



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

December 3, 2014

ADDENDUM #4, RFP T-05-15

RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES

To Whom It May Concern,

Please review the following questions and responses for RFP T-05-15, Residential and Commercial Waste Collection Services.

Q1: Attachment D – Financial Proposal Form:

The Financial Proposal Form has manual collection for trailer pads, how many units are there?

Response: Please review the Revised Financial Proposal Form (Attachment D). The manual collection has been removed.

Q2: Section 2, Tasks/Deliverables, Page 4: Would the City please clarify if the \$5,307 multi-family customers listed are the same customers serviced by the containers at the bottom of the page?

Response: The 5,307 are the number of customers. The chart that is below the customer totals represents the number of containers. Yes, those containers service the 5,307 customers.

Q3: Article 11, Section 11.2, Page 18: Will the City provide GIS information of customers?

Response: No. However, a listing of residential customers will be available upon award.

Q4: Additionally, will City Staff work with the Contractor to coordinate customer data?

Response: A list of customers will be provided upon award; however, the Contractor has the responsibility to provide all necessary items that are within Section 11.2 upon award and the burden falls upon the Contractor for all steps. The City will work with Contractor to provide any available data

Q5: Article 11, Section 11.2.1, Page 18: Is the City looking for global tracking or on a customer basis?

Response: The requirements are worded correctly within Section 11.2.1.

Q6: Article 11, Section 11.2.3, Page 18: Would the City please define "Service Verification?" Does "Service Verification mean verification that a truck was at a customer location or does it mean that verification that the container was serviced (ex. RFID)?

Response: There are no RFID requirements. The requirement is that there is a GPS system (that provide "breadcrumb" data drops) within the vehicles to ensure route activity.

Q7: Article 11, Section 11.2.3, e.), Page 18: Could the City please confirm that requests would not be out of the ordinary?

Response: That statement will not be provided. All requests from the City will be made by necessity.

Q8: How does the City want Contractor to track this information, by customer level or globally?

Response: The information would have to be of a specific and detailed nature as per the specific event.

Q9: Article 15, Section 15.2.1, Page 28: Who receives the rebate for recyclable materials?

Response: Please refer to Addendum #2.

Q10: In an effort to streamline the flow of funds, will the City amend the disposal payment section such that the City will pay residential disposal directly to the disposal site, thereby eliminating the City spending funds out of its treasury and losing the ability to use them? This will also limit the risk that the Contractor will have on overages which something impossible to probably gauge.

Response: That option will not be entertained at this time.

Q11: Reference page 4, second table captures the number of customers invoiced for residential-type collection. Can the City provide the number of Residential Garbage and Recyclable materials carts associated with these customers? This information is needed to accurately determine the number of teams required to support this workload.

Response: Currently the City is on manual service, subsequently the customers can use pails or bags for MSW, therefore there are no logs or reports that provide this information. Pertaining to recycling, there are no logs or reports that provide container counts.

Q12: Please define "Extra Pickup" and what the quantities mean referenced in each of the following tables:

- a. Page 4, last table: Number of multi-family containers with non-compacted (Includes carts) service;
- b. Page 5, first table, Number of multi-family containers with compacted service and
- c. Page 6, Number of commercial containers utilizing non-compacted (Includes carts) service and Number of commercial containers utilizing compacted service charts The

Do the quantities (1,2,3,4,5 and 6 for extra pick-up) refer to weekly frequency or number of containers per location? For example, in the table on page 4, does it mean that there are 57 carts collected twice a week or there are 57 locations with 2 carts at each location?

Response: This is the number of containers. So in the table on page 4, there are 57 carts serviced twice a week.

Q13: Reference page 6, second paragraph it states the tip fee is \$78.46/Ton for garbage and trash. Does the tip fee include both residential and commercial collection or just residential?

Response: That paragraph pertains to the Disposal Agreement and subsequent fees for both residential and commercial sectors.

Q14: Reference page 5, second table, Quantities of commercial and multi-family garbage and roll off waste collected:

Can the city provide the current number of open top roll-off compactors associated with this waste captured? This information is needed to accurately complete the pricing sheets to determine the number of teams required to support this workload.

Response: A list of permanent roll-off and compactor accounts will be posted to the website. A list of temporary boxes is not available.

Q15: Reference page 8, Temporary Construction and Demolition (C&D) Roll-Off Container Franchise Fee. Can the City provide:

- a. How many current open top containers there are for Construction and Demolition Collection?

Response: A listing of permanent containers has been provided.

- b. How many collections there were last year?

Response: That data is not available.

How many tons were collected last year?

Response: The tonnage for permanent roll-off has been provided.

Q16: Can the City please provide the historical monthly tonnage for the last year per service type in order to understand any variations during the year?

Response: A breakdown of monthly tonnage has been provided.

Q17: Reference page 8, para 3.2.1. Is it mandatory to offer a Service for recovered materials from commercial customers? If so, where should the offer place the Price for this service on the financial proposal form?

Response: By State Statute, the City cannot contract commercial recycling services. So the pricing for this service is not included in this RFP. However, the successful bidder needs to fulfill all requirements within §3.2.1.

Q18: Reference page 15, para 8.1.5. The Franchise Collector shall provide one (1) Roll Cart size exchange every twelve (12) months per customer at no charge to the customer or the City. For each additional exchange per customer within a twelve (12) month period, the City will reimburse the Franchise Collector thirty dollars (\$30). Does this mean the Franchise Collector must renew annually all residential carts?

Response: No. This is to allow for the customer to exchange the size of cart every 12-months upon request. Any additional requests will have a \$30 cost. The intent of this is to allow for an individual who does not produce enough materials to fill the larger 95-gallon cart, the ability to exchange it for the smaller 65-gallon cart. This is not intended to exchange all carts within the system every twelve months.

Q19: Reference page 23. Para 12.7.1.2. The preferred fuel type for all front-line fleet is Compressed Natural Gas (CNG). Is there any facility within Pompano Beach where we can refuel the CNG trucks?

Response: The obligation to locate and secure filling locations within Pompano Beach falls within the bidder.

Q20: Reference page 24, paragraph 12.7.4.3. Franchise Collector shall provide convenient means to clean and sanitize commercial containers periodically, and on an as-needed basis. Will the City provide a specified frequency for cleaning and the cleaning system it prefers?

Response: The frequency will be based on need.

Q21: Reference the first three tables of the financial proposal form. Are multi-family customers who receive residential collection service included in the first three tables of the financial form?

Response: The pricing for multi-family is on page 3 of the revised form.

Q22: Reference tables 4 and 5. How many mobile home trailer pads have to be collected in the new contract?

Response: That data is not available

Q23: What is the total number of carts?

Response: Currently, mobile home trailers are on manual pail and bagged service.

Q24: What was the historical tonnage collected last year.

Response: That tonnage is within the residential figure.

Q25: Page 14. Is it possible to just submit a performance bond for \$4,750,000 instead of two separate Bonds, a Payment Bond and Performance Bond?

Response: No. Since the bonds are to different entities, we require two separate bonds.

Q26: Page 16. Who will appoint the selection/evaluation Committee?

Response: The evaluation Committee has been appointed.

Q27: Does the city have a mandatory enclosure ordinance for dumpsters?

Response: Yes. 155.5301 within the Zoning Code.

Q28: Has the city imposed any fines on the current hauler in the last three years?

Response: No.

Q29: Page 6. What is the tipping fee for recyclable materials if the load is contaminated?

Response: The tip fee for contaminated loads would be the current MSW tip fee at that time.

Q30: Can the SBE subcontractors be from other Florida counties?

Response: Yes.

Q31: Can the City provide the Form required for Public Entity Crimes?

Response: The City of Pompano Beach does not have a form for 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.

Q32: Has the city identified how many residential customers are currently receiving side door or back door services?

Response: Yes, currently there are approximately 400 customers receiving this service.

Q33: What is the address for the Recycle America Facility in Pompano Beach? Please clarify that these recyclable can be delivered there instead of Reuters in Pembroke Pines.

Response: The facility noted in the RFP and Draft Agreement, and is required to be used, is the WM Recycle America L.L.C. located at 20701 Pembroke Road, Pembroke Pines facility.

Q34: Page 4 is the duplex and triplex customer count a unit count? For example, if it is a duplex is it 1843 units or 3686 units?

Response: The information is based on number of units.

Q35: Page 4 Does the city know which of the 5307 multifamily units are curbside and which are containerized?

Response: The 5,307 are all on curbside collection. The number of containers (dumpsters and direct billed 95-gallon carts) are listed in the chart below that information.

Q36: Is it the intent to keep bulk tonnage separate from MSW?

Response: No. However, if possible we would like to see that data separated... to be discussed upon award.

Q37: Page 29 Technology- Is it the intent for the City to require an RFID and assess management system? Will an AVL-Automotive Vehicle Locators which can provide the bread crumbs be sufficient?

Response: The City is not implementing an RFID system, nor is it required. We are looking for a bread crumb report that identifies vehicle movement, so the AVL system is sufficient.

Q38: The City's standards for qualification of responsible and responsive Proposers is unnecessarily limiting and will have the effect of excluding otherwise highly qualified providers of residential and commercial solid waste collection services. SWS is a highly qualified provider of the services sought by the City. As evidence of this fact, SWS was awarded contracts for 2 of the 5 solid waste collection service areas of the Solid Waste Authority of Palm Beach County (SWA) in 2013.

Currently Request for Proposals T-05-15 – Residential and Commercial Solid Waste Collection Services (the “RFP”), has two qualifications provisions which SWS does not qualify under, Tab 1, sub (a) and (e):

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.

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.

To the extent these provisions exclude highly qualified service providers, the City is only limiting competitive pricing and its ability to get the best possible rates the more bidders will lead to more competitive pricing for its residents and resident businesses, which is clearly not the City's goal. SWS respectfully requests the City consider one or all of the following alternative criteria for Tab 1, sub (a):

- **Current SWA providers qualified through Invitation to Bid No. 14-201/SLB, Solid Waste & Recycling Collection Services** – This option utilizes a recent procurement process to pre-qualify Proposers, but allows for the most current and competitive cost proposals.
- **Adopt qualifications used by the City of Delray Beach in RFP No. 2014-38, Collection of Solid Waste and Recyclable Materials, which is attached** – This option utilizes a qualification standards from a recent RFP from a similar community.
- **Allow corporate entities to qualify under Tab 1, sub (a) through the experience of its management team** – This option focuses on the reality of the relationship between people and corporations. People have qualifications and experience; corporations only have qualifications and experience to the extent to which their people do.

It should be noted that each of the foregoing options merely allows a Proposer to be responsive and responsible to the RFP. They should not require any particular scoring for Qualifications and Experience in the RFP's Selection/Evaluation Process.

With respect to Tab 1, sub (e), SWS asks that you consider the following change:

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. 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.

The slight relaxation of the requirements of Tab 1, subs (a) and (e) furthers the legislative intent of Section 403.7063, Florida Statutes, which states: "In providing services or programs for solid waste management, local governments and state agencies should use the most cost-effective means for the provision of services and are encouraged to contract with private persons for any or all of such services or programs in order to assure that such services are provided on the most cost-effective basis." Disqualifying otherwise qualified service providers necessarily limits competition, which directly impacts the cost effectiveness of the proposals the City will receive in response to the RFP.

Response: Tab 1, a) Company Qualifications: Proposer shall demonstrate its qualifications and experience to perform the services specified herein. Corporate Entity, or key members of its local management team, shall demonstrate that it has at least five (5) years of experience providing solid waste collection services. Corporate Entity, or key members of its local management team, shall have experience providing similar services for a comparable-sized city (20,000 curbside residential accounts and 2,000 commercial accounts). If key member qualifications are used, they must clearly demonstrate direct member involvement in the services provided.

Tab 1, 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. References for transitions conducted within the state of Florida, and at least one transition from manual to automated collection are preferred. Please use the transition history forms provided on pages 33-34 of this RFP.

Q39: Reference, Attachment D, Financial Proposal Form, page 4 – Ancillary Table. Can you explain/define what ticketed service (per yard) means within the ancillary table of the financial proposal form?

Response: These are costs for additional or special services that would be added to the base cost.

Q40: Reference, Attachment D, Financial Proposal Form, page 4 – Ancillary Table. Can you provide the frequency for roll-off collection?

Response: Please refer to the specifics for each item.

Q41: Please confirm that bulk waste is delivered to Monarch Hill. If not, where does the City want the franchise collector to deliver bulk waste?

Response: Yes. Bulk Waste is delivered to Monarch Hill.

Q42: Reference, page 14 of Attachment A, Draft Franchise Agreement. According to the para 7.2.1. there are some commercial containers provided and maintained by the franchise collector and others provided and maintained by the customers.

Response: Actually, what it says is that the Hauler shall collect Solid Waste that is generated by Commercial Customers and placed in either: (a) franchisee-provided and maintained containers, or (b) customer-provided and maintained containers that are Franchisee-approved. So the responsibility to haul solid waste, regardless of if it is a hauler provided container or a customer provided container.

Q43: How many containers are provided and maintained by the franchise collector?

Response: That information is within the RFP.

Q44: Is the franchise collector obligated to buy any commercial container during the contract

Response: All hauler owned containers are the responsibility of the Hauler to purchase and place.

Q45: Reference, Waste Management Rates 2014-2015 attachment. Is the tipping fee included in the unit prices in the file Waste Management Rates 2014-2015?

Response: Yes, unless otherwise stated.

Q46: Reference Financial Proposal Form. Which unit price on the Financial Proposal Form do we include the purchase and maintenance of residential carts?

Response: That is up to the Proposer.

Q47: Reference, Waste Management Rates 2014-2015 attachment. Which are the units of the monthly container/compactor maintenance prices? For example, does \$19.70 per month mean the monthly price that a multi-family customer will pay for the collection of a container of 2 cubic yards with a frequency collection of twice per week?

Response: The \$19.70 that was stated, is the monthly maintenance fee for a 2-yard dumpster, regardless of frequency.

Q48: Reference Waste Management Rates 2014-2015 attachment. Can you identify which line items are the units for the roll-off prices?

Response: Roll off services are listed on page 3 of the document.

Q49: Reference, RFP &-05-15, page 6, the first table. This table shows there are 22 plus 378 gallon commercial carts, so 400 carts in total. But in the file "Attachment C - Commercial List" there are 1058 between can and totter. Which commercial cart numbers are correct?

Response: Both lists are accurate. This is due to the City is on manual service, subsequently, the property is responsible for furnishing their own garbage pail. However, there are some locations that have been provided carts as a courtesy, these are listed on the table you referenced.

Q50: What is the city's timeline for converting all in ground pails to roll out carts?

Response: The timeline will be discussed with the Successful Bidder upon award.

Q51: Does the city have a timeline for implementation of the necessary services after the contract has been awarded?

Response: The intent is to move towards the awarded service level as promptly as possible.

Q52: Contract 8.1.5 Roll cart size exchange- will the city consider establishing a time frame for cart size exchange request?

Response: The perimeters for exchange will be agreed upon between parties; however, it is the intent of the City to have such cart size exchanges performed in the shortest timeframe possible.

Q53: Technical Proposal – Tab2 – p.12 – exceptions must be identified and listed. How will the City evaluate exceptions in terms of a proposer's responsiveness?

Response: The exceptions will be considered into the rating of the Proposer's Technical Proposal section of the RFP. The impact of such exceptions will be considered by each evaluator.

Q54: Litigation – p. 14 – This requires the proposer to list litigation in the last 5 years "related to performance". Please clarify. Isn't this duplicative of the litigation requirements in Tab 1?

Response: That is correct. Since no Litigation Form is part of this RFP, this requirement should be verbalized within Tab 1 of the document. Therefore, the requirement within Tab 4 should be ignored.

Q55: Termination – p. 20 – This allows either party to terminate for "gross negligence" on 30 days' notice and a failure to cure? What does the City deem to be "gross negligence"? In addition, the City can terminate for nonperformance by contractor on 180 days' notice? Is the 180 days a cure period?

Response: The 30-day termination clause due to gross negligence would occur in the unlikely situations of non-performance or legal issues of such a level that simply cannot be corrected. An example would be the hauler simply discontinues service without notice. The 180-day termination for non-performance are discussed in Sections 17.3.4; 19.10 & 19.11 within the Draft Agreement. It should be noted that the City will make all

efforts to resolve all issues with the Successful Bidder to correct all matters prior to such extreme actions becoming necessary.

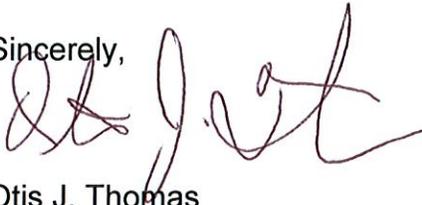
File T-05-14, Addendum #4 has been posted to the City's website at www.pompanobeachfl.gov. The file contains the following documents:

- Permanent Roll Off & Compactor Listing
- Disposal Tonnage Dec. 2012 – Nov. 2013

The deadline for acceptance of sealed bids in the Purchasing Office, 1190 N.E. 3rd Avenue, Bldg. C, Pompano Beach, 33060, is **2:00 p.m. (local), December 11, 2014.**

The remainder of the solicitation is unchanged at this time.

Sincerely,

A handwritten signature in dark ink, appearing to read "Otis J. Thomas". The signature is fluid and cursive, with the first name "Otis" being the most prominent part.

Otis J. Thomas
General Services Director

cc: website
file