



Invitation for Bid
A: Scrap Metal Pick-up and Recycling for Riverside and San Bernardino Counties,
B: Recycling Bins

<u>SECTION I</u>	<u>OVERVIEW</u>	1
GENERAL INFORMATION		1
CIWMB CONTACT		1
SERVICE NEED		1
CONTRACT BUDGET		1
PAYMENT WITHHOLD		1
CONTRACT TERM		1
PROCESS TYPE		1
PROCESS SCHEDULE		2
<u>SECTION II</u>	<u>RULES AND CONDITIONS</u>	3
INTRODUCTION		3
COMMITMENT		3
ANTITRUST CLAIMS		3
CONTRACTOR'S COST		3
INFORMATION		4
WRITTEN INQUIRIES		4
ADDENDA		4
MODIFICATION OF SUBMITTALS		4
ERRORS IN SUBMITTALS		4
UNRELIABLE LIST		4
NEGOTIATING STATE CONTRACTS		5
ELECTRONIC WASTE RECYCLING		5
USE TAX		5
SMALL BUSINESS (SB) PREFERENCE		5
DISABLED VETERANS BUSINESS ENTERPRISE (DVBE) PREFERENCE		6
ENTERPRISE ZONE ACT (EZA)		7
TARGET AREA CONTRACT PREFERENCE ACT (TACPA)		7
LOCAL AGENCY MILITARY BASE RECOVERY ACT (LAMBRA)		7
MAXIMUM COMBINED PREFERENCES AND RULES FOR AWARD		7
SUB-CONTRACTORS		8
<u>SECTION III</u>	<u>BID SUBMITTAL REQUIREMENTS</u>	9
INTRODUCTION		9
DEADLINE		9
ADDRESSING		9
NUMBER OF COPIES		9
COVER LETTER		9
DOCUMENT PRINTING		9
QUALIFICATIONS AND RESOURCES		10
REFERENCES		10
ORGANIZATION		11
CONTRACT ELIGIBILITY		11
QUALIFICATION/LICENSES		11
COST BREAKDOWN		11
<u>SECTION IV</u>	<u>EVALUATION AND SELECTION</u>	12

SECTION I**OVERVIEW**

General Information	<p>The California Integrated Waste Management Board (CIWMB) promotes a zero waste California in partnership with local government, industry, and the public. This means managing the estimated 76 million tons of waste generated each year by reducing waste whenever possible, promoting the management of all materials to their highest and best use, and protecting public health and safety and the environment.</p>
CIWMB Contact	<p>California Integrated Waste Management Board 1001 I Street, Contracts Unit, MS-19A Sacramento, CA 95812 Phone: (916) 341-6124 FAX: (916) 319-7432 EMAIL: crubens@ciwmb.ca.gov</p> <p>Any documents delivered in person must be received in the Visitor's & Environmental Service Center located in the lobby of the CalEPA Headquarter's Building at 1001 I Street, Sacramento, CA 95814.</p>
Service Need	<p>To collect and recycle scrap metal from participating State Agencies in Riverside and San Bernardino Counties. Also, provide various size containers as needed for each participating State Agencies in Riverside and San Bernardino Counties.</p>
Contract Budget	<p>Subject to the availability of funds and approval by the Board, there is a current maximum budget of : Revenue Contract.</p> <p>The CIWMB reserves the right to amend the budget for this Agreement as needs arise.</p>
Payment Withhold	<p>The provisions for payment under this contract will be subject to a ten percent (10%) withholding per task.</p> <p>The withheld payment amount will be included in the final payment to the Contractor and will only be released when all required work has been completed to the satisfaction of the CIWMB.</p>
Contract Term	<p>The term of this Agreement will span approximately 12 months and is expected to begin in February 2009.</p> <p>The CIWMB reserves the right to amend the term of this Agreement as needs arise.</p>
Process Type	<p>Invitation for Bid (IFB).</p>

SECTION I **OVERVIEW CONT.**

Process Schedule

This process will be conducted according to the following tentative schedule where all times are Pacific Time:

Advertisement Date:	December 19, 2008
Written Questions Due by 5:00 pm:	January 06, 2009
Submittal's Due by 2:00 pm:	January 22, 2009
Bid Opening at 2:10 pm:	January 22, 2009

SECTION II**RULES AND CONDITIONS**

Introduction

There are conditions that this IFB, submitting Bidders, bids and resulting Agreements are subject to and/or required to comply with.

Commitment

Upon submittal of a Bid, the Contractor has committed to comply with the following requirements:

- All items noted in IFB documents
- Special Terms and Conditions available for viewing at www.ciwmb.ca.gov/Contracts/Forms/SpTermsCond.pdf.
- General Terms and Conditions available for viewing at www.ols.dgs.ca.gov/Standard+Language.
- Contractor Certification Clauses available for viewing at www.ols.dgs.ca.gov/Standard+Language.

If the bidder fails to meet any of the requirements or comply with the CIWMB requests, the CIWMB can reject, disqualify, or remove the firm from the process.

The CIWMB is not committed to award an Agreement resulting from this IFB.

Antitrust Claims

In submitting a Bid Package to a public purchasing body, the Bidder offers and agrees that if the Bid Package is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 [commencing with Section 16700] of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the Bidder for sale to the purchasing body pursuant to the Bid Package. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the Bidder. (See Government Code Section 4552.)

If an awarding body or public purchasing body receives, either through judgment or settlement, a monetary recovery for a cause of action assigned under this chapter, the assignor shall be entitled to receive reimbursement for actual legal costs incurred and may, upon demand, recover from the public body any portion of the recovery, including treble damages, attributable to overcharges that were paid by the assignor but were not paid by the public body as part of the Bid Package price, less the expenses incurred in obtaining that portion of the recovery. (See Government Code Section 4553.)

Upon demand in writing by the assignor, the assignee shall, within one year from such demand, reassign the cause of action assigned under this part if the assignor has been or may have been injured by the violation of law for which the cause of action arose and (a) the assignee has not been injured thereby, or (b) the assignee declines to file a court action for the cause of action. (See Government Code Section 4554.)

Contractor's Cost

All costs resulting from the Contractor's participation in the IFB process are at the firm's expense.

No costs incurred by the Contractor participating in the IFB process will be reimbursed by the CIWMB.

SECTION II RULES AND CONDITIONS CONT.

Information

All information obtained or produced during the course of the Agreement will be made available to the CIWMB.

Any personal information that the Bidder deems confidential, must so be marked prior to submission to the CIWMB. . Any claims of confidentiality except as to personal information may result in disqualification.

The CIWMB will hold information deemed confidential by the Bidder to the extent allowable by the California Public Records Act and the Public Contract Code.

Written Inquiries

Bidders needing clarification of the requirements of this solicitation may submit questions to the Board's Contracts Unit. All inquiries must be received no later than 5:00PM on **January 06, 2009**, regardless of postmark. If the inquiries are faxed, then the time and date on the fax must not be later than the due date and time.

Questions, suggestions or objections regarding the content of this solicitation, including but not limited to the purpose, scope of work, etc., not submitted by the deadline for questions shall be deemed waived and may not be raised at a later time.

Oral communications with the Board officers and employees shall be non-binding on the State and shall in no way exclude the Bidder of any obligations as set forth in this package.

All questions or inquiries regarding this solicitation shall be submitted using the contact information provided in Section I.

E-mails and/or faxes should be clearly marked "**Questions Relating to SOLICITATION IWM08032.**"

The questions and answers will be published in an Addendum to the IFB (see below, Addenda).

Addenda

The CIWMB reserves the right to amend, alter, or change the rules and conditions of this IFB.

Any ambiguity, conflict, discrepancy, omission, or other error discovered in the IFB should immediately be reported to the CIWMB prior to the deadline for submission of written questions. The CIWMB will issue addenda to address such issues. Addenda will be available on the CIWMB webpage for this particular solicitation at www.ciwmb.ca.gov/Contracts.

Modification of Submittals

A Bid submitted prior to the submittal deadline, can be withdrawn or modified by the submitting Bidder. The Bidder must:

- Provide a written request
- Identify the requesting individual and their association to the Bidder

A Bid cannot be withdrawn after the submittal deadline has passed.

Errors in Submittals

An error in a Bid Package may be cause for rejection of that bid.

The CIWMB may make certain corrections, if the Bidder's intent is clearly established based on review of the complete bid.

Unreliable List

Any Contractor or Sub Contractor currently on the CIWMB Unreliable list, is ineligible to apply for or participate in this contract.

SECTION II RULES AND CONDITIONS CONT.

Negotiating State Contracts

This solicitation and any resulting contract or amendments are subject to the conditions set forth in PCC 6611.

If any of the conditions identified in PCC 6611 exist, the State may perform contract negotiations, if it is determined to be in the best interest of the State.

Electronic Waste Recycling

If the Contractor or any Sub-Contractors participate in activities that result in the disposition of electronic components, they will comply with the provisions of PRC Chapter 8.5.

Use Tax

If, during the course of the agreement, the Contractor will be involved in the re-sale of goods to the State, they must comply with the requirements of Section 6452.1, 6487, 6487.3, 7101, and 18510 of the Revenue and Taxation Code, in addition to Section 10295.1 of the Public Contract Code.

Small Business (SB) Preference

The following information shall apply to both SBs and MBs.

Any Bidder competing in this process as a California Certified Small Business (SB), or as a Non-SB certifying to Sub-contract a minimum of 25% of the total contract services to a California Certified SB, will receive a five percent (5%) preference. Certification must be provided by the Department of General Services (DGS), Procurement Division (PD), Office of SB and DVBE Services (OSDS).

A five percent (5%) bid preference is available to a Non-SB claiming twenty-five percent (25%) California Certified SB Sub-contractor participation. If claiming the Non-SB Sub-contractor preference, the bid response must include a list of the SB(s) with which you commit to Sub-contract in an amount of at least twenty-five percent (25%) of the net bid price with one or more California Certified SB. Each listed Certified SB must perform a "commercially useful function" in the performance of the contract as defined in Government Code Section 14837(d)(4).

The required list of California Certified SB Sub-contracts must be attached to the bid response and must include the following: 1) Sub-contractor name, 2) address, 3) phone number, 4) a description of the work to be performed and/or products supplied, 5) and the dollar amount or percentage of the net bid price (as specified in the solicitation) per Sub-contractor. Use the SB/DVBE participation form to report this information.

Bidders claiming the five percent (5%) preference must commit to Sub-contract at least twenty-five percent (25%) of the net bid price with one or more California Certified SB. Completed certification applications and required support documents must be submitted to the Office of SB and DVBE Certification (OSDC) no later than 5:00 p.m. on the bid due date, and the OSDC must be able to approve the application as submitted. Questions regarding certification should be directed to the OSDC at (916) 375-4940.

In no event shall the SB preference or Non-SB Sub-contracting preference exceed \$50,000 in any single bid.

For information on locating SB's see the steps described on the Good Faith Effort form attached to this IFB .

The incentive is applied during the evaluation process and is only applied for responsive bids from responsible bidders proposing the percentage of SB participation for the incentive specified above. The SB preference will be applied when a responsible bidder that is not a CA Certified SB or a Non-SB claiming 25% CA Certified SB Sub-contractor participation submits the lowest responsive bid.

SECTION II RULES AND CONDITIONS CONT.

Small Business (SB) Preference (continued)

For award based on low price, the incentive is applied by reducing the bid price by the amount of incentive as computed from the lowest responsive and responsible bid price. The computation is for evaluation purposes only. Application of the incentive shall not displace an award to a small business with a non-SB.

A copy of the Bidder's SB certification should be included with the Bid Package.

Disabled Veterans Business Enterprise (DVBE) Preference

Any Bidder competing in this process as a California Certified DVBE, or as a non-DVBE certifying to subcontract a minimum of 3% of the total contract services to a California Certified DVBE, will receive a preference as shown below:

1. Five (5%) and above participation level = bid will receive five percent (5%) preference.
2. Four (4%) participation level = bid will receive three percent (3%) preference.
3. Three (3%) participation level = bid will receive one percent (1%) preference.

Certification must be provided by the Department of General Services (DGS), Procurement Division (PD), Office of SB and DVBE Services (OSDS).

A five percent (3-5%) bid preference is available to a Non-DVBE claiming a minimum of three percent (3%) California certified DVBE Sub-contractor participation. If claiming the Non-DVBE Subcontractor preference, the bid response must include a list of the DVBE(s) with which you commit to subcontract in an amount of at least three percent (3%) of the net bid price with one or more California Certified DVBEs. Each listed California Certified DVBE must perform a "commercially useful function" in the performance of the contract as defined in Government Code Section 14837(d)(4).

The required list of California Certified DVBE Subcontracts must be attached to the bid response and must include the following: 1) Subcontractor name, 2) address, 3) phone number, 4) a description of the work to be performed and/or products supplied, 5) and the dollar amount or percentage of the net bid price (as specified in the solicitation) per subcontractor. Use the SB/DVBE participation form to report this information.

Bidders claiming a preference must commit to Sub-contract at least three percent (3%) of the net bid price with one or more California Certified DVBEs. Completed certification applications and required support documents must be submitted to the Office of SB and DVBE Certification (OSDC) no later than 5:00 p.m. on the bid due date, and the OSDC must be able to approve the application as submitted. Questions regarding certification should be directed to the OSDC at (916) 375-4940.

The incentive is applied during the evaluation process and is only applied for responsive bids from responsible bidders proposing the percentage(s) of DVBE participation for the incentive(s) specified above.

For award based on low price, the incentive is applied by reducing the bid price by the amount of incentive as computed from the lowest responsive and responsible bid price. The computation is for evaluation purposes only. Application of the incentive shall not displace an award to a SB with a Non-SB.

A copy of the Bidder's DVBE certification should be included with the Bid Package. For information on locating DVBE resources please go to the following website <http://www.pd.dgs.ca.gov/Publications/resource.htm> and see the steps described on the Good Faith Effort form attached to this IFB .

SECTION II RULES AND CONDITIONS CONT.

Enterprise Zone Act (EZA)

If the budget for services outlined in this announcement, exceeds \$100,000, the CIWMB will grant a preference for qualified Bidders. Bidder will need to review the following website <http://www.pd.dgs.ca.gov/edip/eza.htm> for specific information on this program.

The maximum preference allowed for EZA may not exceed \$50,000.00 for any bid.

The Bidder must provide reasonable demonstration of contract labor hours and certify that they will comply with the requirements of the EZA.

If the Bidder is qualified for this preference, the EZA Preference Request Form must be included in the bid submittal.

The form may be downloaded at www.ciwmb.ca.gov/contracts/forms.

Target Area Contract Preference Act (TACPA)

If the budget for services outlined in this announcement, exceeds \$100,000, the CIWMB will grant a preference for qualified Bidders. Bidder will need to review the following website <http://www.pd.dgs.ca.gov/edip/tacpa.htm> for specific information on this program.

The maximum preference allowed for TACPA may not exceed \$50,000.00 for any bid.

The Bidder must provide reasonable demonstration of contract labor hours and certify that they will comply with the requirements of the TACPA.

If the Bidder is qualified for this preference, the TACPA Preference Request Form must be included in the bid submittal.

The form may be downloaded at www.ciwmb.ca.gov/contracts/forms.

Local Agency Military Base Recovery Act (LAMBRA)

If the budget for services outlined in this announcement, exceeds \$100,000, the CIWMB will grant a preference for qualified Bidders. Bidder will need to review the following website <http://www.pd.dgs.ca.gov/edip/lambra.htm> for specific information on this program.

The maximum preference allowed for LAMBRA may not exceed \$50,000.00 for any bid.

The Bidder must provide reasonable demonstration of contract labor hours and certify that they will comply with the requirements of the LAMBRA.

If the Bidder is qualified for this preference, the LAMBRA Preference Request Form must be included in the bid submittal.

The form may be downloaded at www.ciwmb.ca.gov/contracts/forms.

Maximum combined preferences and rules for award

In combination with any other preferences (TACPA, EZA, LAMBRA, SB, non-SB subcontracting participation, DVBE, non-DVBE subcontracting participation, etc), the maximum limit of the combined preferences is 15% of the bid amount and, in no case, more than \$100,000.00 per solicitation.

Preference programs for TACPA, EZA, LAMBRA, or the non-SB subcontracting preference cannot displace a direct award to a certified SB. In the event of a tie between a SB/MB and a firm that is SB/MB and DVBE, the award shall be made to the firm that is SB/MB and DVBE.

SECTION II RULES AND CONDITIONS CONT.

Sub-contractors

All Sub-contractors identified in the bid, must be experts in their respective disciplines and capable of performing the tasks for which they are hired.

If awarded the agreement, the Contractor must use all of the SB/MB and Disabled Veteran Business Enterprise (DVBE) firms identified on the SB/DVBE Participation Summary.

The CIWMB reserves the right to approve substitutions of Sub-contractors, as long as, certified business participation levels remain unchanged.

SECTION III**BID SUBMITTAL REQUIREMENTS**

Introduction

Failure to follow the instructions contained in this document may be grounds for rejection of a Bid.

The CIWMB may reject any Bid if it is conditional, incomplete or contains irregularities.

The CIWMB may waive an immaterial deviation in a Bid, if deemed in the best interest of the CIWMB.

Deadline

The Bid Package must be received by the CIWMB, at the address listed in Section I, Overview by 2:00 p.m. on January 22, 2009

Bids received after the deadline, will be considered late and returned to the Bidder unopened.

Addressing

The Bid Package must clearly state that it is in response to this IFB and note the IFB number listed with the direction of "Mailroom – do not open."

Number of Copies

The Bidder is required to submit all required documents in the following format:

- One original, non-bound hard copy marked "Original" (do not include bid sheet in this copy)
- One electronic copy on disc or compact disc viewable by Adobe Acrobat Reader (do not include bid sheet in this copy)
- One complete, signed bid sheet in a sealed envelope marked "Bid-Do not open"

It is the submitting Bidder's responsibility to ensure that the electronic copy is formatted in Adobe Acrobat Reader and viewable by the CIWMB.

Cover Letter

The cover letter shall be signed by an individual who is authorized to bind the Proposer and shall indicate that person's title or position. The cover letter must be on the Proposer's company letterhead and contain the following information:

- a. Name and address of the Proposer submitting qualifications;
 - b. Proposer's Headquarters for purposes of this agreement, if awarded;
 - c. Name, telephone number, and e-mail address of a person who can be contacted if further information is required;
 - d. Name, title, address, telephone number, and e-mail address of individual(s) with authority to negotiate and execute a binding Agreement on behalf of the Proposer;
 - e. Statement that personnel who will provide services under the agreement will have the required certifications and that bidder will have qualified personnel available to meet the service needs; and
 - f. Statement attesting to the fact of the percentage of post consumer recycled content fiber paper used in the compilation of the CBS package.
 - g. Statement stating that the Contractor and any Subcontractors to be used during the performance of the contract are eligible to contract with the State of California, pursuant to PCC 10286.
-

Document Printing

All documents must be submitted double-sided on paper with a minimum of 100% post-consumer recycled content fiber.

SECTION III BID SUBMITTAL REQUIREMENTS CONT.

Qualifications and Resources

The prospective contractor must have the experience, qualifications, and resources to perform the required tasks of the project.

The Contractor must have knowledge of scrap metal recycling and must currently be in business of collecting, recycling, and processing scrap metal. Must have the appropriate current DMV licenses for each vehicle entering participating State facilities. The Contractor will not be a broker only but must also have a business address in California where scrap metal is processed on site. The Contractor must be currently certified by County Weights and Measures to ensure their scales are calibrated according to State law.

Security Clearance

Certain State Agencies, e.g., the Department of Justice, require a security clearance to access their facility. Under the current contract there are no Agencies that require a security clearance; however, in the event such an agency becomes a "pick-up" site under this contract, the successful bidder and/or employees of the successful bidder who require access to the state facility, must pass a security/background clearance as required by the Agency.

The following is provided only as an example of a clearance process; the actual process may require more or less information and fingerprinting:

1. In the event a security clearance is required a name search will be done through the State of California and federal criminal history systems. In order to facilitate the completion of the name search process, the successful bidder and/or each employee of the successful bidder who is to have access to the facility will be required to provide the following information.
 - a. Name
 - b. Aliases
 - c. Date of Birth
 - d. Place of Birth
 - e. Sex
 - f. Race
 - g. Height
 - h. Weight
 - i. Color Hair/Eyes
 - j. Driver's License Number

Each proposal must include a description of the resources to be used on the project while demonstrating an individual or team members' abilities to perform the work. The proposals must include resumes for the Project Manager, Personnel and Subcontractors, that include:

- Experience
- Knowledge
- Educational Background
- Appropriate licensing

References

The Proposer's team must provide a minimum of three (3) verifiable references and/or experience that support the above qualifications.

The CIWMB reserves the right to seek references in addition to the client references provided by the Proposer, as it deems necessary.

If a reference or project experience is unable to be verified, it will be disregarded.

Organization

Provide a brief description of the organization's services and activities, including:

- Date of establishment
 - History
 - Location
 - Any known conflict's of interest
-

Contract Eligibility

The Proposer must include a written declaration, stating that the Contractor and any Subcontractors to be used during the performance of the contract are eligible to contract with the State of California, pursuant to PCC 10286.1. Statement may be included in the cover letter.

Qualification/Licenses

The Contractor shall be an individual or firm qualified to do business in California. Required documentation includes the following as applicable:

- A copy of the Proposer's registration with the Secretary of State.
 - Additionally, pursuant to the California Business and Professions Code, for services of a "professional" nature requiring a professional license issued by the CA Department of Consumer Affairs, Proposers must submit a copy of the appropriate license(s) for each team member who will provide "professional" services under the contract.
 -
-

Cost Breakdown

The cost proposal must specify the total cost and include detailed project costs, as required in the Cost Proposal Sheet. The winner proposer's invoices must be itemized as shown in the submitted cost sheet.

The subcontractor commitments must be identified, by task and dollar amount, and included in the task by task cost proposal submittal.

The costs identified, should take into consideration the length of the contract, rise in salaries and administrative overhead costs.

The amount identified on the cost breakdown may not be changed and will remain in effect for the life of the agreement.

SECTION IV**EVALUATION AND SELECTION**

Introduction

The CIWMB will perform a Pre-Qualification Evaluation process to ensure that the Bidder has included all required documentation in the Bid submittal. The bid sheet must be in a separate sealed envelope marked "Bid-do not open".

If a bid package does not meet all of the requirements set forth in this IFB, it will be considered non-responsive and rejected from award of this agreement.

Grounds for Rejection

All bids may be rejected whenever the determination is made that the bids received are not really competitive, when the cost is not reasonable, or when the cost exceeds the amount expected.

Additionally, a bid may be rejected if:

- It is received after the due date and time for submittal
- The bid submittal is unsigned
- The bid cost is not prepared as required by the IFB
- The Bidder has been prohibited from contracting with the State by the Department of Fair Employment and Housing
- The Bidder has received a substantive negative contract performance from the State
- The Bidder has not met the participation goals for SB and DVBE and has not completed the steps and related form for the Good Faith Effort.
- Any items required by the IFB are not included with the submittal

No bid may be rejected arbitrarily or without reasonable cause.

Bid Opening

The qualified bids (sealed) will be opened publicly at the time set in Section I, Schedule.

Award of Agreement

Award of this Agreement will be to the lowest responsive responsible Bidder meeting all of the IFB requirements after preferences are applied as indicated in Section II Rules and Conditions.

In the event of a tie, the CIWMB shall utilize a tie breaker to determine the winning Bidder. The tie breaker will be determined based on which bidder has the most SB and DVBE participation identified in the bid package.

The CIWMB reserves the right to not award an Agreement.

Rejection of Award

If the Bidder fails to enter into a satisfactory Agreement within a reasonable timeframe after the award is made, the CIWMB may deem that the Bidder has rejected the award.

The CIWMB reserves the right to disqualify the awardee and award the Agreement to the next lowest responsive responsible Bidder.

The CIWMB will notify the rejected lowest responsive Bidder, at least five (5) days prior to the award being made, of the decision not to award the agreement.

Bidder Notifications

The CIWMB will notify all Bidders of the outcome of their bid submittals, prior to the award of the contract.

SECTION IV EVALUATION AND SELECTION CONT.

Notice of Intent to Award

The CIWMB will post a notice of intent to award the agreement resulting from this IFB, only upon written request of any Bidder.

The request must be submitted to the contact contained in Section I, Overview.

If requested, the notice of intent to award will be posted on the CIWMB's contract website at www.ciwmb.ca.gov/contracts and at the headquarters address noted in Section I, Overview five days prior to award of the contract.

Protest of Award

A Bidder may protest the proposed award by filing an official protest with the Department of General Services. The protest must be filed after the notice of intent to award the contract, but before the actual award.

Within five (5) days of the initial protest filing, the Bidder must submit a detailed written statement with information that supports that the Bidder would have been awarded the contract and the grounds for that position.

The Agreement will not be awarded until a decision has been made on the filed protest.

The protest documents should be sent via registered mail to the following parties:

Department of General Services
Office of Legal Services
Attn; Protest Coordinator
707 Third Street, 7th floor
Sacramento, CA 95605
Fax (916) 376-5088

California Integrated Waste Management Board
Attn; Contracts Unit
1001 I Street, MS-19A
Sacramento, CA 95814
Fax (916) 319-7432
Email crubens@ciwmb.ca.gov

I. INTRODUCTION/OBJECTIVES

The purpose of this contract is for the Contractor to collect and recycle scrap metal from participating State Agencies in Riverside and San Bernardino Counties, California.

II. WORK TO BE PERFORMED

A. The Contractor will:

1. Provide various size containers as needed for each location to store scrap metal at designated participating State Agencies as described. A minimum of one bin will remain at each location at all times.
2. Must respond within two (2) days when notified by a participating State Agency to collect scrap metals/materials. The scrap metal will be recycled for reuse.
3. Create an electronic record of the approximate type and weight of the scrap metal picked-up at each participating State Agencies.
4. Provide an electronic record to the assigned Recycling Coordinators for each participating State Agencies and to the California Integrated Waste Management Boards' (CIWMB) Contract Manager.

III. TASK IDENTIFIED

A. Task 1. Providing Containers

1. The Contractor will provide a scrap metal recycling bin for each location
2. The Contractor will furnish labor, tools, materials, and equipment for the pick-up and recycling/reuse of scrap metal.
3. The containers will be clearly labeled "recycled metal only". The Contractor will provide additional containers as required at no additional cost to the participating State Agencies. The participating State Agencies may request the Contractor to make exchanges for either smaller or larger capacity scrap metal containers, as required in any of the designated locations as described.
4. The Contractor will be responsible for the maintenance of all recycling scrap metal containers. Rainproof covers/tarps must be provided during the rainy seasons from November 1st to April 30th at no additional cost to the CIWMB or participating State Agencies.
5. The recycling scrap metal containers will remain at each participating State Agency location during the entire term of this contract.

B. Task 2: Removal/Pick-up and Recycling of Scrap Metal

1. The participating State Agencies Site Managers or his/her designee will verbally notify the Contractor when the containers are $\frac{3}{4}$ full or greater, and ready for removal by the Contractor.
2. The Contractor will remove accumulated scrap metal within two (2) working days of the verbal notification by the participating State Agencies. The minimum pick-up will be one (1) fifteen cubic yard container unless the Contractor agrees to accept a lesser quantity.
3. The participating State Agency's Staff will load the scrap metal into the bins, but will not assist the Contractor in removing the scrap metal in the bins for pick-up. The state Agencies will not be held liable for any injuries sustained by the Contractor's staff. All sorting and/or cutting to size scrap metal will be the responsibility of the Contractor.
4. The Contractor will pick-up all scrap materials placed in bins by participating State Agencies staff at each of the participating designated locations. The containers will be placed in an area as designated by the participating State Agencies Site Manager.
5. The containers will remain on-site until the containers are full and ready for pick-up service. Removal of the containers(s) will occur if the pick-up location no longer needs the recycling services which will be determined by the participating State Agency Site Manager.
6. Each load of scrap metal removed by the Contractor will be weighted within 24 hours of removal, on a certified public scale. A copy of the certified scale weight tickets will be retained by the Contractor and will be available for audit purposes for length of the contract plus an additional three (3) years.
7. The Contractor will perform services between the hours of 7:30 a.m. and 3:30 p.m., Monday through Friday. The Contractor will not perform services on the weekend or holidays.
8. All Scrap metal that is picked-up by the Contractor from participating State Agencies will be sold for recycling or reuse.

C. Task 3: Reporting

1. The Contractor will provide the CIWMB's Contractor Manager a summary of the collection activities, as an electronic report on a monthly basis for the term of this contract.
2. The electronic monthly reports will be transmitted to the CIWMB's Contract Manager and participating State Agencies no later than the 15th of each month.
3. The electronic monthly reports will include the following;
 - a. A summary of the prior month's scrap metal collected from the participating State Agencies;
 - b. The number and type of container(s) (example: one 40-yard bind) and the scrap grade (such as: miscellaneous sheet metal);
 - c. The date the scrap metal was picked-up;
 - d. The price paid per ton for recycled/reused scrap metal.

IV. The Contractor must:

- A. Have knowledge of scrap metal recycling and must be currently in the business of collecting, recycling, and processing of scrap metal.
- B. Have the appropriate current DMV licenses for each vehicle entering participating State facilities.
- C. Not be a broker only but must also have a business address in California where scrap metal is processed on site.

V. Contract/Task Time Frame

- A. After 20 days of awarding of the contract, the Contractor will start providing services for all tasks within this contract. At the CIWMB's Contract Managers discretion there may be two (2) 12-month extension options.

VI. PICK-UP LOCATIONS FOR PARTICIPATING STATE AGENCIES IN RIVERSIDE AND SAN BERNARDINO COUNTIES

A. The following locations are: Additional State Agencies may be added by mutual agreement of the CIWMB’s Contract Manager and the Contractor. Existing locations as identified below may be deleted with the permission from the CIMWB’s Contract Manager.

RIVERSIDE COUNTY
Department of Transportation (CalTrans)
Corona Maintenance Station at 842 El Sobrante Road, Corona, CA 91719
Maintenance Station at 83-997 Indio Blvd, Indio, CA 92201
Elsinore Maintenance Station at Conrad Ave, Elsinore, CA 92530
Banning Maintenance Station at 2033 E. Ramsey St, Banning, CA 92220
Riverside Maintenance Station at 1091 Everton Place, Riverside, CA
Pomona Electrical CalTrans Station at 1698 W. Mission, Pomona, CA 91766
SAN BERNARDINO
Department of Transportation (CalTrans)
Barstow Maintenance Station at 1800 Dill Road Barstow, CA
Cluster Street Maintenance Station at 175 Cluster St. (Route 215,PM20.0), San Bernardino, CA 92406
Magna/Ortega Maintenance Station at 451 W. Stover St., (Route 215, PM80.0), Bloomington CA 92316
Dry Creek Maintenance Station at (Route 18, P.M. 32.93) Arrowbear, CA 92382
Ontario Maintenance Station at 1165 Philadelphia St., Ontario, CA 91716
Victorville Maintenance Station at 13693 Mariposa Road, Victorville, CA 92392

Control of Work

1. The CIWMB staff have the authority to determine the quality and acceptability of the following:
 - Work to be performed
 - Rate and progress of the work
 - Fulfillment of the services provided by the Contractor
 - Compensation for services provided by the Contractor

These decisions will be deemed final and enforceable by CIWMB staff when the Contractor fails to complete orders required by this Agreement.

2. The Contractor will designate a Project Manager who holds the following authority:
 - Act as the Contractor's Representative for work to be provided under this Agreement
 - Act as the Contractor's Representative regarding contractual matters relating to this Agreement

If during the course of the Agreement, it is deemed necessary to replace the Project Manager, CIWMB staff approval is required.

SECTION VI DEFINITION AND TERMS

General Unless the context otherwise requires, wherever in this IFB or addenda, the following abbreviations and terms, or pronouns in place of them, are used, the intent and meaning shall be interpreted as provided in this Section.

Working titles having a masculine gender, such as “draftsman” and “journeyman” and the pronoun “he”, are utilized in these provisions for the sake of brevity, and are intended to refer to persons of either sex.

Abbreviations	ADA	Americans with Disabilities Act
	CCR	California Code of Regulations
	DVBE	Disabled Veteran Business Enterprise
	EPA	Environmental Protection Agency
	IFB	Invitation for Bids
	GC	Government Code
	CIWMB	California Integrated Waste Management Board
	PCC	Public Contract Code
	SB	Small Business
	MB	Microbusiness
	SOW	Scope of Work

Agreement The written agreement covering performance of the work and furnishing of labor, materials, tools, and equipment in providing the work. The Agreement shall include the IFB, Bid, general and specific terms and conditions, and supplemental agreements which may be required to complete the work in a substantial and acceptable manner.

Bid A potential Contractor's reply to a solicitation for purchase of goods or services which represents what the Contractor would charge to provide those goods or services.

Bidder Any business venture that responds to an Invitation to Bid by submitting a bid to the contracting agency. A potential Contractor.

Bidder's Conference A meeting with potential bidders before the bid submission date.

Bid Opening A public meeting, where the cost(s) bid by a Bidder on an advertised project, are opened and a determination is made as to the apparent low bidder.

Board Members of The California Integrated Waste Management Board.

Board Staff Staff of the California Integrated Waste Management Board involved in the implementation of this contract or representatives of Consultant to the California Integrated Waste Management Board as designated in the Work Orders.

CIWMB The California Integrated Waste Management Board.

DEFINITION AND TERMS CONT.

Consultant	The person or persons, firm, partnership, corporation, or combination thereof, which may enter into this Agreement with the CIWMB to provide work pursuant to this IFB or his or their legal representatives.
Contract	A legally binding agreement between the state & another entity, public or private, for the provision of goods or services.
Contract Manager	A person designated by the responsible state agency or department to manage performance under a contract.
Contractor	A party contracting with the awarding agency. Vendor is often used synonymously with Contractor.
Director	The Executive Director of the California Integrated Waste Management Board, or designees. Any references to Executive Officer shall mean the Executive Director and/or its designated officer.
Disabled Veteran Business Enterprise (DVBE Certified)	A business that meets all of the following criteria: (1) at least 51% of the business is owned by one or more disabled veterans or, in a business whose stock is publicly held, at least 51% or more of the stockholders are disabled veterans (2) the management and control of the business are exercised by one or more disabled veterans; (3) the business is domestically owned and its home office is in the United States; and (4) the business has been certified as a DVBE by the State.
Legal Holidays	Those days designated as State holidays in the Government Code.
Program Manager	Contractor's representative for all work performed under this Agreement. All official correspondence, reports, submittals, billings, and other work done under this Agreement shall be reviewed and signed by the Program Manager prior to submittal to the Board.
Responsible Bidder	A bidder who is fully capable of performing the contract.
Responsive Bidder	A bidder whose bid meets the specifications & other requirements contained in the IFB.
Scope of Work	The description of work required of a Contractor by the awarding agency.
Small Business (Certified)	A business that has been certified by the Office of Small Business Certification and Resources, Department of General Services, as a small business as defined in GC 14837 and 2 CCR 1896.
State	The State of California.

DEFINITION AND TERMS CONT.

State Contract Law The Public Contract Code and other applicable laws that form and constitute a part of the provisions of this Agreement to the same extent as if set forth herein in full.

Sub Contractor A person or entity which contracts with the Contractor to perform all or a portion of the work as specified in the Scope of Work.

ATTACHMENT

BID REVENUE SUBMITTAL

A: Scrap Metal Pick-Up and Recycling for Riverside and San Bernardino Counties, B: Recycling Bins – IWM08032

Complete this form and submit the original in accordance with this IFB.

[This form should be prepared to accurately reflect the cost of all items mentioned in the “Scope of Work” of this IFB or reasonably inferred there from as necessary to complete the work within the intent of the Agreement. For some bids, it may be more appropriate to break down the contractor’s costs by an hourly rate.]

The chart below requires the contractor to list a percentage bid for both Ferrous Metals and Aluminum (Nonferrous Metals). **The highest percentage, based on the specific “historic” value for American Metal Market (AMM) at San Francisco Port Value, listed under the No. 2 Bundles of Ferrous Scrap for Ferrous Metals category will determine the high bid for this solicitation.** The historic value listed is for determining high bidder only. All payments (under the terms of the contract) shall be based on going rates at time material crosses the scale(s) at the facility.

Material	Contractors Competitive Percent (%)	AMM Average Value as of No.2 Bundles @ San Francisco Port Value	Total Revenue Per Ton
No. 2 bundles of Ferrous Scrap For Ferrous Metals (will determine winning bid)		As of 11/17/08. Rate = \$45/ton, whereas, Sept.2008 = \$185/ ton.	
Aluminum UBCs for Nonferrous Metals(information only will have (no impact on award)		Due to current market volatility, we are unable to provide this information.	

**The terms (No. 2 bundles of Ferrous Scrap and Aluminum UBCs) are used in the contract as a standard only, and it is not necessarily descriptive of the ferrous and nonferrous scrap metal to be sold.
(No bids charging a fee will be accepted.)

Submitted By:

 Company Name

 Company Address

 Telephone Number

 Fax Number

 Email Address

 Authorized Official and Title

Small Business/Disabled Veteran Business Enterprises (DVBE) Participation Summary

MARK ONE FOR EACH FIRM USED			NAME OF FIRM	NATURE OF WORK	TOTAL AMOUNT OF WORK (Mark one for each firm used)		IS CERTIFICATION FORM ATTACHED?
PRIME BIDDER	SUBCONTRACTOR	SUPPLIER			SMALL	DVBE	
					\$	\$	
					\$	\$	
					\$	\$	
					\$	\$	
					\$	\$	
					\$	\$	
					\$	\$	
					\$	\$	

The appropriate certification letter issued by the Office of Small Business and Disabled Veteran Business Enterprise Certification (OSDC) shall be attached for each small and DVBE business identified.

Demonstration of Good Faith Efforts

Check only one: Small Business Disabled Veteran Business Enterprise

Use same template, but submit separate forms for SB and DVBE efforts, checking the appropriate box above. See the DGS website at <https://www.apps.dgs.ca.gov/OSDCSearch/OSDCSearch.aspx> to search for certified SBs/DVBEs. **Note: This form must be submitted if the participation levels indicated on the SB/DVBE Participation Summary form are less than 25% for SB and 3% for DVBE.**

1	Contact made with California Integrated Waste Management Board to identify potential SB/DVBE firms.						
Name of Person Contacted: _____ Title: _____ Date of Contact: _____							
2	Contact made with other State agencies, including the Department of General Services, to identify potential SB/DVBE firms. See the DGS website at http://www.pd.dgs.ca.gov/smbus/sbainternet.htm for a list of agency SB/DVBE advocates.						
Agencies Contacted: <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;"><u>Name of Agency</u></th> <th style="width: 25%;"><u>Person</u></th> <th style="width: 25%;"><u>Date of Contact</u></th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>		<u>Name of Agency</u>	<u>Person</u>	<u>Date of Contact</u>			
<u>Name of Agency</u>	<u>Person</u>	<u>Date of Contact</u>					
3	Advertisements published in at least one trade or focus paper focusing on SB/DVBE firms. Bidders must publish advertisements in trade and focus publications at least 14 calendar days before the date the bid or proposal is due. Attach a copy of each advertisement. Planholder lists are not acceptable. Go to http://www.documents.dgs.ca.gov/pd/smallbus/TradePaper.pdf and http://www.documents.dgs.ca.gov/pd/smallbus/FocusPaper.pdf to see a list of DVBE Trade and Focus paper resources.						
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 70%;"><u>Name of Paper or Publication</u></th> <th style="width: 30%;"><u>Date Published</u></th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>		<u>Name of Paper or Publication</u>	<u>Date Published</u>				
<u>Name of Paper or Publication</u>	<u>Date Published</u>						
4	Invitations to bid sent to potential SB/DVBE firms.						
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;"><u>FIRM</u></th> <th style="width: 33%;"><u>CONTACT</u></th> <th style="width: 33%;"><u>DATE SENT</u></th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>		<u>FIRM</u>	<u>CONTACT</u>	<u>DATE SENT</u>			
<u>FIRM</u>	<u>CONTACT</u>	<u>DATE SENT</u>					

Demonstration of Good Faith Efforts (Cont'd)

5	SB/DVBE firms which were available and considered.
<p>Name of Firm: _____ Person Contacted: _____ Nature of Work: _____ Telephone No.: _____ Results of Contact: _____ Reasons if Rejected: _____</p>	
<p>Name of Firm: _____ Person Contacted: _____ Nature of Work: _____ Telephone No.: _____ Results of Contact: _____ Reasons if Rejected: _____</p>	
<p>Name of Firm: _____ Person Contacted: _____ Nature of Work: _____ Telephone No.: _____ Results of Contact: _____ Reasons if Rejected: _____</p>	

STATE OF CALIFORNIA
 California Integrated Waste Management Board
 CIWMB 74C (Revised 10/08 for Contracts)

To be completed by Contractor	
Name of Contractor:	
Contract #:	Work Order #:

Recycled-Content Certification

Check this box if no products, materials, goods, or supplies were purchased with contract dollars and submit to your CIWMB contract manager.

This form may be completed by contractor, vendor, bidder, buyer, state-contracting officer, or state purchasing agent. The form must be completed and returned to the CIWMB with a row completed for each product purchased with contract dollars. Attach additional sheets if necessary. Information must be included, even if the product does not contain recycled-content material. Product labels, catalog/website descriptions, or bid specifications may be attached to this form as a method of providing that information.

Contractor's Name _____ Date _____
 Address _____ Phone _____
 Fax _____ E-mail _____ Web site _____

Product Manufacturer	Product Description / Brand	Purchase Amount (\$)	¹ Percent Postconsumer Material	² SABRC Product Category Code	Meets SABRC

Public Contract Code sections 12205 (a) (1) (2) (3) (b) (1) (2) (3) 10233,

I certify that the above information is true. I further certify that these environmental claims for recycled content regarding these products are consistent with the Federal Trade Commission's Environmental Marketing Guidelines in accordance with PCC 12404.

Print name _____ Signature _____ Company _____ Date _____

(See footnotes on the back of this page.)

1. Postconsumer material comes from products that were bought by consumers, used, then recycled. For example: a newspaper that has been purchased and read, next recycled, and then used to make another product would be postconsumer material.

If the product does not fit into any of the product categories, enter “N/A.” Common N/A products include wood products, natural textiles, aggregate, concrete, electronics such as computers, TV, software on a disk or CD, telephone

2. Product category refers to one of the product categories listed below, into which the reportable purchase falls. For products made from multiple materials, choose the category that comprises most of the product by weight, or volume.

Note: For reused or refurbished products, there is no minimum content requirement.

For additional information visit www.ciwmb.ca.gov/BuyRecycled/

Code	Description	Minimum content requirement
Product Categories (11)		
1	Paper Products - Recycled	30 percent postconsumer fiber, by fiber weight
2	Printing and Writing - Recycled	30 percent postconsumer fiber, by fiber weight
3	Compost, Co-compost, and Mulch - Recycled	80 percent recovered materials. i.e., material that would otherwise be normally disposed of in a landfill
4	Glass - Recycled	10 percent postconsumer, by weight
5	Rerefined Lubricating Oil - Recycled	70 percent re-refined base oil
6a	Plastic - Recycled	10 percent postconsumer, by weight
6b	Printer or duplication cartridges	a. Have 10 percent postconsumer material, or b. Are purchased as remanufactured, or c. Are backed by a vendor-offered program that will take back the printer cartridges after their useful life and ensure that the cartridges are recycled and comply with the definition of recycled as set forth in Section 12156 of the Public Contract Code.
7	Paint - Recycled	50 percent postconsumer paint (exceptions when 50 % postconsumer content is not available or is restricted by a local air quality management district, then 10% postconsumer content may be substituted)
8	Antifreeze - Recycled	70 percent postconsumer material
9	Retreated Tires - Recycled	Use existing casing that has undergone retreading or recapping process in accordance with Public Resource Code (commencing with section 42400).
10	Tire- Derived - Recycled	50 percent postconsumer tires
11	Metals - Recycled	10 percent postconsumer, by weight

Bid Completion Checklist

Please use this checklist to assist in the preparation of your Bid package to ensure that all required items are included.

-
- Cover Letter with contact information and statements as required in the IFB.
 - Organizational information and Personnel Information (Resumes if applicable)
 - Cost Proposal Sheet
 - Samples of Written Work
 - Client References
 - Copy of Required License(s) (Secretary of State)
 - Contractor Status Form
 - Small Business/Disabled Veteran Business Enterprise (DVBE) Participation Summary *Form must be submitted even if participation levels are zero (write zero participation on form). If participation levels are under the required levels, the Demonstration of Good Faith Efforts form must also be submitted (see below).*
 - Demonstration of Good Faith Efforts *Submit form(s) only if participation level is below 25% for SB and/or 3% for DVBE. Submit separate forms for SB and DVBE and mark appropriate box at top of form.*
-

The following number of BID packages must be submitted as the Contractor's response to this IFB:

- One (1) unbound reproducible original Bid package marked "original." (Do not include bid sheet in this copy)
 - One (1) Electronic copy of Bid Package in Adobe Acrobat format. (Do not include bid sheet in this copy)
 - One complete, signed bid sheet in a separate sealed envelope marked "Bid-Do not open"
-

The following forms are only required upon submittal as applicable pursuant to the provisions outlined in Section II, Rules and Conditions:

- Certification of
 - Enterprise Zone Act Preference
 - Target Area Contract Preference Act
 - Local Military Base Recovery Area Act Preference
-

The following forms are not required at the time of the bid submission but will be required by the successful Contractor during the contract period:

- Attachment E, Recycled Content Certification
 - Payee Data Record (STD. 204)
-

Please note that if any of the items are missing from the Bid package, the package will be considered incomplete and will be disqualified from the process.

Contractor Status Form

Contractor's Name _____ County _____

Address _____ Phone No. _____

_____ Fax No. _____

Federal Employer Identification No. _____

STATUS OF CONTRACTOR PROPOSING TO DO BUSINESS:

- Individual
- Limited Partnership
- General Partnership
- Corporation
- Other

INDIVIDUAL:

If a sole proprietorship, state the true name of sole proprietor: _____

PARTNERSHIP:

If a partnership, list each partner, including limited partners, stating their true name and their interest in the partnership:

CORPORATION:

If a corporation, place and date of Incorporation: _____

Date corporation was authorized by Secretary of State: _____

President: _____ Vice-President: _____

Secretary: _____ Treasurer: _____

Other Officers: _____

OTHER: (Explain)

SMALL BUSINESS/DVBE PREFERENCE

Are you claiming preference for small/micro business?

- YES – Attach approval letter from Office of Small Business Certification and Resources
- NO

Are you claiming preference for DVBE?

- YES – Attach approval letter from Office of Small Business Certification and Resources
- NO

NOTE: THIS FORM MUST BE COMPLETED OR YOUR BID MAY BE REJECTED

Client References

List at least three (3) client references that can attest to the Bidder’s qualifications to fulfill the requirements of the Scope of Work. List the most recent first. Client references must also be provided for any subcontractors identified in the Bidder’s response. Duplicate and attach additional pages as necessary.

BIDDER / SUBCONTRACTOR’S NAME: _____

REFERENCE 1			
Name of Firm			
Street Address	City	State	Zip Code
Contact Person		Telephone Number	
Dates of Service		Cost of Service	
Brief Description of Service Provided			

REFERENCE 2			
Name of Firm			
Street Address	City	State	Zip Code
Contact Person		Telephone Number	
Dates of Service		Cost of Service	
Brief Description of Service Provided			

REFERENCE 3			
Name of Firm			
Street Address	City	State	Zip Code
Contact Person		Telephone Number	
Dates of Service		Cost of Service	
Brief Description of Service Provided			

If three references cannot be provided, explain why: