10	0
Total	0-100	

List the reasons for this evaluation (justify the rating/scoring):

No Comment, Scoring was Based on the Material given


2/18/2015
Michael B Carter
 Signature of Evaluator Date Printed Name

EVALUATION CRITERIA

RFP T-05-15 – RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES

VENDOR NAME: Republic

Criteria	Point Range	Score
1. Qualifications and References Previous related work experience and qualifications in the subject area of personnel assigned. Demonstrates a clear understanding of scope of work and other technical or legal issues related to the project. History and performance of firm/project team on similar projects. References and recommendations from previous clients.	0-20	10
2. Technical Proposal (Resources and Methodology) Adequacy of amount of quality resources assigned to the project. Overall approach to project. Consideration of services provided and approach to meeting goals and deadlines. Financial resources	0-25	10
3. Financial Proposal <ul style="list-style-type: none"> Residential 0-30 points Commercial 0-15 points 	0-45	$\frac{1}{23.6}$ $\frac{2}{24.5}$ $\frac{3}{23.7}$
4. Added Value & Enhancements Any additional benefit to the City, commercial or residential sectors that has not been requested within this RFP. Overall point distribution will be based from all proposed added value and enhancement submissions.	0-10	5
Total	0-100	

List the reasons for this evaluation (justify the rating/scoring):

No Comment, Scoring was Based on the
Material given

Michael B Carter
 Signature of Evaluator

2/18/2015
 Date

Michael B Carter
 Printed Name

EVALUATION CRITERIA

RFP T-05-15 – RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES

VENDOR NAME: SWS

<u>Criteria</u>	<u>Point Range</u>	<u>Score</u>
1. Qualifications and References Previous related work experience and qualifications in the subject area of personnel assigned. Demonstrates a clear understanding of scope of work and other technical or legal issues related to the project. History and performance of firm/project team on similar projects. References and recommendations from previous clients.	0-20	15
2. Technical Proposal (Resources and Methodology) Adequacy of amount of quality resources assigned to the project. Overall approach to project. Consideration of services provided and approach to meeting goals and deadlines. Financial resources	0-25	10
3. Financial Proposal <ul style="list-style-type: none"> • Residential 0-30 points • Commercial 0-15 points 	0-45	$\frac{1}{38.2} \quad \frac{2}{38.2} \quad \frac{3}{38.2}$
4. Added Value & Enhancements Any additional benefit to the City, commercial or residential sectors that has not been requested within this RFP. Overall point distribution will be based from all proposed added value and enhancement submissions.	0-10	0
Total	0-100	

List the reasons for this evaluation (justify the rating/scoring):

No Comment, Scoring was Based on the material given.

Michael B Carter
 Signature of Evaluator

2/18/2015
 Date

Michael B Carter
 Printed Name

EVALUATION CRITERIA
RFP T-05-15 – RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES

VENDOR NAME: Waste Management

<u>Criteria</u>	<u>Point Range</u>	<u>Score</u>
1. Qualifications and References Previous related work experience and qualifications in the subject area of personnel assigned. Demonstrates a clear understanding of scope of work and other technical or legal issues related to the project. History and performance of firm/project team on similar projects. References and recommendations from previous clients.	0-20	20
2. Technical Proposal (Resources and Methodology) Adequacy of amount of quality resources assigned to the project. Overall approach to project. Consideration of services provided and approach to meeting goals and deadlines. Financial resources	0-25	25
3. Financial Proposal <ul style="list-style-type: none"> • Residential 0-30 points • Commercial 0-15 points 	0-45	$\frac{1}{36.2} \quad \frac{2}{38.8} \quad \frac{3}{38.3}$
4. Added Value & Enhancements Any additional benefit to the City, commercial or residential sectors that has not been requested within this RFP. Overall point distribution will be based from all proposed added value and enhancement submissions.	0-10	10
Total	0-100	

List the reasons for this evaluation (justify the rating/scoring):

The qualifier is based on the method
was given. a good experience company

Michael B Carter 2/18/2015 Michael B Carter
 Signature of Evaluator Date Printed Name

EVALUATION CRITERIA

RFP T-05-15 – RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES

VENDOR NAME: Waste Pro

Criteria	Point Range	Score
1. Qualifications and References Previous related work experience and qualifications in the subject area of personnel assigned. Demonstrates a clear understanding of scope of work and other technical or legal issues related to the project. History and performance of firm/project team on similar projects. References and recommendations from previous clients.	0-20	15
2. Technical Proposal (Resources and Methodology) Adequacy of amount of quality resources assigned to the project. Overall approach to project. Consideration of services provided and approach to meeting goals and deadlines. Financial resources	0-25	20
3. Financial Proposal <ul style="list-style-type: none"> • Residential 0-30 points • Commercial 0-15 points 	0-45	$\frac{1}{29.1}$ $\frac{2}{30.6}$ $\frac{3}{30.1}$
4. Added Value & Enhancements Any additional benefit to the City, commercial or residential sectors that has not been requested within this RFP. Overall point distribution will be based from all proposed added value and enhancement submissions.	0-10	5
Total	0-100	

List the reasons for this evaluation (justify the rating/scoring):

Base on the material pricing

Michael B Carter
Signature of Evaluator

2/18/2015
Date

Michael B Carter
Printed Name

EVALUATION CRITERIA

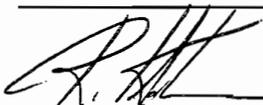
RFP T-05-15 – RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES

VENDOR NAME: FCC

Criteria	Point Range	Score						
1. Qualifications and References Previous related work experience and qualifications in the subject area of personnel assigned. Demonstrates a clear understanding of scope of work and other technical or legal issues related to the project. History and performance of firm/project team on similar projects. References and recommendations from previous clients.	0-20	14						
2. Technical Proposal (Resources and Methodology) Adequacy of amount of quality resources assigned to the project. Overall approach to project. Consideration of services provided and approach to meeting goals and deadlines. Financial resources	0-25	16						
3. Financial Proposal <ul style="list-style-type: none"> Residential 0-30 points Commercial 0-15 points 	0-45	<table border="0"> <tr> <td>#1</td> <td>#2</td> <td>#3</td> </tr> <tr> <td><u>39.8</u></td> <td><u>41.2</u></td> <td><u>40.3</u></td> </tr> </table>	#1	#2	#3	<u>39.8</u>	<u>41.2</u>	<u>40.3</u>
#1	#2	#3						
<u>39.8</u>	<u>41.2</u>	<u>40.3</u>						
4. Added Value & Enhancements Any additional benefit to the City, commercial or residential sectors that has not been requested within this RFP. Overall point distribution will be based from all proposed added value and enhancement submissions.	0-10	0						
Total	0-100							

List the reasons for this evaluation (justify the rating/scoring):

- GREAT CONCERNS OVER FCC NOT HAVING ANY US OPERATIONS. VERY LARGE PRESENCE IN UK.
- WOULD BE A COMPLETE START UP COMPANY. NO LOCATION, NO EMPLOYEES, NO RESOURCES
- NO VALUE ADDED
- NOT FAMILIAR WITH PONPANO BEACH


 Signature of Evaluator

18 Feb 2015
 Date


 RUSSELL KETCHUM
 Printed Name

EVALUATION CRITERIA

RFP T-05-15 - RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES

VENDOR NAME: REPUBLIC

Criteria	Point Range	Score
1. Qualifications and References Previous related work experience and qualifications in the subject area of personnel assigned. Demonstrates a clear understanding of scope of work and other technical or legal issues related to the project. History and performance of firm/project team on similar projects. References and recommendations from previous clients.	0-20	18
2. Technical Proposal (Resources and Methodology) Adequacy of amount of quality resources assigned to the project. Overall approach to project. Consideration of services provided and approach to meeting goals and deadlines. Financial resources	0-25	22
3. Financial Proposal <ul style="list-style-type: none"> Residential 0-30 points Commercial 0-15 points 	0-45	#1 23.6 #2 24.5 #3 23.7 ----- 23.7
4. Added Value & Enhancements Any additional benefit to the City, commercial or residential sectors that has not been requested within this RFP. Overall point distribution will be based from all proposed added value and enhancement submissions.	0-10	2
Total	0-100	

List the reasons for this evaluation (justify the rating/scoring):

- Large Company Has \$ Resources
 - Pricing Very High.


 Signature of Evaluator

18 Feb '15
 Date

Russell Ketchum
 Printed Name

EVALUATION CRITERIA
RFP T-05-15 – RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES

VENDOR NAME: SWS

Criteria	Point Range	Score
1. Qualifications and References Previous related work experience and qualifications in the subject area of personnel assigned. Demonstrates a clear understanding of scope of work and other technical or legal issues related to the project. History and performance of firm/project team on similar projects. References and recommendations from previous clients.	0-20	17
2. Technical Proposal (Resources and Methodology) Adequacy of amount of quality resources assigned to the project. Overall approach to project. Consideration of services provided and approach to meeting goals and deadlines. Financial resources	0-25	22
3. Financial Proposal <ul style="list-style-type: none"> Residential 0-30 points Commercial 0-15 points 	0-45	#1 $\frac{38.2}{38.2}$ #2 $\frac{38.2}{38.2}$ #3 $\frac{38.2}{38.2}$
4. Added Value & Enhancements Any additional benefit to the City, commercial or residential sectors that has not been requested within this RFP. Overall point distribution will be based from all proposed added value and enhancement submissions.	0-10	0
Total	0-100	

List the reasons for this evaluation (justify the rating/scoring):

- Company Qualified Based On JOHN CASAGRANDE Based On NMMI Work All w/exception of current SWA contract, were expired. Minimal Municipal exposure to company.
- HAVE CONCERNS OVER NEWLY AWARDED DELRAY BEACH CONTRACT.
- NO ADDED VALUE IN PROPOSAL - FAMILIAR W/ DELRAY BEACH
- CONCERNS OVER PRICING FLUCTUATIONS IN PROPOSALS. - OVERALL GOOD COMPANY - GREAT PRESENTATION

Signature of Evaluator: [Signature] Date: 18 Feb 2018 Printed Name: RUSSELL KETCHEN

EVALUATION CRITERIA

RFP T-05-15 – RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES

VENDOR NAME: Waste Management

Criteria	Point Range	Score						
1. Qualifications and References Previous related work experience and qualifications in the subject area of personnel assigned. Demonstrates a clear understanding of scope of work and other technical or legal issues related to the project. History and performance of firm/project team on similar projects. References and recommendations from previous clients.	0-20	20						
2. Technical Proposal (Resources and Methodology) Adequacy of amount of quality resources assigned to the project. Overall approach to project. Consideration of services provided and approach to meeting goals and deadlines. Financial resources	0-25	23						
3. Financial Proposal <ul style="list-style-type: none"> Residential 0-30 points Commercial 0-15 points 	0-45	<table border="0"> <tr> <td>#1</td> <td>#2</td> <td>#3</td> </tr> <tr> <td>36.2</td> <td>38.2</td> <td>38.3</td> </tr> </table>	#1	#2	#3	36.2	38.2	38.3
#1	#2	#3						
36.2	38.2	38.3						
4. Added Value & Enhancements Any additional benefit to the City, commercial or residential sectors that has not been requested within this RFP. Overall point distribution will be based from all proposed added value and enhancement submissions.	0-10	10						
Total	0-100							

List the reasons for this evaluation (justify the rating/scoring):

- Minimal Transition Impact to Residential & Commercial Sectors.
- Great Added Value - Spends Much \$ in Community
- Knows City - Very Good Safety Program
- Large Company with Resources (Staff & \$)
- Able to Quickly Transition

[Signature]
Signature of Evaluator

18 Feb. '15
Date

RUSSELL KETCHUM
Printed Name

EVALUATION CRITERIA
 RFP T-05-15 – RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES

VENDOR NAME: WASTE PRO

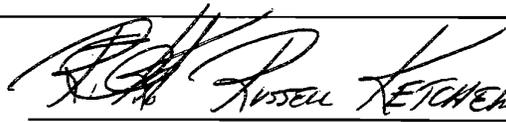
Criteria	Point Range	Score
1. Qualifications and References Previous related work experience and qualifications in the subject area of personnel assigned. Demonstrates a clear understanding of scope of work and other technical or legal issues related to the project. History and performance of firm/project team on similar projects. References and recommendations from previous clients.	0-20	19
2. Technical Proposal (Resources and Methodology) Adequacy of amount of quality resources assigned to the project. Overall approach to project. Consideration of services provided and approach to meeting goals and deadlines. Financial resources	0-25	21
3. Financial Proposal <ul style="list-style-type: none"> Residential 0-30 points Commercial 0-15 points 	0-45	#1 29.1 #2 30.6 #3 30.1
4. Added Value & Enhancements Any additional benefit to the City, commercial or residential sectors that has not been requested within this RFP. Overall point distribution will be based from all proposed added value and enhancement submissions.	0-10	5
Total	0-100	

List the reasons for this evaluation (justify the rating/scoring):

- No Time Line for Implementation
- Negative Comments from Coral Springs
- Great Roll Out Paperwork


 Signature of Evaluator

18 Feb '15
 Date


 RUSSELL KETCHUM
 Printed Name

EVALUATION CRITERIA

RFP T-05-15 – RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES

VENDOR NAME: FCC

<u>Criteria</u>	<u>Point Range</u>	<u>Score</u>						
1. Qualifications and References Previous related work experience and qualifications in the subject area of personnel assigned. Demonstrates a clear understanding of scope of work and other technical or legal issues related to the project. History and performance of firm/project team on similar projects. References and recommendations from previous clients.	0-20	0						
2. Technical Proposal (Resources and Methodology) Adequacy of amount of quality resources assigned to the project. Overall approach to project. Consideration of services provided and approach to meeting goals and deadlines. Financial resources	0-25	0						
3. Financial Proposal <ul style="list-style-type: none"> Residential 0-30 points Commercial 0-15 points 	0-45	<table border="1"> <tr> <td>#1</td> <td>#2</td> <td>#3</td> </tr> <tr> <td>39.8</td> <td>41.2</td> <td>40.3</td> </tr> </table>	#1	#2	#3	39.8	41.2	40.3
#1	#2	#3						
39.8	41.2	40.3						
4. Added Value & Enhancements Any additional benefit to the City, commercial or residential sectors that has not been requested within this RFP. Overall point distribution will be based from all proposed added value and enhancement submissions.	0-10	0						
Total	0-100							

List the reasons for this evaluation (justify the rating/scoring):

No experience especially in USA
Good company for huge cleanups that is
a plus
But not good experience for trash + recycling
in Pompano Beach

Claudia McMahon 2/18/15 CLAUDIA MCMAHON
 Signature of Evaluator Date Printed Name

EVALUATION CRITERIA

RFP T-05-15 – RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES

VENDOR NAME: Republic

<u>Criteria</u>	<u>Point Range</u>	<u>Score</u>						
1. Qualifications and References Previous related work experience and qualifications in the subject area of personnel assigned. Demonstrates a clear understanding of scope of work and other technical or legal issues related to the project. History and performance of firm/project team on similar projects. References and recommendations from previous clients.	0-20	10						
2. Technical Proposal (Resources and Methodology) Adequacy of amount of quality resources assigned to the project. Overall approach to project. Consideration of services provided and approach to meeting goals and deadlines. Financial resources	0-25	14						
3. Financial Proposal <ul style="list-style-type: none"> • Residential 0-30 points • Commercial 0-15 points 	0-45	<table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td>#1</td> <td>#2</td> <td>#3</td> </tr> <tr> <td>23.6</td> <td>24.5</td> <td>23.5</td> </tr> </table>	#1	#2	#3	23.6	24.5	23.5
#1	#2	#3						
23.6	24.5	23.5						
4. Added Value & Enhancements Any additional benefit to the City, commercial or residential sectors that has not been requested within this RFP. Overall point distribution will be based from all proposed added value and enhancement submissions.	0-10	0						
Total	0-100							

List the reasons for this evaluation (justify the rating/scoring):

Fair presentation + representation

Poor references

No added value

Claudia McMahon 2/18/15
 Signature of Evaluator Date

CLAUDIA MCMAHON
 Printed Name

EVALUATION CRITERIA

RFP T-05-15 – RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES

VENDOR NAME: SWS

<u>Criteria</u>	<u>Point Range</u>	<u>Score</u>						
1. Qualifications and References Previous related work experience and qualifications in the subject area of personnel assigned. Demonstrates a clear understanding of scope of work and other technical or legal issues related to the project. History and performance of firm/project team on similar projects. References and recommendations from previous clients.	0-20	12						
2. Technical Proposal (Resources and Methodology) Adequacy of amount of quality resources assigned to the project. Overall approach to project. Consideration of services provided and approach to meeting goals and deadlines. Financial resources	0-25	18						
3. Financial Proposal <ul style="list-style-type: none"> Residential 0-30 points Commercial 0-15 points 	0-45	<table border="1"> <thead> <tr> <th>#1</th> <th>#2</th> <th>#3</th> </tr> </thead> <tbody> <tr> <td>38.2</td> <td>38.2</td> <td>38.2</td> </tr> </tbody> </table>	#1	#2	#3	38.2	38.2	38.2
#1	#2	#3						
38.2	38.2	38.2						
4. Added Value & Enhancements Any additional benefit to the City, commercial or residential sectors that has not been requested within this RFP. Overall point distribution will be based from all proposed added value and enhancement submissions.	0-10	4						
Total	0-100							

List the reasons for this evaluation (justify the rating/scoring):

Excellent presentation; seemed caring + knowledgeable
Concern for nearby city contact recently
Weak references

Claudia McMahon 2/18/15 CLAUDIA MCMAHON
 Signature of Evaluator Date Printed Name

EVALUATION CRITERIA
RFP T-05-15 – RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES

VENDOR NAME: Waste Management

Criteria	Point Range	Score						
1. Qualifications and References Previous related work experience and qualifications in the subject area of personnel assigned. Demonstrates a clear understanding of scope of work and other technical or legal issues related to the project. History and performance of firm/project team on similar projects. References and recommendations from previous clients.	0-20	19						
2. Technical Proposal (Resources and Methodology) Adequacy of amount of quality resources assigned to the project. Overall approach to project. Consideration of services provided and approach to meeting goals and deadlines. Financial resources	0-25	23						
3. Financial Proposal <ul style="list-style-type: none"> • Residential 0-30 points • Commercial 0-15 points 	0-45	<table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th># 1</th> <th># 2</th> <th># 3</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">36.2</td> <td style="text-align: center;">38.8</td> <td style="text-align: center;">38.3</td> </tr> </tbody> </table>	# 1	# 2	# 3	36.2	38.8	38.3
# 1	# 2	# 3						
36.2	38.8	38.3						
4. Added Value & Enhancements Any additional benefit to the City, commercial or residential sectors that has not been requested within this RFP. Overall point distribution will be based from all proposed added value and enhancement submissions.	0-10	9						
Total	0-100							

List the reasons for this evaluation (justify the rating/scoring):

Huge amount of added value
Recognized company by Pompano Beach
Experienced company since 1974 serving Pompano
Transition for public awareness seems great

Claudia McMahon 2/18/15
 Signature of Evaluator Date

CLAUDIA MCMAHON
 Printed Name

EVALUATION CRITERIA

RFP T-05-15 – RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES

VENDOR NAME: Waste Pro

<u>Criteria</u>	<u>Point Range</u>	<u>Score</u>
1. Qualifications and References Previous related work experience and qualifications in the subject area of personnel assigned. Demonstrates a clear understanding of scope of work and other technical or legal issues related to the project. History and performance of firm/project team on similar projects. References and recommendations from previous clients.	0-20	10
2. Technical Proposal (Resources and Methodology) Adequacy of amount of quality resources assigned to the project. Overall approach to project. Consideration of services provided and approach to meeting goals and deadlines. Financial resources	0-25	14
3. Financial Proposal <ul style="list-style-type: none"> Residential 0-30 points Commercial 0-15 points 	0-45 #1 #2 #3 <hr/> 29.1 30.6 30.1	
4. Added Value & Enhancements Any additional benefit to the City, commercial or residential sectors that has not been requested within this RFP. Overall point distribution will be based from all proposed added value and enhancement submissions.	0-10	3
Total	0-100	

List the reasons for this evaluation (justify the rating/scoring):

Not enough references

Good transition flyers.

1 - added value w/ recycle bank - wear

Claudia McMahon
Signature of Evaluator

2/18/15
Date

CLAUDIA MCMAHON
Printed Name

**MINUTES
SELECTION / EVALUATION COMMITTEE**

**RFP #T-05-15
RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES**

**PURCHASING CONFERENCE ROOM
10:05 a.m. 1/30/15**

The committee consisted of the following voting members:

Hal Beard, Assistant Public Works Director
Michael Carter, Streets Operations Manager
Russell Ketchem, Solid Waste Manager
Claudia McMahon, Chairman of Recycling and Waste Committee

Non-voting member:

Otis J. Thomas, General Services Director

The meeting was held to evaluate the proposals received in response to the City's solicitation to establish a contract to provide exclusive franchised residential recycling and solid waste collection and commercial solid waste collection services. This meeting was posted as a "Public Meeting" both at City Hall and at the Purchasing Division office, and on the City's website. Five firms submitted responses to the City's Request for Proposals. Russell Ketchem led the technical discussion. The Purchasing Representative reviewed evaluation procedures and distributed Conflict of Interest Statements for completion by all voting members.

Each Committee member had reviewed all of the responses in advance of the meeting. The Committee discussed each of the proposals in alphabetical order. The Committee reviewed the results, and decided to request presentations from all five firms. The Committee decided that they would forego scoring the proposals until after presentations.

The Committee agreed each firm should be given identical issues to address in their presentation including details on hiring practices, safety and training initiatives, and transition strategies with the discussion points to be confirmed via email to the General Services Director. Up to thirty minutes will be allowed for each presentation, with thirty minutes scheduled for questions from the Committee. The meeting will be scheduled for a future date to be determined based upon availability of the Committee members. The following firms will be invited to make presentations for RFP T-05-15:

- 1) FCC SA
- 2) Republic Services of Florida
- 3) SWS - Southern Waste Systems
- 4) Waste Management Inc. of Florida
- 5) Waste Pro of Florida, Inc.

The meeting adjourned at approximately 11:05 a.m.

CITY OF POMPANO BEACH

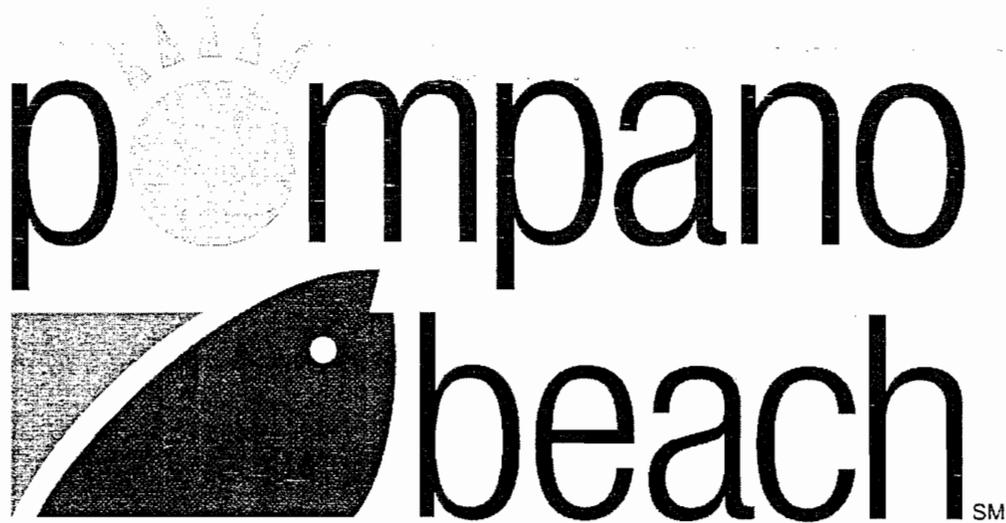
RESPONSES

RFP T-05-15

Residential and Commercial Waste Collection Services

12/18/2014

<u>Company Responding:</u>	<u>Address</u>	<u>City, State, Zip</u>
FCC SA	1610 Woodstead Ct	The Woodlands, TX 77380
Republic Services of Florida	751 NW 31st Avenue	Lauderhill, FL 33311
SWS - Southern Waste Systems	2380 College Avenue	Davie, FL 33317
Waste Management Inc. of Florida	2700 Wiles Road	Pompano Beach, FL 33073
Waste Pro of Florida, Inc	3100 NW 16th Terrace	Pompano Beach, FL 33064



Florida's Warmest Welcome

**CITY OF POMPANO BEACH
REQUEST FOR PROPOSALS
T-05-15**

**RESIDENTIAL AND COMMERCIAL SOLID WASTE
COLLECTION SERVICES**

**MANDATORY PRE-PROPOSAL MEETING: NOVEMBER 12, 2014, 10:00 A.M.
CITY COMMISSION CHAMBERS
100 WEST ATLANTIC BOULEVARD
POMPANO BEACH, FLORIDA, 33060**

**RFP OPENING: DECEMBER 11, 2014, 2:00 P.M.
PURCHASING OFFICE
1190 N.E. 3RD AVENUE, BUILDING C (Front)
POMPANO BEACH, FLORIDA 33060**

October 24, 2014

CITY OF POMPANO BEACH, FLORIDA

REQUEST FOR PROPOSALS

T-05-15

RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES

The City of Pompano Beach (City) is seeking proposals from qualified firms to provide exclusive franchised residential recycling and solid waste collection and commercial solid waste collection services to the City according to the provisions of this Request for Proposal (RFP) and draft Franchise Agreement provided in Attachment A.

Mandatory Pre-proposal Meeting

The City of Pompano Beach will convene a mandatory pre-proposal meeting of recipients of this Request for Proposal (RFP) on **November 12, 2014, beginning at 10:00 a.m.** at City Commission Chambers, 100 West Atlantic Blvd, Pompano Beach, Florida 33060. Proposals will not be accepted from firms that do not attend the pre-proposal conference.

The City will receive sealed proposals until **2:00 p.m. (local), December 11, 2014,** in the City's Purchasing Office, 1190 N.E. 3rd Avenue, Building C, Pompano Beach, Florida, 33060. E-mailed or faxed proposals will not be acceptable.

Procurement Schedule

The following schedule will be followed for this RFP:

RFP Issued:	10/24/2014
Pre-Proposal Meeting:	11/12/2014
Deadline for Questions:	12/04/2014
RFP Opening:	12/11/2014
Evaluation of Proposals (estimated)	12/19/2014
Evaluation of Presentations (estimated if required)	01/08/2015
Commission Approval of Highest Ranked Firm	01/27/2015

Introduction

The City's Solid Waste and Recycling Division is seeking proposals to provide Residential Recycling and Solid Waste Collection and Commercial Solid Waste Collection Services. The City is requesting pricing for three (3) different service options for Residential Collection Services as outlined herein. Selection of which service option to implement will be determined by the City Commission, which is a policy decision and not necessarily determined by price.

The City will enter into an Agreement with a single vendor to provide services described in this Request for Proposal (RFP) and draft Franchise Agreement provided in

Attachment A. The Franchise Collector will be responsible for the complete delivery of the required services.

Definitions used in this RFP are as defined in Attachment A, Draft Franchise Agreement.

1. Scope Of Services

All terms used herein are defined in the draft Franchise Agreement provided in Attachment A. Proposers are responsible for performing due diligence in preparing submittals, including reading and reviewing the draft Franchise Agreement for the scope of services required by the City. Failure to do so will in no manner relieve the Proposer from furnishing materials or services that may be required to carry out and complete the Agreement. Proposers are expected to prepare submittals based on their professional industry knowledge and experience.

Provided below is a summary of services to be provided by the Selected Proposer; however, Proposers are responsible for thoroughly reading and reviewing all services, requirements, terms, and conditions detailed in the draft Franchise Agreement provided in Attachment A. This draft Franchise Agreement shall be taken into consideration when preparing the Technical Proposal and Financial Proposal.

2. Tasks/Deliverables

Pompano Beach is located in Broward County, Florida along the Atlantic Ocean north of the City of Ft. Lauderdale. The City contains 24.0 square miles of land and had an estimated population of 103,189 in 2013. The City desires to competitively procure solid waste and recyclables collection services that are aligned with its current and future solid waste management needs.

The City has contracted with Waste Management, Inc. (WM) for collection services since 1974. The existing collection contract has been in effect, with several addendums, for over 29 years, and will terminate upon the execution of this new agreement. The City's collection services provide for an exclusive right and responsibility to collect and transport residential and commercial solid waste in the City.

City Residential Customers currently receive the following services, which will change depending on the service option selected.

- Garbage: Twice per week curbside collection of two resident-provided 32-gallon containers or bags weighing no more than 60 pounds each.
- Recycling: Once per week curbside collection of single stream recyclables with a City-provided 18-gallon bin. The City's program recyclables currently include newspaper, magazines, phonebooks, aluminum beverage cans, steel and bi-metal food/beverage cans, glass bottles and jars, plastic containers #1, #2, and #3 with opening not larger than base.
- Yard Waste: Yard waste is not segregated and is commingled with garbage or bulk waste and is collected twice per week.

- Bulk Waste: Twice per week curbside service without limit.

Provided below are the quantities of garbage, recyclable materials, and bulk waste collected from residential customers.

Type of Waste	Total Tonnage 12/12 – 11/13
Garbage	27,635.14
Recyclable Materials	3,328.67
Bulk Waste	21,310.73

The following numbers of customers were invoiced for residential collection service or multi-family collection service receiving residential-type service in December 2013. The actual number of customers may vary.

Type of Residence	Number of Customers (December 2013)
Single-Family	15,878
Duplex	1,843
Triplex	838
Multi-Family	5,307
Total	23,866

The following chart represents the number of multi-family containers with non-compacted (Includes carts) service. The information was provided by the current collection contractor and has not been vetted by the City. The City makes no guarantee as to the total number of customers that will be serviced.

Cubic Yard Container Size	Non-Compacted (Including Carts) Weekly Service Level						
	1	2	3	4	5	6	Extra Pickup
96-Gallon Cart	-	57					1
1	-	1	2	-	-	-	-
2	-	76	17	5	-	-	-
3	8	65	24	10	-	3	1
4	24	176	103	12	1	4	1
6	3	21	11	3	-	-	-
8	-	7	2	-	-	-	-

The following chart represents the number of multi-family containers with compacted service. The information was provided by the current collection contractor and has not been vetted by the City. The City makes no guarantee as to the total number of customers that will be serviced.

Cubic Yard Container Size	Compacted Weekly Service Level						
	1	2	3	4	5	6	Extra Pickup
2	17	3	-	-	-	-	-
3	-	-	-	-	-	-	-
4	-	-	-	-	-	-	-
6	-	-	-	-	-	-	-
8	-	-	-	-	-	-	-

The City currently has approximately 285 residences (single family, duplex, triplex or multifamily dwellings) with in-ground waste receptacles. The in-ground waste receptacles require manual collection service and range in size from 28 to 32 gallon.

However, the Successful Proposer will assist the City in determining an appropriate alternative collection solution to transition from in-ground waste receptacles. Attachment B contains a list of addresses or subdivisions utilizing in-ground receptacles.

The City has approximately 2,161 businesses that require Commercial Collection Services. Attachment C contains a list of Commercial Customers including the type of service provided (container size and collection frequency). The information in Attachment C was provided by the current collection contractor and has not been vetted by the City. The City makes no guarantee as to the total number of customers that will be serviced.

Provided below are the quantities of commercial and multi-family garbage and roll off waste collected.

Type of Waste	Total Tonnage 12/12 – 11/13
Commercial & Multi-Family Solid Waste	38,588.54
Roll Offs	16,498.35

The following chart represents the number of commercial containers utilizing non-compacted (Includes carts) service. The information was provided by the current collection contractor and has not been vetted by the City. The City makes no guarantee as to the total number of customers that will be serviced.

Cubic Yard Container Size	Non-Compacted (Including Carts) Weekly Service Level						
	1	2	3	4	5	6	Extra Pickup
96-Gallon Cart	22	378					1
1	167	15	4	-	-	-	-
2	353	119	33	4	9	1	1
3	83	53	25	2	2	1	1
4	181	118	58	7	8	3	1
6	58	39	16	5	5	1	1
8	29	30	17	2	3	-	-

The following chart represents the number of commercial containers utilizing compacted service. The information was provided by the current collection contractor and has not been vetted by the City. The City makes no guarantee as to the total number of customers that will be serviced.

Cubic Yard Container Size	Compacted Weekly Service Level						
	1	2	3	4	5	6	Extra Pickup
2	6	4	2	-	-	-	-
3	-	-	-	-	-	-	-
4	1	-	-	-	-	-	-
6	1	1	-	1	-	-	-
8	-	-	-	-	-	-	-

The City's current Disposal Agreement is with Reuter Recycling of Florida, Inc. (Reuter), a division of Waste Management. The Disposal Agreement requires the City to direct its designated hauler to deliver all Solid Waste to Monarch Hill, located at 2700 Wiles Road, Pompano Beach and all Program Recyclables to WM Recycle America L.L.C. located at 20701 Pembroke Road, Pembroke Pines. The Franchise Collector will be responsible for both hauling and applicable disposal and processing tip fees for residential Solid Waste and Program Recyclables as per the Disposal Agreement. At its sole discretion, the City may remove the obligation for the Franchise Collector to directly pay for applicable disposal and processing tip fees for residential Solid Waste and Program Recyclables. This transition would occur with a minimum of 60 days notice to the hauler. Successful Proposer will be responsible for disposal costs from the commercial sector as per the Disposal Agreement. Current tip fee is \$78.46 for garbage and trash; there is no tip fee on residential program recyclables. This disposal fee is adjusted annually effective October 1.

The Franchise Collector will be required to provide the City reports as identified within the draft Franchise Agreement provided in Attachment A, Article 13.

Residential Collection Services

The Franchise Collector will be granted the exclusive right and responsibility to collect residential solid waste, program recyclables, yard waste, and bulk waste

within the service area and deliver the collected materials to the City's designated facility(s).

The City is requesting pricing for three (3) different residential collection service options. Proposers must submit prices for all three (3) service options. Pricing shall reflect the cost for the standard level of service presented in each service option. The tables below summarize the residential collection service required for each service option.

Residential Collection Service Option #1 (SO#1): 2-1-0-2 Automated

Type of Service	Level of Service
Garbage	Twice weekly automated collection in Franchise Collector-provided ninety-five (95) gallon Roll Carts.
Program Recyclables	Once weekly automated collection in Franchise Collector-provided sixty-five (65) gallon Roll Carts, collected on the same Day as one of the Garbage collections.
Yard Waste	Yard Waste is commingled with Garbage or Bulk Waste.
Bulk Waste	Twice weekly collection without limit, vegetative materials must be properly prepared in bags/bundles when appropriate. Yard Waste may include stumps, not to exceed fifty (50) pounds each, branches, limbs, and stumps not to exceed four (4) feet in length and six (6) inches in diameter. Four (4) cubic yards is the maximum amount of Bulk Waste allowed per week.

Residential Collection Service Option #2 (SO#2): 2-1-0-1 Automated

Type of Service	Level of Service
Garbage	Twice weekly automated collection in Franchise Collector-provided ninety-five (95) gallon Roll Carts.
Program Recyclables	Once weekly automated collection in Franchise Collector-provided sixty-five (65) gallon Roll Carts, collected on the same Day as one of the Garbage collections.
Yard Waste	Yard Waste is commingled with Garbage or Bulk Waste.
Bulk Waste	Once weekly collection without limit, vegetative materials must be properly prepared in bags/bundles when appropriate. Yard Waste may include stumps, not to exceed fifty (50) pounds each, branches, limbs, and stumps not to exceed four (4) feet in length and six (6) inches in diameter. Four (4) cubic yards is the maximum amount of Bulk Waste allowed per week.

Residential Collection Service Option #3 (SO#3): 2-1-0-M Automated

Type of Service	Level of Service
Garbage	Twice weekly automated collection in Franchise Collector-provided ninety-five (95) gallon Roll Carts.
Program Recyclables	Once weekly automated collection in Franchise Collector-provided sixty-five (65) gallon Roll Carts, collected on the same Day as one of the Garbage collections.
Yard Waste	Yard Waste is commingled with Garbage or Bulk Waste.
Bulk Waste	Once monthly collection without limit, vegetative materials must be properly prepared in bags/bundles when appropriate. Yard Waste may include stumps, not to exceed fifty (50) pounds each, branches, limbs, and stumps not to exceed four (4) feet in length and six (6) inches in diameter. Ten (10) cubic yards is the maximum amount of Bulk Waste allowed per month.

Commercial Collection Services

The Franchise Collector will be granted the exclusive right and responsibility to collect commercial solid waste within the service area and deliver the collected materials to the City's designated facility(s). Although not an exclusive service, Franchise Collector is also required to collect commercial recovered materials upon request.

Temporary Construction and Demolition (C&D) Roll-Off Container Franchise Fee

The City is imposing a 12% franchise fee on all temporary C&D roll-off containers at permitted construction sites. This fee is based on gross revenue from receipts, and shall include collection and disposal fees.

<p>Example Fee Calculation to Customer: \$350 – Flat Rate includes collection and disposal <u>\$42 - 12% Franchise Fee to City</u> \$392 – Total Rate to Customer</p>
<p>Example Fee Calculation to City: \$392 - Total Rate to Customer <u>Divided by 112%</u> \$350 – Rate to Franchise Collector (includes collection and disposal) \$42 – Franchise Fee to City</p>

Miscellaneous Items

The Contractor shall produce and distribute, twice per year on a schedule provided by the City to all customers, brochures that specify solid waste services that are provided under this Agreement and the guidelines for collection of solid waste, recyclables, yard waste, white goods and related materials. These brochures will be produced under the direction of and approval by the City. The

City and Contractor's logo or other identifying information may be prominently displayed on these service guidelines.

3. Term of Contract

It is the intent of the City to issue a (5) five-year contract with an option to renew the contract for an additional term ending September 30, 2022, under the terms for the work described herein.

4. Small Business Enterprise Program

The Pompano Beach City Commission has established a voluntary Small Business Enterprise (SBE) Program to encourage and foster the participation of Small Business Enterprises in the central procurement activities of the City. The City of Pompano Beach is strongly committed to ensuring the participation of Small Business Enterprises (SBE's) as contractors and subcontractors for the procurement of goods and services. The definition of a SBE, for the purpose of the City's voluntary program, is taken from the State of Florida Statute 288.703(1).

As of the date of publication of this solicitation, a small business means an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in Florida that has a Small Business Administration 8(a) certification. As applicable to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

The City encourages all firms to undertake good faith efforts to identify appropriate Small Business Enterprise partners. Sources of information on certified Small Business Enterprises include the Broward County Small Business Development Division, the State of Florida Office of Supplier Diversity, South Florida Water Management District, and other agencies throughout the State. The City includes links to these organizations from the City's website www.pompanobeachfl.gov. Please indicate in your response if your firm is a certified Small Business Enterprise.

Please note that, while no voluntary goals have been established for this solicitation, the City encourages small business participation in *all* of its procurements.

5. Local Business Program

On March 23, 2010, the City Commission approved a Resolution establishing a Local Business Program, a policy to increase the participation of City of Pompano Beach businesses in the City's procurement process.

You can view the list of City businesses that have a current Business Tax Receipt on the City's website, and locate local firms that are available to perform the work required by the bid specifications. The business information, sorted by

business use classification, is posted on the webpage for the Business Tax Receipt Division:
http://pompanobeachfl.gov/pages/department_directory/development_services/business_tax_receipt_division/pdfs/FAQ_sheet_BTR.pdf

Please note that, while no voluntary goals have been established for this solicitation, the City encourages small business participation in *all* of its procurements.

6. Required Proposal Submittal

Submission/Format Requirements

Submit one (1) original unbound and eight (8) bound copies of the proposal. All copies will be on 8 ½" x 11" plain white paper, typed, and signed by an authorized representative who is able to contractually bind the Proposer. In addition, Proposers must submit one (1) original copy of the Proposal on electronic media in printable Adobe or Microsoft Word format (or other format approved by the City), including an Excel file with the completed Financial Proposal forms. All copies, including electronic, must be identical. Should deviations occur, the signed original submittal shall prevail.

Submittals shall be printed double-sided on paper with at least thirty percent (30%) post-consumer recycled-content. When determining page counts, double-sided pages count as two pages.

Failure to adhere to the submittal quantity criteria may result in the Proposal being considered non-responsive.

Information to be included in the proposal: In order to maintain comparability and expedite the review process, it is required that proposals be organized in the manner specified below, with tabs or dividers between the sections:

Title page:

Show the project name and number, the name of the Proposer's firm, address, telephone number, eMail address, name of contact person and the date.

Table of Contents:

Include a clear identification of the material by section and by page.

Letter of Transmittal:

Briefly state the Proposer's understanding of the project and express a positive commitment to provide the services described herein. State the name(s) of the person(s) who will be authorized to make representations for the Proposer, their title(s), office and E-mail addresses and telephone numbers. Please limit this section to two pages.

Tab 1: Qualifications and References

Proposer shall clearly and succinctly demonstrate its experience in providing the services requested in this RFP. This section of the proposal shall be no more

than thirty (30) pages, not including any financial statements, and at a minimum, shall include the following:

- a) Company Qualifications: Proposer shall demonstrate its qualifications and experience to perform the services specified herein. Corporate Entity shall demonstrate that it has at least five (5) years of experience providing solid waste collection service of a comparable sized city of 20,000 curbside residential accounts and 2,000 commercial accounts.
- b) Licenses: In order to perform public work, the successful Bidder shall, as applicable, hold or obtain such Contractor' and Business Licenses as required by State Statutes.
- c) Personnel Qualifications and Resumes: Proposer shall demonstrate its key personnel have at least five (5) years of experience providing the services similar to those requested herein. Key personnel include, at a minimum, the Chief Executive Officer, Chief Operating Officer, and General Manager, or similarly titled positions. Please limit resumes to one page each.
- d) Service Performance and References: Proposer shall provide four (4) references, preferably public sector customers, for which the Corporate Entity is or has provided services similar to those required herein. References for services provided in the state of Florida are preferred. Proposer shall provide any additional, relevant information to demonstrate the quality of its services in the space provided on the forms. Please use the reference forms provided on pages 29-32 of this RFP.
- e) Service Transition History: Corporate Entity shall have experience with transitioning into providing residential and commercial collection service by supplanting another provider. Proposer shall provide references for and information on at least two (2) recent transitions with jurisdictions of similar size. References for transitions conducted within the state of Florida, with at least one transitioning from manual to automated collection, are preferred. Please use the transition history forms provided on pages 33-34 of this RFP.
- f) Performance History: Proposer shall document its past performance history by providing a description of all criminal actions against the Corporate Entity pertaining to solid waste services during the last five (5) years. Proposer shall also document all civil actions, losses of service contract, bid bond claims, performance bond claims or liquidated damages related to solid waste services involving one hundred thousand dollars (\$100,000) or more per contract per contract year against the Proposer during the last five (5) years. Performance history may be limited to the state of Florida. However, if Corporate Entity has no existing service history within the state of Florida, then nationwide performance history shall be submitted. Any omissions within this section may be cause for disqualification at the City's discretion.
- g) Financial Capability: Proposer shall document that the Corporate Entity has the financial capability to provide the equipment and resources

needed to satisfactorily conduct the services requested in this RFP, by demonstrating that it has available cash or uncommitted line/letter of credit capacity or other identifiable resources for procurement of equipment, facilities, and other initial material and staffing needs for this project. Regarding the latter, Proposer shall either indicate the entity that is providing internally-generated funds and document that such funds are available and will be allocated for this purpose; or provide commitments from external sources indicating that an acceptable level of credit or resources will be available. If financial information provided is not to the City's satisfaction, the City reserves the right to request additional information.

Tab 2: Technical Proposal

Proposer shall clearly and succinctly describe how it will perform the services requested in this RFP and outlined more fully in the draft Franchise Agreement provided in Attachment A. The City is looking for proposals that maintain a high level of customer service while maximizing recycling, efficiency, and cost-effectiveness. This section of the proposal shall be no more than twenty (20) pages and, at a minimum shall include the following information:

- a) Collection Services: Proposer shall explain how it plans to provide Residential Collection Services and Commercial Collection Services as described herein and in the draft Franchise Agreement. At a minimum, Proposers shall describe the primary methods by which Solid Waste, Recyclables, and Bulk Waste will be collected, including level of automation (manual rear load, semi-automated rear or side load, fully-automated side or front load) should automation service be selected for Residential Collection by the City Commission; a list of the types (make and model) and number of vehicles that would be used to provide collection services; number of collection and customer service staff; and how materials would be handled following collection. Proposers shall note collection vehicles must comply with requirements as specified by Article 12.7 of the draft Franchise Agreement, Attachment A. Requirements for each service option shall be identified.
- b) Transition Plan and Customer Service: Proposer shall explain how it would transition into providing these services and how it would maintain customer service and satisfaction throughout the Agreement term. Proposer shall provide a basic transition timeline.
- c) Information Management: The Proposer will provide a web-based platform for submitting and tracking complaints. The City is also requesting GPS trackable reports, upon request, that provide for a "bread crumb" report of vehicle activity. Proposers shall describe in detail how it plans to record, manage, and report information in satisfying reporting requirements. Proposers are encouraged to submit examples of report formats.
- d) Organization: Proposer shall include a project organization chart indicating titles and total number of personnel that would be devoted to work resulting from this RFP. Proposer shall identify any

subcontractors it intends to employ and describe the specific work that would be performed by each subcontractor.

- e) Exceptions: Proposer shall describe any and all exceptions to the terms and conditions of Attachment A, Draft Franchise Agreement. The material nature, number, and extent of variances taken will be counted against the Proposer when determining proposal responsiveness and in allocating proposal evaluation points.

Tab 3: Financial Proposal

The Financial Proposal Forms, Attachment E, are available to the Proposer on www.pompanobeachfl.gov. If the Proposer is unable to download the required document, the Proposer may contact the City's Purchasing Department to obtain documents.

The Financial Proposal Forms must be downloaded and completed. There are four (4) worksheets within the file. The worksheets are as follows:

- 1) Residential Services
- 2) Commercial Services
- 3) Ancillary Services
- 4) Roll-off Services

The cost for disposal for Residential Collection Service is included for evaluation purposes only.

The Proposer must complete all required cells on each worksheet. Cells which must be completed have been highlighted in Yellow for convenience. Once the worksheets have been completely filled out with pricing, print a hard copy of each worksheet and include the pages as part of the Financial Proposal (Tab 3) with Proposal submittal documents.

Tab 4: Required Forms and Submittals Check Off List

Required forms and submittals include the following:

- 1) RFP Proposal Signature Page (must be completed, signed by an officer of the company and returned).
- 2) RFP pages initialed where indicated.
- 3) Vendor Certification Regarding Scrutinized Companies Lists
- 4) Proposal Bond
- 5) Performance Bond
- 6) Payment Bonds

Fees & Costs:

Include a concise narrative with sufficient detail indicating the proposed approach to providing the required services, including a description of the types and qualities of service that would be provided. Provide a cost for each of the major services provided along with the estimated number of expected work hours for each qualified staff.

Proposer shall itemize all costs to complete all and necessary tasks as described under Scope of Services. Costs associated with travel as well as miscellaneous expenses shall be adequately described.

Proposal Bond:

Each submittal must be accompanied by the Proposer's money order, cashier's check, certified check, or proposal bond made payable to the City of Pompano Beach in the amount of twenty thousand dollars (\$20,000). This amount will serve as bid surety and will be forfeited to the City as liquidated damages in the event an award is made and the necessary Agreement documents and bonds are not promptly and properly executed as required. All bid surety monies submitted to the City will be held until such time as an Agreement satisfactory to the City has been awarded to a Successful Proposer or the RFP process has otherwise been terminated. At that time, bid surety will be returned all Proposers.

Payment Bond:

A payment bond will be required between the Franchise Collector and Waste Management for disposal fees. This bond will equate to 90 days worth of disposal costs. Amount of bond is \$2,250,000.

Performance Bond:

A performance bond will be required between the Franchise Collector and City. Amount of bond is \$2,500,000.

Schedule:

Proposer shall provide a timeline that highlights proposed tasks that will meet all applicable deadlines.

References:

Submit a client reference list, including name of contact, firm and/or governmental entity, address, telephone number and type of service provided to each reference.

Litigation:

Disclose any litigation within the past five (5) years related to your firm's performance.

City Forms:

The RFP Proposal Signature Page must be completed, signed and returned. Proposer shall return all RFP pages, initialed where indicated.

7. Insurance

The insurance described herein reflects the insurance requirements deemed necessary for this contract by the City. It is not necessary to have this level of insurance in effect at the time of submittal, but certificates indicating that the insurance is currently carried or a letter from the Carrier indicating upgrade ability will speed the review process to determine the most qualified Proposer.

The successful Proposer(s) shall not commence operations until certification or proof of insurance, detailing terms and provisions of coverage, has been received and approved by the City of Pompano Beach Risk Manager.

The following insurance coverage shall be required:

- a. Worker's Compensation Insurance covering all employees and providing benefits as required by Florida Statute, Chapter 440, regardless of the size of the company (number of employees). The Contractor further agrees to be responsible for employment, control and conduct of its employees and for any injury sustained by such employees in the course of their employment.
- b. Liability Insurance
 - 1) Naming the City of Pompano Beach as an additional insured, on General Liability Insurance only, in connection with work being done under this contract.
 - 2) Such Liability insurance shall include the following checked types of insurance and indicated minimum policy limits.

LIMITS OF LIABILITY

Type of Insurance	each occurrence	aggregate
GENERAL LIABILITY: MINIMUM \$1,000,000 per OCCURRENCE/\$2,000,000 AGGREGATE		
* Policy to be written on a claims incurred basis		
XX comprehensive form		
XX premises - operations	bodily injury	
— explosion & collapse		
— hazard	property damage	
— underground hazard		
<hr/>		
XX products/completed		
XX operations hazard	bodily injury and	
XX contractual insurance	property damage	
XX broad form property	combined	
XX damage		
<hr/>		
XX independent contractors		
XX personal injury	personal injury	

AUTOMOBILE LIABILITY: MINIMUM \$1,000,000 per OCCURRENCE/\$2,000,000 AGGREGATE

		bodily injury (each person)		
XX	comprehensive form	bodily injury (each accident)		
XX	owned	property damage		
XX	hired	bodily injury and property damage		
XX	non-owned	combined		

REAL & PERSONAL PROPERTY

 comprehensive form Consultant must show proof they have this coverage.

EXCESS LIABILITY

		bodily injury and property damage		
XX	umbrella form	combined		
XX	other than umbrella		\$2,000,000.	\$2,000,000.

XX **PROFESSIONAL LIABILITY** \$1,000,000. \$1,000,000.
 * Policy to be written on a claims made basis

The certification or proof of insurance must contain a provision for notification to the City, and the City's contracted law enforcement provider if applicable, thirty (30) days in advance of any material change in coverage or cancellation. The successful Proposer shall furnish to the City the certification or proof of insurance required by the provisions set forth above, within ten (10) days after notification of award of contract.

8. Selection/Evaluation Process

A Selection/Evaluation Committee will be appointed to select the most qualified firm(s). The Selection/Evaluation Committee will present their findings to the City Commission and, upon Commission approval, will negotiate a contract with the most qualified firm(s).

All proposals will be reviewed for completeness and full compliance with the RFP instructions. Proposers must provide pricing for all Collection Services as requested on the Financial Proposal Forms, Attachment D. Incomplete proposals may be deemed unresponsive by the City.

Proposals shall be evaluated by the evaluation committee based on all submittal information and pursuant to the criteria stated in this RFP. The evaluation committee will present its findings to the City Commission. Proposers are prohibited from contacting any member of the selection committee at any time

during the formal solicitation process up to the time of agreement award. Any attempted contact may be grounds for disqualification.

Proposals will be evaluated using the following criteria:

Qualifications and References – 20 cumulative points

Technical Proposal – 25 cumulative points

Financial Proposal – 45 cumulative points (Residential–30 pts; Commercial–15 pts)

Added Value & Enhancements - 10 cumulative points

Scoring Procedures

With the exception of the Financial Proposal, the selection committee will evaluate and score proposals to each evaluation criteria. The individual scores for each evaluation criteria category will be totaled to obtain an evaluation score for each proposal.

Criteria	Point Range
1. Qualifications and References Previous related work experience and qualifications in the subject area of personnel assigned. Demonstrates a clear understanding of scope of work and other technical or legal issues related to the project. History and performance of firm/project team on similar projects. References and recommendations from previous clients.	0-20
2. Technical Proposal (Resources and Methodology) Adequacy of amount of quality resources assigned to the project. Overall approach to project. Consideration of services provided and approach to meeting goals and deadlines. Financial resources	0-25
3. Financial Proposal <ul style="list-style-type: none"> • Residential 0-30 points • Commercial 0-15 points 	0-45
4. Added Value & Enhancements Any additional benefit to the City, commercial or residential sectors that has not been requested within this RFP. Overall point distribution will be based from all proposed added value and enhancement submissions.	0-10
Total	0-100

Financial Proposal Scoring Procedures

For evaluation purposes, the Financial Proposal points will be calculated based on the total annual value for each sector (residential & commercial) as follows:

The lowest total annual price for each residential service option will receive the maximum thirty (30) points. Financial Proposal points for all other proposals for the same service option(s) will be calculated based on the proportional increase in cost as compared with the lowest total annual price received.

The lowest total annual price for each commercial service option will receive the maximum fifteen (15) points. Financial Proposal points for all other proposals for the same service option will be calculated based on the proportional increase in cost as compared with the lowest total annual price received.

Provided below is an example for residential service (Note: Costs associated are for illustrative purposes only):

- Proposer A: \$1,000,000 = 30 points
- Proposer B: \$1,250,000 = $(1,000,000/1,250,000) \times 30$ points = 24 points
- Proposer C: \$1,500,000 = $(1,000,000/1,500,000) \times 30$ points = 20 points

Therefore, each Proposer will have three (3) separate Financial Proposal points calculated, one for each Residential Collection Service option to include the commercial service option.

The Committee has the option to use the above criteria for the initial ranking to short-list Proposers and to use an ordinal ranking system to score short-listed Proposers following presentations (if deemed necessary) with a score of "1" assigned to the short-listed Proposer deemed most qualified by the Committee.

Each firm shall submit documentation that evidences the firm's capability to provide the services required for the Committee's review for short listing purposes. After an initial review of the Proposals, the City may invite Proposers for an interview to discuss the proposal and meet firm representatives, particularly key personnel who would be assigned to the project. Should interviews be deemed necessary, it is understood that the City shall incur no costs as a result of this interview, nor bear any obligation in further consideration of the submittal.

When more than three responses are received, the committee shall furnish the City Commission (for their approval) a listing, in ranked order, of no fewer than three firms deemed to be the most highly qualified to perform the service. If three or less firms respond to the RFP, the list will contain the ranking of all responses.

The City Commission has the authority to (including, but not limited to); approve the recommendation; reject the recommendation and direct staff to re-advertise the solicitation; or, review the responses themselves and/or request oral presentations and determine a ranking order that may be the same or different from what was originally presented to the City Commission.

9. Hold Harmless and Indemnification

Proposer covenants and agrees that it will indemnify and hold harmless the City and all of its officers, agents, and employees from any claim, loss, damage, cost, charge or expense arising out of any act, action, neglect or omission by the Proposer, whether direct or indirect, or whether to any person or property to which the City or said parties may be subject, except that neither the Proposer nor any of its subcontractors will be liable under this section for damages arising out of injury or damage to persons or property directly caused by or resulting from the sole negligence of the City or any of its officers, agents or employees.

10. Retention of Records and Right to Access

The selected firm shall maintain during the term of the contract all books of account, receipt invoices, reports and records in accordance with generally accepted accounting practices and standards. The form of all records and reports shall be subject to the approval of the City's Internal Auditor. The selected firm must comply with the Internal Auditor's recommendation for changes, additions, or deletions. The City's Internal Auditor must be permitted during normal business hours to audit and examine the books of account, reports, and records relating to this contract. The selected firm shall maintain and make available such records and files for the duration of the contract and retain them until the expiration of three years after final payment under the contract.

11. Communications

No negotiations, decisions, or actions shall be initiated or executed by the firm as a result of any discussions with any City employee. Only those communications, which are in writing from the City, may be considered as a duly authorized expression on behalf of the City. In addition, only communications from firms that are signed and in writing will be recognized by the City as duly authorized expressions on behalf of firms.

12. No Discrimination

There shall be no discrimination as to race, sex, color, age, religion, or national origin in the operations conducted under any contract with the City.

13. Independent Contractor

The selected firm will conduct business as an independent contractor under the terms of this contract. Personnel services provided by the firm shall be by employees of the firm and subject to supervision by the firm, and not as officers, employees, or agents of the City. Personnel policies, tax responsibilities, social security and health insurance, employee benefits, purchasing policies and other similar administrative procedures applicable to services rendered under this agreement shall be those of the firm.

14. Staff Assignment

The City of Pompano Beach reserves the right to approve or reject, for any reasons, Proposer's staff assigned to this project at any time. Background checks may be required.

15. Contract Terms

The contract resulting from this RFP shall include, but not be limited to the following terms:

The contract shall include as a minimum, the entirety of this RFP document, together with the successful Proposer's proposal. Contract shall be prepared by the City of Pompano Beach City Attorney.

If the City of Pompano Beach defends any claim, demand, cause of action, or lawsuit arising out of any act, action, negligent acts or negligent omissions, or willful misconduct of the contractor, its employees, agents or servants during the performance of the contract, whether directly or indirectly, contractor agrees to reimburse the City of Pompano Beach for all expenses, attorney's fees, and court costs incurred in defending such claim, cause of action or lawsuit.

16. Waiver

It is agreed that no waiver or modification of the contract resulting from this RFP, or of any covenant, condition or limitation contained in it shall be valid unless it is in writing and duly executed by the party to be charged with it, and that no evidence of any waiver or modification shall be offered or received in evidence in any proceeding, arbitration, or litigation between the parties arising out of or affecting this contract, or the right or obligations of any party under it, unless such waiver or modification is in writing, duly executed as above. The parties agree that the provisions of this paragraph may not be waived except by a duly executed writing.

17. Survivorship Rights

This contract resulting from this RFP shall be binding on and inure to the benefit of the respective parties and their executors, administrators, heirs, personal representative, successors and assigns.

18. Termination

The contract resulting from this RFP may be terminated by the City of Pompano Beach for non-performance upon providing contractor with a least one hundred eighty (180) days prior written notice.

Should either party fail to perform any of its obligations, due to gross negligence, under the contract resulting from this RFP for a period of thirty (30) days after receipt of written notice of such failure, the non-defaulting party will have the right to terminate the contract immediately upon delivery of written notice to the defaulting party of its election to do so. The foregoing rights of termination are in addition to any other rights and remedies that such party may have.

19. Manner of Performance

Proposer agrees to perform its duties and obligations under the contract resulting from this RFP in a professional manner and in accordance with all applicable local, federal and state laws, rules and regulations.

Proposer agrees that the services provided under the contract resulting from this RFP shall be provided by employees that are educated, trained and experienced, certified and licensed in all areas encompassed within their designated duties. Proposer agrees to furnish the City of Pompano Beach with all documentation, certification, authorization, license, permit, or registration currently required by applicable laws or rules and regulations. Proposer further certifies that it and its employees are now in and will maintain good standing with such governmental agencies and that it and its employees will keep all license, permits, registration, authorization or certification required by applicable laws or regulations in full force and effect during the term of this contract. Failure of Proposer to comply with this paragraph shall constitute a material breach of contract.

20. Acceptance Period

Proposals submitted in response to this RFP must be valid for a period no less than ninety (90) days from the closing date of this solicitation.

21. RFP Conditions and Provisions

The completed and signed proposal (together with all required attachments) must be returned to City on or before the time and date stated herein. All Proposers, by submission of a proposal, shall agree to comply with all of the conditions, requirements and instructions of this RFP as stated or implied herein. All proposals and supporting materials submitted will become the property of the City.

Any alteration, erasure, or interlineations by the Proposer in this RFP shall constitute cause for rejection. Exceptions or deviations to this proposal may not be added after the submittal date.

All Proposers are required to provide all information requested in this RFP. Failure to do so may result in disqualification of the proposal.

The City reserves the right to postpone or cancel this RFP, or reject all proposals, if in its sole discretion it deems it to be in the best interest of the City to do so.

The City reserves the right to waive any technical or formal errors or omissions and to reject all proposals, or to award contract for the items herein, if it is determined to be in the best interests of the City to do so.

The City shall not be liable for any costs incurred by the Proposer in the preparation of proposals or for any work performed in connection therein.

22. Standard Provisions

a. Governing Law

Any agreement resulting from this RFP shall be governed by the laws of the State of Florida, and the venue for any legal action relating to such agreement will be in Broward County, Florida.

b. Conflict Of Interest

For purposes of determining any possible conflict of interest, each Proposer must disclose if any Elected Official, Appointed Official, or City Employee is also an owner, corporate officer, or an employee of the firm. If any Elected Official, Appointed Official, or City Employee is an owner, corporate officer, or an employee, the Proposer must file a statement with the Broward County Supervisor of Elections pursuant to §112.313, Florida Statutes.

c. Drug Free Workplace

The selected firm(s) will be required to verify they will operate a "Drug Free Workplace" as set forth in Florida Statute, 287.087.

d. Public Entity Crimes

A person or affiliate who has been placed on the convicted vendor list following a conviction for public entity crime may not submit a proposal on a contract to provide any goods or services to a public entity, may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit proposals on leases of real property to public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Florida Statute, Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

e. Patent Fees, Royalties, And Licenses

If the selected Proposer requires or desires to use any design, trademark, device, material or process covered by letters of patent or copyright, the selected Proposer and his surety shall indemnify and hold harmless the City from any and all claims for infringement by reason of the use of any such patented design, device, trademark, copyright, material or process in connection with the work agreed to be performed and shall indemnify the City from any cost, expense, royalty or damage which the City may be obligated to pay by reason of any infringement at any time during or after completion of the work.

f. Permits

The selected Proposer shall be responsible for obtaining all permits, licenses, certifications, etc., required by federal, state, county, and municipal laws, regulations, codes, and ordinances for the performance of the work required in these specifications and to conform to the requirements of said legislation.

g. Familiarity With Laws

It is assumed the selected firm(s) will be familiar with all federal, state and local laws, ordinances, rules and regulations that may affect its services pursuant to this RFP. Ignorance on the part of the firm will in no way relieve the firm from responsibility.

h. Withdrawal Of Proposals

A firm may withdraw its proposal without prejudice no later than the advertised deadline for submission of proposals by written communication to the General Services Department, 1190 N.E. 3rd Avenue, Building C, Pompano Beach, Florida 33060.

i. Composition Of Project Team

Firms are required to commit that the corporation named in the proposal will perform the services throughout the contractual term unless otherwise provided for by way of a negotiated contract or written amendment to same executed by both parties. No diversion or substitution of corporation will be allowed unless a written request that sets forth the qualifications and experience of the proposed replacement(s) is submitted to and approved by the City in writing.

j. Variances

While the City allows Proposers to take variances to the RFP terms, conditions, and specifications, the material nature, number, and extent of variances taken will be considered in determining proposal responsiveness and in allocating proposal evaluation points.

k. Invoicing/Payment

All invoices shall be sent to City of Pompano Beach, Accounts Payable, P.O. Drawer 1300, Pompano Beach, Florida, 33061. In accordance with Florida Statutes, Chapter 218, payment will be made within 45 days after receipt of a proper invoice.

23. Questions and Communication

All questions regarding the RFP are to be submitted in writing to the Purchasing Office, 1190 N.E. 3rd Avenue, Building C (Front), Pompano Beach, Florida 33060, fax (954) 786-4168, or email purchasing@copbfl.com. All questions must include the inquiring firm's name, address, telephone number and RFP

name and number. Questions must be received at least seven (7) calendar days before the scheduled solicitation opening. Oral and other interpretations or clarifications will be without legal effect. Any addendum necessary to answer questions will be posted to the City's website, and it is the Proposer's responsibility to obtain all addenda before submitting a response to the solicitation.

24. Addenda

The issuance of a written addendum is the only official method whereby interpretation, clarification, or additional information can be given. If any addenda are issued to this solicitation the City will attempt to notify all known prospective Proposers, however, it shall be the responsibility of each Proposer, prior to submitting their response, to contact the City Purchasing Office at (954) 786-4098 to determine if addenda were issued and to make such addenda a part of their proposal.

25. Attachments

The following documents are posted in Adobe PDF format to the City's website at (www.pompanobeachfl.gov) as Attachments to this RFP.

- 1) Attachment A – Draft Franchise Agreement.pdf
- 2) Attachment B – In-Ground Container Listing.pdf
- 3) Attachment C – Commercial Customer Listing.pdf
- 4) Attachment D – Financial Proposal Forms.pdf

PROPOSAL SIGNATURE PAGE
RFP T-05-15, RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION
SERVICES

To: The City of Pompano Beach, Florida

The below signed hereby agrees to furnish the proposed services under the terms stated subject to all instructions, terms, conditions, specifications, addenda, legal advertisement, and conditions contained in the RFP. I have read the RFP and all attachments, including the specifications, and fully understand what is required. By submitting this signed proposal, I will accept a contract if approved by the City and such acceptance covers all terms, conditions, and specifications of this proposal.

Proposal submitted by:

Name (printed) _____ Title _____

Company (Legal Registered)

Federal Tax Identification Number

Address

City/State/Zip

Telephone No. _____ Fax No. _____

Signature _____ Date _____

Addendum Acknowledgment - Proposer acknowledges that the following addenda have been received and are included in his/her proposal:

Addendum No. _____ Date Issued _____

VENDOR CERTIFICATION REGARDING SCRUTINIZED COMPANIES LISTS

Respondent Vendor Name:

Vendor FEIN:

Section 287.135, Florida Statutes, prohibits agencies from contracting with companies, for goods or services over \$1,000,000, that are on either the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List or is engaged in business operations in Cuba or Syria.

As the person authorized to sign on behalf of Respondent, I hereby certify that the company identified above is not listed on either the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List or is engaged in business operations in Cuba or Syria. I understand that pursuant to section 287.135, Florida Statutes, the submission of a false certification may subject company to civil penalties, attorney's fees, and/or costs.

Certified By:

Authorized Signature Print Name and Title:

STATEMENT OF NO RESPONSE

If you do not intend to bid on this requirement, please complete and return this form by the bid opening deadline to the City of Pompano Beach Purchasing Division, Building C, 1190 N.E. 3rd Avenue, Pompano Beach, Florida 33060; this form may be faxed to (954) 786-4168. Failure to respond, either by submitting a bid, or by submitting a "Statement of No Response" form, may result in your firm's name being removed from our mailing list.

WE, the undersigned, have declined to bid on this solicitation for the following reason(s):

- _____ We do not offer this product or an equivalent
- _____ Our workload would not permit us to perform
- _____ Insufficient time to respond to the Invitation for Bid
- _____ Unable to meet specifications (explain below)
- _____ Other (specify below)

Remarks _____

COMPANY NAME _____

ADDRESS _____

TELEPHONE _____

SIGNATURE/TITLE _____

DATE _____

SERVICE REFERENCE #1

Proposers shall complete and submit this form in conjunction with any other relevant material.

Municipality/County: _____

Contact: _____

Contact Address: _____

Contact Phone: (_____) _____ Contact e-mail: _____

Term of Current Contract: Start Date: _____ End Date: _____

Residential Collection Service Provided:

Services Provided <i>(check all that apply)</i>	Type of Service	Number of Units Served	Automated Collection <i>(check all that apply)</i>	Frequency of Collection		
				1x per week	2x per week	Other
<input type="checkbox"/>	Solid Waste		<input type="checkbox"/>			
<input type="checkbox"/>	Recycling		<input type="checkbox"/>			
<input type="checkbox"/>	Yard Waste		<input type="checkbox"/>			
<input type="checkbox"/>	Bulky Waste		n/a			

Commercial Collection Service Provided:

Number of commercial MSW customers _____

Roll-off compactor/open top container service provided: YES NO

Commercial recycling collection provided: YES NO

Technology:

Is service verification via RFID included in the services provided? YES NO

Is asset management included in the service provided? YES NO

Other relevant information: _____

SERVICE REFERENCE #2

Proposers shall complete and submit this form in conjunction with any other relevant material.

Municipality/County: _____

Contact: _____

Contact Address: _____

Contact Phone: (_____) _____ Contact e-mail: _____

Term of Current Contract: Start Date: _____ End Date: _____

Residential Collection Service Provided:

Services Provided <small>(check all that apply)</small>	Type of Service	Number of Units Served	Automated Collection <small>(check all that apply)</small>	Frequency of Collection		
				1x per week	2x per week	Other
<input type="checkbox"/>	Solid Waste		<input type="checkbox"/>			
<input type="checkbox"/>	Recycling		<input type="checkbox"/>			
<input type="checkbox"/>	Yard Waste		<input type="checkbox"/>			
<input type="checkbox"/>	Bulky Waste		n/a			

Commercial Collection Service Provided:

Number of commercial MSW customers _____

Roll-off compactor/open top container service provided: YES NO

Commercial recycling collection provided: YES NO

Technology:

Is service verification via RFID included in the services provided? YES NO

Is asset management included in the service provided? YES NO

Other relevant information: _____

SERVICE REFERENCE #3

Proposers shall complete and submit this form in conjunction with any other relevant material.

Municipality/County: _____

Contact: _____

Contact Address: _____

Contact Phone: (_____) _____ Contact e-mail: _____

Term of Current Contract: Start Date: _____ End Date: _____

Residential Collection Service Provided:

Services Provided <i>(check all that apply)</i>	Type of Service	Number of Units Served	Automated Collection <i>(check all that apply)</i>	Frequency of Collection		
				1x per week	2x per week	Other
<input type="checkbox"/>	Solid Waste		<input type="checkbox"/>			
<input type="checkbox"/>	Recycling		<input type="checkbox"/>			
<input type="checkbox"/>	Yard Waste		<input type="checkbox"/>			
<input type="checkbox"/>	Bulky Waste		n/a			

Commercial Collection Service Provided:

Number of commercial MSW customers _____

Roll-off compactor/open top container service provided: YES NO

Commercial recycling collection provided: YES NO

Technology:

Is service verification via RFID included in the services provided? YES NO

Is asset management included in the service provided? YES NO

Other relevant information: _____

SERVICE REFERENCE #4

Proposers shall complete and submit this form in conjunction with any other relevant material.

Municipality/County: _____

Contact: _____

Contact Address: _____

Contact Phone: (_____) _____ Contact e-mail: _____

Term of Current Contract: Start Date: _____ End Date: _____

Residential Collection Service Provided:

Services Provided <i>(check all that apply)</i>	Type of Service	Number of Units Served	Automated Collection <i>(check all that apply)</i>	Frequency of Collection		
				1x per week	2x per week	Other
<input type="checkbox"/>	Solid Waste		<input type="checkbox"/>			
<input type="checkbox"/>	Recycling		<input type="checkbox"/>			
<input type="checkbox"/>	Yard Waste		<input type="checkbox"/>			
<input type="checkbox"/>	Bulky Waste		n/a			

Commercial Collection Service Provided:

Number of commercial MSW customers _____

Roll-off compactor/open top container service provided: YES NO

Commercial recycling collection provided: YES NO

Technology:

Is service verification via RFID included in the services provided? YES NO

Is asset management included in the service provided? YES NO

Other relevant information: _____

TRANSITION REFERENCE #1

Municipality/County: _____

Contact: _____

Contact Address: _____

Contact Phone: (_____) _____ Contact e-mail: _____

Term of Current Contract: Start Date: _____ End Date: _____

Previous Service Provider: _____

Briefly describe transition: _____

TRANSITION REFERENCE #2

Proposers shall complete and submit this form in conjunction with any other relevant material.

Municipality/County: _____

Contact: _____

Contact Address: _____

Contact Phone: (_____) _____ Contact e-mail: _____

Term of Current Contract: Start Date: _____ End Date: _____

Previous Service Provider: _____

Briefly describe transition: _____

PROPOSAL BOND

STATE OF FLORIDA)

ss

)

KNOW ALL MEN BY THESE PRESENTS, that we,

_____ as
principal, and

hereinafter called Surety, are held and firmly bound unto The City of Pompano Beach, Pompano Beach, Florida, a political subdivision of the State of Florida, and represented by its City Commission hereinafter called OWNER, in the sum of

_____ Dollars

(\$ _____) lawful money of the United States of America, for the payment of which well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigned, jointly and severally, by these presents.

WHEREAS, the Principal contemplates submitting or has submitted a Bid to the OWNER for the furnishing of all labor, materials, equipment, machinery, tools, apparatus, means of transportation for, and the performance of the work covered in the Request for Proposal, entitled:

RESIDENTIAL AND COMMERCIAL WASTE COLLECTION SERVICES

WHEREAS, it was a condition precedent to the submission of said bid that a cashier's check or bid bond in the amount of 5 percent of the base bid be submitted with said bid as a guarantee that the Proposer would, if awarded the Contract, enter into a written Contract with the OWNER for the performance of said Contract, within 21 consecutive calendar days after written notice having been given of the award of the Contract.

NOW, THEREFORE, the conditions of this obligation are such that is the Principal within 21 consecutive calendar days after written notice of such award being given to Principal, enters into the contract to such award and gives a Performance and Payment Bond, each in an amount equal to 100 percent of the base bid, satisfactory to the OWNER, then this obligation shall be void; in the event of the failure of Principal to enter into such contract and bond, the sum herein stated shall be due and payable to the OWNER and the Surety herein agrees to pay the sum immediately upon demand of the OWNER in good and lawful money of the United States of America, as liquidated damages for failure thereof of said Principal; otherwise, it shall remain in full force and effect.

IN WITNESS WHEREOF, the said _____,

as Principal herein, has caused these presents to be signed in the name by its _____

_____ and attested by its _____ under its corporate seal,

And the said _____
_____ as Surety herein, has caused these presents to be signed in its name by
its _____
under its corporate seal, this _____ day of _____ A.D. _____
(year)

Signed, sealed and delivered in
the presence of:

Principal
By: _____

As to Principal

Surety
By: _____
Attorney-in-

Fact
attached)

(Power-of-Attorney to be

By: _____

Resident Agent

Performance Bond

Project No:
Project Title:

KNOW ALL PERSONS BY THESE PRESENTS, that:

as Principal, and

a corporation duly authorized to transact business in the State of Florida, as Surety, are held and firmly bound unto The City of Pompano Beach, Florida, a body Corporate and politic under the laws of Florida, in the sum of:

(Written Amount)

(Figures)

good and lawful money of the Unites States, well and truly to be paid, and for the payment whereof, we the undersigned, Principal and Surety, jointly and severally, hereby firmly bind ourselves, our heirs, assigns, successors, and legal representatives.

WHEREAS, the above bounded Principal (hereafter alternately referred to as "Contractor") did on

enter into a Contract with the said The City of Pompano Beach, Florida (hereafter alternately referred to as "Owner") a body corporate and politic as aforesaid, in and by which the said above bounded Principal did undertake and agree to furnish all labor, implements, machinery, equipment, tools and materials necessary therefore and to install, build, erect, construct the project named above in accordance with the certain plans and specifications prepared by:

to which plans and specifications and said contract reference is here made and all thereof made a part hereof as if fully set forth herein.

WHEREAS, it was one of the conditions of the award of said contract with The City of Pompano Beach, Florida that these presents shall be executed.

NOW THEREFORE, the conditions of this obligation are such that if the above bounded Principal shall in all aspects fully comply with, carry out and perform the terms and conditions of said contract and his obligations thereunder, including the Specifications, Proposal, Plans and Contract Documents therein referred to and made a part hereof, and therein provided for and shall indemnify and save harmless The City of Pompano Beach, Florida against and from all costs, expenses, damages, injury, or be subjected by reason of any wrongdoing, misconduct, want of care or skill, negligence, or default, including patent infringement on the part of said Principal or his agents, employees or subcontractors, in the execution or performance of said contract and shall promptly pay all just claims for damages or injury to property and for all work done or skill, tools, and machinery, supplies, labor, and materials furnished and debts incurred by said principal in or about the construction or improvements or additions contracted for, then this obligation to be void, otherwise, to remain in full force and effect.

Whenever Contractor shall be, and declared by the Owner to be in default under the Contract, the Surety may promptly remedy the default, or shall promptly:

1. Complete the Contract in accordance with its terms and conditions: or
2. Obtain a bid or bids for completing the Contract in accordance with its terms and conditions, and upon determination by Surety of the lowest responsible Bidder, or, if the Owner elects, upon determination by Owner and Surety jointly of the lowest responsible Bidder, arrange for a contract between such Bidder and Owner, and make available as work progresses (even though there shall be a default or a succession of defaults under the Contract or Contracts of completion arranged under this paragraph) sufficient funds to pay the cost of completion less the balance of the Contract Price; but not exceeding, including other costs and damages for which the Surety may be liable hereunder, the amount set forth in the first paragraph hereof. The term "balance of the Contract Price," as used in this paragraph, shall mean the total amount payable by Owner to Contractor under the Contract and any amendments thereto, less the amount properly paid by Owner to Contractor.

To the limit of the amount of this Bond, Surety's liability to Owner shall include but not be limited to, the cost of the completion of the construction contract and correction of defective work before or after completion of the construction contract; additional legal, design professional, and liquidated damages as specified in the Contract Documents arising out of and in connection with Principal's default and Surety's actions, inactions, and all costs incident to ascertaining the nature and extent of the Principal's default, including engineering, accounting and legal fees.

And the said Surety to this Bond, for value received, hereby stipulates and agrees that no change, extension of time, alterations or additions to the terms of the contract or to the work to be performed thereunder or the specifications accompanying same shall in any way affect its obligation on this Bond, and it does hereby waive notice of any such change, extensions of the time, alteration or addition to the terms of the contract or to the work or to the specifications. Additionally, Surety hereby stipulates and agrees that the bond penalty set forth above shall automatically increase coextensively with any Owner approved change orders which increase the overall contract amount.

Contractor shall give written notice to Owner of any alleged default by the Owner under the Construction Contract. Owner shall have not less than ninety (90) days after receipt of such notice to cure such default before the surety is allowed to assert the default as a defense against

Owner. The only types of default that may be asserted against Owner shall be monetary defaults. The surety waives any defense of timeliness of completion if time extensions are granted by the Owner to the Construction Contractor.

No right of action shall accrue on this Bond to any person or entity other than the Owner or its heirs, executors, administrators, successors or assigns. Any suit under this Bond must be instituted within five (5) years from the date the cause of action accrued.

IN TESTIMONY WHEREOF, the Principal and Surety have caused these presents to be duly signed in, at
Pompano Beach, Broward County, Florida, this

_____ day of _____

Countersigned By:

Contractor:

By: (Signature) _____

(SEAL)

Surety:

(SEAL OF SURETY)

By: _____
Address:

PAYMENT BOND FORM

Project No:

Project Title:

Facility Name:

BY THIS BOND, WE, _____, as
Principal,

and _____, a corporation, as Surety, are
bound to The City of Pompano Beach, Florida, herein called "Owner", in the sum of :

(Written Amount)

(Figures)

for the payment of which we bind ourselves, our heirs, personal representatives, successors, and assigns, jointly and severally. This Payment Bond is intended to be governed by 255.05, F.S.

THE CONDITION OF THIS BOND is that if Principal:

- Promptly makes payments to all lienors supplying labor, material, and supplies used directly or indirectly by Principal in the prosecution of the work provided in the contract dated

between Principal and Owner for construction of the Project named above, the contract being made a part of this bond by reference; and

- Pays Owner all loss, damage, expenses, costs, and attorney's fees, including appellate proceedings, that Owner sustains because of default by Principal under paragraph 1. of this bond;
- then this bond is void; otherwise, it remains in full force.

Any changes in or under the contract documents and compliance or noncompliance with formalities connected with the contract or with the changes do not affect Surety's obligation under this bond.

Dated on : _____

	Name of Surety:	_____
(SEAL OF SURETY)		
	By:	_____
		Attorney in Fact
	Name of Principal:	_____
(SEAL OF PRINCIPAL)		
	By:	_____
		Its authorized officer