



Request for Proposal (RFP),
Secondary
**Tire-Derived Product
Business Assistance Program**

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SECTION I**OVERVIEW**

General Information

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.

CIWMB Contact

California Integrated Waste Management Board
1001 I Street, Contracts Unit, MS-07
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Service Need

The Tire-Derived Product Business Assistance Program implemented by the CIWMB is designed to increase demand for tire-derived products by building the capacity and improving cost efficiencies of tire-derived product businesses. Eligible businesses may apply for assistance to: (1) evaluate and improve their business plan and operations, (2) enhance marketing efforts, (3) test and certify new products, and (4) purchase necessary equipment.

The selected Contractor will participate in the general business needs assessment (Assessment) and, upon authorization from the California Integrated Waste Management Board (CIWMB), provide the identified technical assistance to the business.

Contract Budget

Subject to the availability of funds and approval by the Board, there is a current maximum budget of \$3,850,000.00 (Three million eight hundred fifty thousand dollars and zero cents). Based on the results of the assistance provided, a portion of these dollars may be redirected to equipment related expenditures under grant agreements with tire-derived product businesses.

The CIWMB reserves the right to amend the budget for this Agreement as needs arise.

Payment Withhold

The provisions for payment under this contract will be subject to a ten percent (10%) withholding per task.

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.

Performance Penalty

The selected contractor, to receive award of this agreement, will be subject to a performance penalty if required deliverables (i.e. reports) are not submitted by the due date(s) outlined in the Scope of Work. In addition, the CIWMB Contract Manager will review the contractor's monthly reports (which identify the assistance provided) and a penalty will be assessed if it is determined that businesses are not receiving assistance in a timely manner.

The penalty will be equivalent to five percent (5%) of the budgeted amount for each task not completed in the required timeframe.

OVERVIEW CONT.

Contract Term The term of this Agreement will span approximately 30 months and is expected to begin in February 2006.

 The CIWMB reserves the right to amend the term of this Agreement as needs arise.

Process Type Request for Proposal (RFP), Secondary Method.

Process Schedule This process will be conducted according to the following tentative schedule:

Advertisement Date	December 2, 2005
Proposer's Conference at 9:00 am	December 15, 2005
Written Questions Due by 5:00 pm	December 16, 2005
Submittal's Due by 2:00 pm	January 13, 2006
Oral Interviews, if required	January 31, 2006
Post Notice of Intent to Award	February 2, 2006

Background**Background:**

More than 36 million tires are estimated to be generated annually in California. In 2003, 73.1 percent of the tires were diverted from California landfills. An estimated 22.3 percent of the tires were recycled in California (versus 9.7 percent nationally) into crumb rubber applications such as rubberized asphalt concrete (RAC) (6.7 percent), and molded, extruded and other products (15.6 percent). This exceeds the national estimates of 1.9 percent for RAC and 7.8 percent for molded, extruded and other products.

The Rubber Manufacturers Association believes that national markets for molded products, sport surfacing and animal bedding are expected to increase over the next two years. This sentiment is echoed by many in the tire recycling industry. California, with its population and market position, is poised for significant growth in crumb rubber end-uses in the near future. However, in order to realize that potential market growth, the industry and individual businesses must be strong enough to capitalize on the opportunities.

The Tire-Derived Product Business Assistance Program:

This Program is designed to increase demand for tire-derived products by building the capacity and improving cost efficiencies of tire-derived product businesses. Eligible businesses may apply for assistance to: (1) evaluate and improve their business plan and operations, (2) enhance marketing efforts, (3) test and certify new products, and (4) purchase necessary equipment.

Examples of assistance include, but are not limited to:

- General Business Assistance (business plan development or modification, human resource issues, inventory management/control [including just-in-time inventory systems], asset management, appropriate business structure, appropriate or optimal financial structure, accounting systems and controls, website development or modification, etc.).
- Technical Assistance (efficient plant design, manufacturing process improvement or optimization, optimizing specific equipment performance, increasing the amount/percentage of recycled material, converting to recycled material from virgin material, etc.).
- Marketing Assistance (marketing plan development or modification, product pricing, product promotion, product packaging, distribution systems, cooperative marketing, ad placement, trade shows, internet marketing, etc.).
- Product Testing and Certification (testing products to satisfy the marketplace requirements of the public and private sectors).

The Contractor will participate in the general business needs assessment (Assessment) and, upon authorization from the California Integrated Waste Management Board (CIWMB), provide the identified technical assistance to the business.

The Contractor may also provide services that benefit an identified sector or the industry as a whole. Such services may include, but are not limited to, testing of materials or products, development of a coordinated marketing approach and/or "branding" of products from California recycled tires, web site coordination, obtaining third-party testimonials regarding the benefits of tire-derived products, marketing assistance for the Program, etc.

It is anticipated that due to the high level of expertise required from various disciplines, that the Contractor may assemble a team of highly experienced and respected consultants and/or entities to effectively provide the necessary assistance. It is expected that one or more members of the Contractor's team will be highly knowledgeable regarding markets for tire-derived products

DESCRIPTION OF WORK CONT

- Work to be Performed** The Contractor will identify areas of need and provide the appropriate assistance. The Contractor will work with the applicant and CIWMB staff to perform a comprehensive analysis of the business and prepare the Assessment. The Assessment will identify opportunities for market expansion, operational improvement, and associated cost estimates.
- The Contractor will also provide approved technical assistance to the business. Examples of assistance include, but are not limited to:
- General Business Assistance (business plan development or modification, human resource issues, inventory management/control [including just-in-time inventory systems], asset management, appropriate business structure, appropriate or optimal financial structure, accounting systems and controls, website development or modification, etc.).
 - Technical Assistance (efficient plant design, manufacturing process improvement or optimization, optimizing specific equipment performance, increasing the amount/percentage of recycled material, converting to recycled material from virgin material, etc.).
 - Marketing Assistance (marketing plan development or modification, product pricing, product promotion, product packaging, distribution systems, cooperative marketing, ad placement, trade shows, internet marketing, etc.).
 - Product Testing and Certification (testing products to satisfy the marketplace requirements of the public and private sectors).
- The assistance will be provided in a timeframe and manner acceptable to the CIWMB and the business, and must be completed within 18 months of being authorized by the CIWMB Contract Manager.

Tasks

Task 1: Develop Work Plan

Work with the CIWMB Contract Manager to prepare a schedule for:

- Performing a comprehensive analysis of applicant businesses and preparing the Assessment for each business.
- Providing authorized technical assistance to identified businesses.
- Making presentations to stakeholders, the Board, and/or the Board's Committees.

Work with the CIWMB Contract Manager to identify material to be provided by the business and the process for maintaining the confidentiality of such material.

Task 2: Stakeholder Forum

Participate in a half-day forum for stakeholders to explain the Program, introduce the Contractor's team, and provide examples of the types of assistance to be provided.

Task 3: Conduct Comprehensive Analysis and Prepare General Business Needs Assessment

The applicant business will provide business, marketing, and financial information to the CIWMB Contract Manager. CIWMB staff will analyze the information, visit the business location, and meet with the owner/management. The Contractor will visit business locations and meet with the owner/management as appropriate and in a manner to minimize costs. Appropriate information will be shared with the Contractor and, if agreed to by the business representative, a volunteer industry expert. These participants (business representative, CIWMB staff, and Contractor) will evaluate the business' situation and market opportunities and identify (and prioritize) assistance and equipment that may benefit the business. The Contractor will prepare a general business needs assessment detailing the identified assistance and equipment needs along with associated cost estimates.

DESCRIPTION OF WORK CONT.

Task 4: Providing Technical Assistance

The Contractor will provide assistance to businesses as identified in the Assessment and approved by the CIWMB Contract Manager, consistent with the Board's approval of the Program's evaluation procedures and criteria.

The Contractor may also provide services that benefit an identified sector or the industry as a whole. Such services may include, but are not limited to, testing of materials or products, development of a coordinated marketing approach and/or "branding" of products from California recycled tires, web site coordination, obtaining third-party testimonials regarding the benefits of tire-derived products, marketing assistance for the Program, etc.

Task 5: Reporting

The Contractor will provide monthly reports covering business assistance activity.

The Contractor will also provide annual reports and/or presentations to the Board and/or any of its Committees. These reports will identify the types and results of the assistance provided, including aggregated sales and PTE diversion information.

CONTRACT/TASK TIME FRAME

The timeframe below reflects the contract being awarded at the February 2005 Board meeting. A different award date may result in deliverable dates changing accordingly.

Task	Deliverable	Timeframe
Develop Work Plan and Stakeholder Forum	Work Plan and Forum	March 15, 2006
Analyze and Prepare Assessment	Assessments	Ongoing starting March 2006
Provide Assistance	Business assistance	Ongoing starting April 2006
Reporting	Report	Monthly, starting April 30 2006. Annual Reports, starting June 30, 2006

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 if the Contractor fails to complete orders required by this Agreement.

2. The Contractor will designate a Program 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 Program Manager, CIWMB staff approval is required.

DESCRIPTION OF WORK CONT.

Provisions

The following provisions will be included in the terms and conditions of the contract awarded under this RFP.

COPYRIGHT PROVISION

Contractor shall establish for the CIWMB good title in all copyrightable and trademarkable materials developed as a result of this SOW. Such title shall include exclusive copyrights and trademarks in the name of the State of California, California Integrated Waste Management Board.

CALIFORNIA WASTE TIRES

Unless otherwise provided for in this SOW, in the event the Contractor and/or Subcontractor(s) purchases waste tires or waste tire-derived products for the performance of this SOW, only California waste tires and California waste tire-derived products shall be used. As a condition of payment under the Agreement, the Contractor shall be required to provide documentation substantiating the source of the tire materials used during the performance of this SOW to the CIWMB Contract Manager.

WASTE REDUCTION AND RECYCLED-CONTENT PRODUCT PROCUREMENT

In the performance of this Agreement, Contractor shall use recycled-content, used or reusable products, and practice other waste reduction measures where feasible and appropriate.

Recycled-Content Products: All products purchased and charged/billed to the CIWMB to fulfill the requirements of this contract shall be Recycled-Content Products (RCPs), or used (reused, remanufactured, refurbished) products. All RCPs purchased or charged/billed to the CIWMB to fulfill the requirements of the contract shall have both the total recycled-content (TRC) and the post consumer content (PC) clearly identified on the products. Specific requirements for the aforementioned purchases and identification are discussed in the Terms and Conditions of the Contractual Agreement under Recycled-Content Product Purchasing and Certification.

The Contractor should, at a minimum, ensure that the following issues are addressed, as applicable to the services provided:

A. WRITTEN DOCUMENT PROVISION

All documents and/or reports drafted for publication by or for the Board in accordance with this contract shall adhere to the Board's *Guidelines For Preparing CIWMB Reports (available upon request)* and shall be reviewed by the Board's Contract Manager in consultation with one of the Board's editors.

In addition, these documents and/or reports shall be printed double-sided on recycled-content paper containing one hundred percent (100%) post-consumer fiber. Specific pages containing full color photographs or other ink-intensive graphics may be printed on photographic paper. The paper should identify the post-consumer recycled-content of the paper (i.e., "printed on 100% post-consumer paper"). When applicable, the Contractor shall provide the Contract Manager with an electronic copy of the document and/or report for the Board's uses.

DESCRIPTION OF WORK CONT.

To the greatest extent possible, soy ink instead of petroleum-based inks should be used to print all documents.

B. CONFERENCING PROVISION

The Contractor shall take any and all steps necessary to make sure that any workshops or meetings are models for future recycling, waste prevention, diversion, buy recycled, and waste management events.

Paper Products: All paper products used to fulfill the requirements of this contract (nametags, badges, letters, envelopes, brochures, etc) must contain at least 30% post-consumer recycled-content fiber.

Re-usable Cups, Plates & Utensils: To the greatest extent possible, use re-usable/washable utensils, dishes, tableware, etc. rather than single-use disposable products.

Leftover Food/Beverages: All leftover food and/or beverages associated with the event will be donated to an established food donation outlet. Arrangements for the donation must be made prior to the date of the event. CIWMB staff will assist the Contractor in identifying these donation outlets, if needed.

Recycling/Composting: Arrangements must be made with the venue, sponsor, or by contract, to provide adequate collection bins for recyclables, organics (food waste) or biodegradable materials, and trash (non-recyclables). The bins should contain at least 30% post-consumer plastic. In addition, the Contractor shall work with the venue and/or sponsors to maximize diversion of the discarded materials.

Soy-based Printing Ink: To the greatest extent possible, soy ink instead of petroleum-based inks should be used to print all documents needed for the event.

SECTION III**RULES AND CONDITIONS.**

Introduction

There are conditions that this RFP, submitting Proposers, proposals and resulting Agreements are subject to and/or required to comply with.

Commitment

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

- All items noted in RFP documents
- Special Terms and Conditions available for viewing at www.ciwmb.ca.gov/contracts/Forms/
- 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 proposer 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 RFP.

Antitrust Claims

In submitting a Proposal Package to a public purchasing body, the Proposer offers and agrees that if the Proposal 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 Proposer for sale to the purchasing body pursuant to the Proposal Package. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the Proposer. (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 Proposal 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 RFP process are at the firm's expense.

No costs incurred by the contractor participating in the RFP process will be reimbursed by the CIWMB.

RULES AND CONDITIONS CONT.

Information

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

Any information that the proposer deems confidential, must so be marked prior to submission to the CIWMB.

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

Addenda

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

Any ambiguity, conflict, discrepancy, omission, or other error discovered in the RFP 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.

List of Interested Firms

To assist Proposer's in networking and team building efforts, a list of firms who have registered their interest in this contract, will be made available from the CIWMB Contracts website at www.ciwmb.ca.gov/contracts. The list will be included in Addenda to the RFP. The first list will be published six calendar days from the release of this RFP (see Section I Process Schedule). The list will be updated in subsequent Addenda, weekly thereafter throughout the RFP advertisement period.

Modification of Submittals

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

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

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

Errors in Submittals

An error in a Proposal package may be cause for rejection of that proposal.

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

Unreliable List

Any contractor or subcontractor currently of the CIWMB Unreliable list, is ineligible to apply for or participate in this contract.

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.

RULES AND CONDITIONS CONT.

Electronic Waste Recycling

If the Contractor or any subcontractors 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.

Conflict of Interest

Proposers must identify any known conflicts of interest (see Section IV Proposal Submittal Requirements, Organization).

Conflicts of interest include business or other relations between the Proposer and CIWMB Board Members and staff, or businesses awarded assistance under the Tire-Derived Product Business Assistance Program.

The following Public Contract Codes identify potential conflicts of interest.

10410. No officer or employee in the state civil service or other appointed state official shall engage in any employment, activity, or enterprise from which the officer or employee receives compensation or in which the officer or employee has a financial interest and which is sponsored or funded, or sponsored and funded, by any state agency or department through or by a state contract unless the employment, activity, or enterprise is required as a condition of the officer's or employee's regular state employment. No officer or employee in the state civil service shall contract on his or her own individual behalf as an independent contractor with any state agency to provide services or goods.

10411. (a) No retired, dismissed, separated, or formerly employed person of any state agency or department employed under the state civil service or otherwise appointed to serve in state government may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements, or any part of the decision-making process relevant to the contract while employed in any capacity by any state agency or department. The prohibition of this subdivision shall apply to a person only during the two-year period beginning on the date the person left state employment.

(b) For a period of 12 months following the date of his or her retirement, dismissal, or separation from state service, no person employed under state civil service or otherwise appointed to serve in state government may enter into a contract with any state agency, if he or she was employed by that state agency in a policymaking position in the same general subject area as the proposed contract within the 12-month period prior to his or her retirement, dismissal, or separation. The prohibition of this subdivision shall not apply to a contract requiring the person's services as an expert witness in a civil case or to a contract for the continuation of an attorney's services on a matter he or she was involved with prior to leaving state service.

See also, Public Contract Code Section 13065.5 for information on Conflict-Future Bidding Limitations.

RULES AND CONDITIONS CONT.

Small Business (SB) Preference

Any Proposer competing in this process as a California Certified Small Business, will receive a five percent (5%) preference. If the Proposer is a non-Small Business, and has identified subcontractors to be utilized to meet this goal, they too will receive a five percent (5%) preference.

A copy of the Proposer's certification should be included with the proposal package.

Subcontractors

All subcontractors identified in the proposal, must be experts in their respective disciplines and capable of performing the tasks for which they are hired.

The Proposer must identify all subcontractors, whose services will be utilized during the course of the agreement, on the Small Business/DVBE Participation Summary. The prime and subcontractors will comprise the Proposer's team and will be evaluated as a team.

Should there be a need for services that could not duly be anticipated, a strong justification will be required by the successful Contractor as to why the identified team cannot provide the services and why the services could not be duly anticipated. If it is determined that an additional subcontractor is necessary, the rates for that subcontractor will be negotiated by the CIWMB Contract Manager and the Contractor. No more than 5% (five percent) of the total contract dollars can be subcontracted for this purpose.

SECTION IV**PROPOSAL SUBMITTAL REQUIREMENTS**

Introduction

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

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

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

Deadline

The proposal package must be received by the CIWMB, at the address listed in Section I, Overview.

Proposals received after the deadline, will be considered late and returned to the Proposer unopened.

Addressing

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

Number of Copies

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

- One original, non-bound hard copy marked "Original"
- One electronic copy on disc or compact disc viewable by Adobe Acrobat Reader

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

Document Printing

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

Table of Contents

The information must be organized as presented here, with corresponding page references.

Summary

The Proposer must include a brief overview of the project and summarize the Proposer's approach to the work.

PROPOSAL SUBMITTAL REQUIREMENTS CONT.

Methodology

Prior to preparing your methodology, Proposer's are encouraged to read the Draft Tire-Derived Product Business Assistance Program (Attachment J). The process described will produce the resulting scope of work for the contractor selected under this RFP process. It includes pertinent information regarding the types of businesses that will receive assistance, the types of assistance, dollar thresholds for the grants awarded under the program, etc.

Provide a detailed narrative of the methods to be employed by the contractor to accomplish the objectives of the Tire-Derived Product Business Assistance Program. The methodology must address all tasks as outlined in Section VII, Description of Work. The methodology must be specific and objective, but capable of being applied to any business seeking assistance under the Program. There must be sufficient detail to allow the CIWMB to evaluate the methodology. The contractor awarded this agreement, will be required to demonstrate that the proposed methodology is applied when providing services to each business.

In addition to the Methodology, the Proposer must respond specifically to the following questions. Explain how your team would approach the following projects using the proposed methodology:

Questions

- A. Recycled tires have a variety of uses. What three market segments, (other than Rubberized Asphalt Concrete, Civil Engineering applications, or Tire Derived Fuel) hold the greatest potential in the next three years for diversion of California generated tires? What would both the public (State) and private sectors need to do in order to optimize that potential? Tell us what specific action plan and budget you recommend for the State, describe the specific services your team would perform for the public and private sectors, what would be a realistic estimate for increased diversion, and explain the basis for your recommendation and estimate.
- B. Virgin rubber is used in many products. Some products that currently use virgin rubber may be able to use recycled rubber in various amounts. How would you identify, prioritize, and approach California businesses to convert to using recycled rubber from California tires? Tell us what specific action plan you recommend and why, what services would your team provide, and what else would be needed for California businesses to convert from virgin rubber and use an additional 50 million pounds of California recycled rubber per year within three years?

Organization

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

- Date of establishment
 - History
 - Location
 - Any known conflicts of interest as described in Section III, Rules and Conditions, Conflict of Interest
-

PROPOSAL SUBMITTAL REQUIREMENTS CONT.

Qualifications and Resources	<p>The prospective contractor and subcontractors must have the experience, qualifications, and resources to perform the required tasks of the project.</p> <p>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:</p> <ul style="list-style-type: none">• Experience• Knowledge• Educational Background• Appropriate licensing• Tasks to be performed
References	<p>The Proposer's team must provide a minimum of three (3) verifiable references and/or experience.</p> <p>The CIWMB reserves the right to seek references in addition to the client references provided by the Proposer, as it deems necessary.</p> <p>If a reference or project experience is unable to be verified, it will be disregarded.</p>
Samples of Written Work	<p>The Proposer's team must include a copy of a verifiable written work that shows success in counseling/advising businesses, especially with respect to: improving business operations, marketing, conversion to using (or using an increased percentage of) recycled materials, and bringing new products to market.</p>
Contract Eligibility	<p>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.</p>
Licenses	<p>The Contractor and Subcontractors shall be individuals or firms licensed to do business in California, pursuant to California Business and Profession Code Section 7028.15.</p> <p>A copy of the Proposer's and any Subcontractors' state licenses with an expiration date, must be included with the Proposal submittal.</p>
Small Business (SB) Participation	<p>The CIWMB expects a minimum of twenty-five percent of the project services to be contracted to a California Certified SB that performs a commercially useful function.</p> <p>This goal can be achieved by a combined effort of the prime and/or any subcontractors, that includes:</p> <ul style="list-style-type: none">• If the Proposer is a Certified SB, as defined in Section V, Definitions and Terms, the Participation Summary must be completed and submitted with the proposal.• If the Proposer has identified subcontractors to be utilized to meet this goal, Participation Summary must be completed and submitted with the proposal.• If the Proposer has made a good faith effort to meet these goals and has been unable to secure a Certified SB, a Demonstration of Good Faith Effort must be completed and submitted with the proposal.

PROPOSAL SUBMITTAL REQUIREMENTS CONT.

Disabled Veteran Business Enterprise Participation (DVBE)

The CIWMB expects a minimum of three percent (3%) of the project services to be contracted to a California Certified DVBE that performs a commercially useful function.

This goal can be achieved by a combined effort of the prime and/or any subcontractors, that includes:

- If the Proposer is a Certified DVBE, as defined in Section VII, Definitions and Terms, the Participation Summary must be completed and submitted with the proposal.
- If the Proposer has identified subcontractors to be utilized to meet this goal, the Participation Summary must be completed and submitted with the proposal.
- If the Proposer has made a good faith effort to meet these goals and has been unable to secure a certified DVBE, a Demonstration of Good Faith Effort must be completed and submitted with the proposal.

Enterprise Zone Act (EZA)

If the budget for services outlined in this announcement, exceeds \$100,000, the CIWMB will grant a preference for qualified proposers.

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

If the Proposer is qualified for this preference, the EZA Preference Request Form must be included in the proposal 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 proposers.

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

If the Proposer is qualified for this preference, the TACPA Preference Request Form must be included in the proposal 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 proposers.

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

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

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

PROPOSAL SUBMITTAL REQUIREMENTS CONT.

Proposer's Conference

The Proposer's conference will be held at the time identified in Section I, Schedule. The location for the Proposer's Conference is the CalEPA Headquarters Building, 1001 I Street, Sacramento, CA 95814, conference room 2540. Should the location, date or time change, an addendum will be issued to this RFP at least five days prior to the conference date.

Attendees will need to obtain a visitor's badge inside the Visitors and Environmental Services Center located just inside the public entrance to the Cal EPA building. Attendees will be escorted to the conference room at 9AM. There is public parking available near the building. For additional driving instructions and a map, please visit the CalEPA website at <http://www.calepa.ca.gov/EPABldg/Location.htm>.

Evaluation

The Proposal must include three cost sheets as outlined below. Failure to submit any of the cost sheets will result in disqualification.

- The **Cost Proposal Sheet (Rate Sheet) (Attachment A)** will identify the hourly rates of the Proposer's team, including all subcontractors. The rates will remain in effect for the life of the agreement.
- Two additional cost sheets titled **Scenario A Cost Proposal Sheet** and **Scenario B Cost Proposal Sheet** must be prepared and submitted with the Proposal. The Proposer must submit a detailed business assistance proposal and corresponding budgets in response to Scenarios A and B below. At a minimum, the Proposer will identify in the budgets, personnel services costs (using the rates identified on the Cost Proposal Sheet, Attachment A, column F) and a Grand Total for each Scenario. The **Sum** of the Grand Totals for each Scenario will be scored as part of the Cost Evaluation (Item 10 of the Proposal Scoring Sheet, Attachment B).

**Cost Proposal Sheet
(Rate Sheet)**

The cost proposal sheet must specify the hourly rates and include detailed costs as required in the Cost Proposal Sheet (Rate Sheet) Attachment A.

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

The rates identified on the Cost Proposal Sheet (Rate Sheet) will remain in effect for the life of the agreement. The rates for all subcontractors to be used in the course of this agreement must be identified on the Cost Proposal Sheet (Rate Sheet).

**Business Assistance
Proposal for
Scenarios A and B**

Below are two scenarios for businesses that could receive assistance under the Tire-Derived Product Business Assistance Program. In the scenarios presented, the businesses have already undergone the assessment phase of the Program. Provide detailed proposals of how your team would prioritize and provide the business assistance identified in the respective Scenarios. Title your proposals **Scenario A Business Assistance Proposal** and **Scenario B Business Assistance Proposal**.

COST PROPOSAL SUBMITTAL CONT.

Cost Sheets for Scenarios A and B

A sample budget template for the Scenario Cost Sheets has been provided as Attachment I. The Proposer is not required to use this budget template, however, the budget breakdown submitted for the respective Scenarios will, at a minimum, include the following information, or the proposal will be disqualified:

- Title the two cost sheets **Scenario A Cost Proposal Sheet** and **Scenario B Cost Proposal Sheet** respectively.
- Name of Proposer and title of RFP (“Tire-Derived Product Business Assistance Program, IWM05030”)
- Provide a description of the tasks to be performed
- Identify the team members whose services will be utilized in completing the specified tasks
- Identify the hourly rates using the Total Hourly Rates (column F) identified on the Cost Proposal Sheet (Rate Sheet) (Attachment A)
- Identify the estimated hours of service to be provided by each team member for the specified tasks
- Identify the Grand Total for all costs associated with completing the business assistance services as outlined in the Business Assistance Proposal.
- Do not include travel, lodging or food costs since these costs are subject to the approved State per diem rates. Do not include equipment costs identified for the business during the business needs assessment.
- The Acknowledgement/Authorization block with all information as it appears in the sample template, signed and dated.

Scenarios A and B

Scenario A

Bounce Back Sales provides a tire-derived product used in landscaping and wants to add a complementary product to its line. The company is located in a Recycling Market Development Zone. The company is a three year old LLC with limited assets/equity that contracts out for actual production. Recycled rubber use is currently 1,500,000 pounds per year with contracted production capacity of 4,500,000 pounds per year.

The company currently targets architects who produce specifications for jobs and to landscape contractors. Marketing consists of ¼ page ads in trade publications, attendance at a few trade shows, and direct mail postcards with no follow up. There is a very basic web site. The company President has some sales/marketing background, and limited organization and recordkeeping background.

The company wants to increase sales and profits, “As much as they can.” Assume that the CIWMB staff and the company have already identified the following assistance needs:

- Developing/revising its business plan
- Developing/revising and implementing its marketing plan, including a comprehensive marketing strategy, including printed material, ad design and placement, internet marketing, follow up etc.
- Revising/optimizing its web site
- Organizing the office and recordkeeping functions
- Product testing and mold fabrication

Provide a detailed explanation, titled Scenario A Business Assistance Proposal, of how you would prioritize and provide the assistance and provide a detailed budget breakdown, titled Scenario A Cost Sheet, which identifies the budget for completing the needed assistance.

Scenario B

World-Wide Tire Recycling, Ltd is a well-managed, six year old, vertically integrated company that collects and processes over 600,000 tires per year. The company is located in a Recycling Market Development Zone. Due to the nature of the business and leverage, the company has relied on SBA 7a and USDA financing for long-term debt and a modest line of credit at a local bank for cash flow needs. The company grinds whole tires into crumb rubber and produces various final products. Products include: mats, mulch and bark for landscape applications, and various products for the equestrian and dairy market.

The company has a good web site that is easily searchable. This company has enjoyed a 15 - 25 percent sales growth per year for the past few years. This rapid growth has caused increased equipment needs and constricted cash flow. Even with the benefits of vertical integration, the company would like to increase operating efficiency, (especially energy efficiency and reducing processing bottlenecks) and optimize equipment operation.

In the next 18 – 24 months the company wants to double production, sales, and net profits. The company also wants to evaluate horizontal integration into production of Tire Derived Aggregate (TDA) due to market potential. Assume that the CIWMB staff and the company have already identified the following assistance needs:

- Revising its business plan
- Revising its marketing plan to achieve increased sales levels
- Developing a loan package to restructure existing debt, permanent working capital needs, and identified new equipment while maintaining an appropriate line of credit for temporary cash flow needs
- Analyze the material flow through the business to identify opportunities to improve efficiencies and eliminate/minimize bottlenecks
- Optimize the collection process
- Optimize the production capabilities of grinding operation and molding presses
- Perform an energy assessment to identify areas for improved efficiency and estimate the payback period
- Perform a business evaluation (cost benefit analysis, risk analysis, market analysis, etc.) regarding producing TDA

Provide a detailed explanation, titled Scenario B Business Assistance Proposal, of how you would prioritize and provide the assistance and provide a detailed budget breakdown, titled Scenario B Cost Sheet, which identifies the budget for completing the needed assistance.

Travel and Per Diem

Lodging, food, and incidental expenses on trips in support of services will be reimbursed at the following Department of Personnel Administration (DPA) approved State per diem rates per 24 hour day for the length of the contract.

- Lodging – up to a maximum of \$84 per day
- Meals (breakfast, lunch and dinner) – up to a maximum of \$34 per day
- Incidentals – up to a maximum of \$6 per day.
- Coach airfare, mid-size/economy rental cars, and fuel – actual costs verified by bills or receipts. First Class or Business Class air travel is not allowed.

SECTION VI**EVALUATION AND SELECTION**

Introduction

The CIWMB will perform a Pre-Qualification Evaluation process to ensure that the Proposer has included all required documentation in the Proposal submittal.

If a proposal package does not meet all of the requirements set forth in this RFP, it will be considered non-responsive and rejected from further competition.

Those Proposer's submittals that pass this review will be forwarded to the Selection Committee for Evaluation.

Selection Process

The Selection Committee will evaluate and score all proposals, passing the Pre-Qualification Evaluation, utilizing the Scoring Criteria identified in this RFP. Although this Secondary RFP will be awarded to the qualified proposer achieving the highest score, the cost component is heavily weighted as the CIWMB is looking for extremely competitive rates for the services to be provided to tire-derived product businesses..

Only those proposals that receive a score of at least the minimum requirement identified on the Proposal Scoring Sheet will be ranked.

Cost Points

Cost points account for 30% of the total points available (see Item 9, Attachment B, Proposal Scoring Sheet). The **sum** of the Grand Totals identified on **Scenario A and Scenario B Cost Sheets** will be awarded Cost Points based on the following formula:

Lowest cost proposal is awarded the maximum cost points.

Other proposals are awarded cost points based on the following calculation:

Lowest Proposer's Cost = (factor) X maximum cost points = cost points for other proposer.

EXAMPLENumbers to be used in determining cost points

Lowest cost proposal = \$10

Other cost proposal = \$12

30 cost points available

factor (referenced above) = $\$10 \div \$12 = .83$

Cost Points Calculation for Other cost proposal

$.83 \times 30$ cost points = 25 cost points

Final Cost Points Awarded

Lowest cost proposal receives 30 cost points

Other cost proposal receives 25 cost points

Oral Interviews

If oral interviews will be conducted as part of this process, the date of said interviews will be within the timeframe identified in Section I, Schedule.

All Proposers invited for an interview, will be notified by the CIWMB of the specific date and time of the interview.

Failure to attend the interview by the Proposer will be grounds for removing the Proposer from the remainder of the process.

EVALUATION AND SELECTION CONT.

Grounds for Rejection All proposals may be rejected whenever the determination is made that the proposals received are not really competitive, when the cost/rates are not reasonable, or when the cost/rates exceed the amount expected.

Additionally, a proposal may be rejected if:

- It is received after the due date and time for submittal
- The three cost submittals are unsigned
- The proposal cost sheets are not prepared as required by the RFP
- The Proposer has been prohibited from contracting with the State by the Department of Fair Employment and Housing
- The Proposer has received a substantive negative contract performance from the State
- Any items required by the RFP are not included with the submittal

No proposal may be rejected arbitrarily or without reasonable cause.

Award of Agreement Award of this Agreement will be to the highest ranking responsible Proposer meeting all of the RFP requirements.

In the event of a tie, the CIWMB may utilize a tie breaker to determine the winning Proposer.

The CIWMB reserves the right to not award an Agreement.

Notice of Intent to Award The CIWMB will post a notice of intent to award this Agreement five (5) working days prior to the award being made.

Notice of the intent to award will be posted on the CIWMB's website at www.ciwmb.ca.gov/contracts and at the headquarters building noted in Section I.

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

The CIWMB reserves the right to disqualify the awardee and award the Agreement to the next highest ranked Proposer.

Proposer Notifications The CIWMB will notify all Proposers of the outcome of their proposal submittals, prior to the intent to award posting.

EVALUATION AND SELECTION CONT

Protest of Award

A Proposer may protest the proposed award by filing an official protest with the Department of General Services. The protest must be filed within the five (5) day period of the notice of intent to award timeframe.

Within five (5) days of the initial protest filing, the Proposer must submit a detailed written statement with information that supports that the Proposer 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-7
Sacramento, CA 95814
Fax (916) 319-7582
Email contracts@ciwmb.ca.gov

SECTION VII DEFINITION AND TERMS

General Unless the context otherwise requires, wherever in this RFP 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
	GC	Government Code
	CIWMB	California Integrated Waste Management Board
	PCC	Public Contract Code
	RFP	Request for Proposals
	SB	Small Business
	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 RFP, Proposal, general and specific terms and conditions, Work Orders, and supplemental agreements which may be required to complete the work in a substantial and acceptable manner.

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.

Consultant The person or persons, firm, partnership, corporation, or combination thereof, which may enter into this Agreement with the Board to provide work pursuant to this RFP 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.

DEFINITION AND TERMS CONT.

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.

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.

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.

Subcontractor 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.

ATTACHMENTS

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Acknowledgement/Authorization

The undersigned acknowledges the submittal of this proposal constitutes an irrevocable offer for a ninety (90) day period for the CIWMB to award an Agreement. Additional acknowledgement is made of receipt of all competitive documents, including Addenda, relating to this Agreement.

The undersigned acknowledges that the Proposer has read all of the requirements set forth in CIWMB documents and will comply with said provisions.

The undersigned hereby authorizes and requests any person, firm, agency, or corporation to furnish any information requested by the CIWMB in verification of the recitals comprising this Proposal and also hereby authorizes the CIWMB to contact such persons, firms, etc., in order to obtain information regarding the undersigned.

The undersigned acknowledges that there are no potential conflicts of interest, as defined in Public Contract Code (PCC) 10410, 10411, and Government Code (GC) 87100, by the submitting firm and/or any subcontractors listed in the Proposal.

I declare under penalty of perjury that the foregoing is true and correct.

Name & Title of Authorized Representative:

Contractor Name:

Address:

Telephone #:

City, State Zip:

Email:

Signature of Authorized Representative:

Date Signed:

Proposal Scoring Sheet
Tire-Derived Product Business Assistance Program, IWM05030

Name of Firm _____

Panel Member # _____

Proposals must score a minimum of 80 percent of the possible points in each of the Experience and Methodology categories (i.e. a minimum of 64 points in each) in order to qualify for further consideration.

EXPERIENCE (Maximum of 80 points)	POINTS POSSIBLE	POINTS EARNED
(1) Project Manager demonstrates at least seven (7) years of combined experience in solid waste management and business-related issues and posses a comprehensive understanding of material flow and markets for tire-derived products.	15	
(2) Project manager and principal members of consulting team demonstrates appropriate background and professional consulting experience in the areas identified in the RFP.	30	
(3) Project manager and principal members of consulting team demonstrate a depth and breadth of education and practical experience in the areas identified in the RFP.	35	
METHODOLOGY (Maximum of 80 points) <i>Evaluation of Methodology, Questions A and B, Scenario A and B Proposals</i>		
(4) Overall approach and understanding of problems, issues, required tasks.	5	
(5) Conduct a comprehensive analysis and prepare a general business needs assessment.	15	
(6) Provide technical assistance to business.	35	
(7) Provide services that benefit an identified sector or the industry as a whole.	25	
BUDGET/COST (Maximum of 100 points) <i>Evaluation/Points for Cost Proposal Sheet and Scenario A & B Cost Sheets</i>		
(9) Reasonableness of proposed hourly rates	20	
(10) Cost of proposal (Cost Points based on Scenario A and B Cost Sheets)	80 (approximately 30% of total)	
TOTAL POINTS	260	

 Evaluator's Signature

 Date

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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?
			SMALL	DVBE	
PRIME BIDDER			\$	\$	
SUBCON-TRACTOR			\$	\$	
SUPPLIER			\$	\$	
			\$	\$	
			\$	\$	
			\$	\$	
			\$	\$	
			\$	\$	
			\$	\$	
			\$	\$	

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

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Demonstration of Good Faith Efforts

1	Contact made with California Integrated Waste Management Board to identify potential SB/DVBE firms.						
<p>Name of Person Contacted: _____ Title: _____</p> <p>Date of Contact: _____</p>							
2	Contact made with other State agencies, including the Department of General Services, to identify potential SB/DVBE firms.						
<p>Agencies Contacted:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center; width: 50%;"><u>Name of Agency</u></th> <th style="text-align: center; width: 20%;"><u>Person</u></th> <th style="text-align: center; width: 30%;"><u>Date of Contact</u></th> </tr> </thead> <tbody> <tr> <td style="height: 150px;"> </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 trade papers or other publications focusing on SB/DVBE firms.						
<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center; width: 70%;"><u>Name of Paper or Publication</u></th> <th style="text-align: center; width: 30%;"><u>Date Published</u></th> </tr> </thead> <tbody> <tr> <td style="height: 150px;"> </td> <td> </td> </tr> </tbody> </table> <p><i>Note: Attach a copy of each advertisement. Placeholder lists are not acceptable.</i></p>		<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 style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center; width: 33%;"><u>FIRM</u></th> <th style="text-align: center; width: 33%;"><u>CONTACT</u></th> <th style="text-align: center; width: 34%;"><u>DATE SENT</u></th> </tr> </thead> <tbody> <tr> <td style="height: 150px;"> </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: _____</p> <p>Nature of Work: _____ Telephone No.: _____</p> <p>Results of Contact: _____</p> <p>Reasons if Rejected: _____</p>	
<p>Name of Firm: _____ Person Contacted: _____</p> <p>Nature of Work: _____ Telephone No.: _____</p> <p>Results of Contact: _____</p> <p>Reasons if Rejected: _____</p>	
<p>Name of Firm: _____ Person Contacted: _____</p> <p>Nature of Work: _____ Telephone No.: _____</p> <p>Results of Contact: _____</p> <p>Reasons if Rejected: _____</p>	

**STATE OF CALIFORNIA
Recycled Content Certification**

California Integrated Waste Management Board
CIWMB 74C (Revised 2/03 for Contracts)

Contract # _____

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 _____

Item/Row Number	Quantity	Unit of Measure	Dollars	Product Manufacturer and number	Product Description	Product Category ¹	Postconsumer Material (Percent) ²	Secondary Material (Percent) ³	Virgin Material (Percent) ⁴	Total Percent ⁵
										100%
										100%
										100%
										100%
										100%
										100%
			Total:							
			\$ _____							

Public Contract Code sections 10233, 10308.5, and 10354 require all vendors and contractors to certify in writing, under penalty of perjury, to the State agency awarding a contract, the minimum, if not the exact, percentage of postconsumer and secondary material in the products, materials, goods, or supplies offered or sold.

Public Contract Code section 12205 (a) requires all State agencies to require all contractors to certify in writing, under penalty of perjury, the minimum, if not the exact percentage, of postconsumer and secondary material in the products, materials, goods, or supplies offered or sold.

Printed name of person completing form _____

Title _____

Signature of person completing form _____

Footnotes

1. **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 cost, weight, or volume. **If the product does not fit into any of the product categories, put "N/A."** **Common N/A products include wood products, textiles, aggregate, concrete, electronics such as computers, TV, software on a disk, telephone systems, printers, copiers, fax machines.**

Product category	State's recycled content requirements
compost and co-compost (CO) landscaping materials, erosion control, weed control, decomposed organic yard, or food materials	50% TR 10% PC
glass products (GL) windows, fiberglass (insulation), tiles, construction blocks, and flat glass sheets	50% TR 10% PC
lubricating oils (LO) motor, transmission fluids, power steering, crankcase, transformer dielectric fluids, gear, hydraulic, industrial fluids, base stock, for tractors, vehicles, cars, trucks, and buses	50% TR 10% PC
paint (PT) latex paint, interior/exterior, maintenance	50% TR 10% PC
paper products (PP) paper janitorial supplies, corrugated boxes, paperboard (boxes, cartons, wrapping), hanging files, file boxes, building insulation, containers	50% TR 10% PC
plastic products (PL) toner cartridges, carpet, office products, plastic lumber, buckets, waste baskets, benches, tables, fencing, clothing, packaging, signs, posts, binders, and buckets	50% TR 10% PC
printing and writing paper (PW) xerographic, and higher-grade papers, high-speed copier paper, offset paper, forms, carbonless paper, ruled tablets, calendars, posters, manila file folders, index cards, white wave envelopes, and cover stock	30% PC
solvents (SO) heavy printer cleaner, auto degreaser, parts cleaner	50% TR 10% PC

steel products (ST) For steel products complete only dollars, product description, and product category column. Common steel products include automobiles, trucks, staplers, paper clips, steel furniture, scissors, pipe, plumbing fixtures, chairs, ladders, shelving

tire-derived products (TD) flooring, wheelchair ramps, playground cover, parking bumpers, truck-bed liners, pads, walkways, tree ties, road surfacing, wheel chocks, rollers, traffic control products, mud flaps, posts

tires (TI) passenger, truck, bus, trailer/equipment tires.

TR = total recycled-content **PC** = postconsumer

2. **Postconsumer material** is material derived from used or recycled material. Postconsumer material is generally any product that was bought by the consumer, used, and then recycled into another product.

3. **Secondary material** is material derived from finished products or fragments of finished products of a manufacturing process that have not been used. An example would be a manufacturer's paper trimmings put back into the manufacturing process for new products. Secondary material is generally any material (product) that did not get to the consumer or was never used prior to being recycled. Secondary material **does not** include postconsumer material.

Example: If copy paper contained 20 percent postconsumer material, the remainder will be virgin material. Indicate 20 percent in the Postconsumer column and 80 percent in the Virgin Material column. If it contained 20 percent postconsumer material and 40 percent secondary material, indicate 20 percent in the Postconsumer column, 40 percent in the Secondary Material column, and 40 percent in the Virgin Material column.

4. **Virgin material** is that portion of the product made from new or non-recycled material. The material is neither secondary nor postconsumer material.

5. The sum of the postconsumer column, the secondary column, and the virgin column must equal 100 percent.

25% TR
10% PC

50% PC

50% TR
10% PC

Proposal Completion Checklist

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

-
- Copy of Current State Issued License
 - Methodology including Responses to Questions A and B
 - Business Assistance Proposals for Scenarios A and B
 - Scenario A and B Cost Sheets (with signed Acknowledgment/Authorization block)
 - Cost Proposal Sheet (Rate Sheet) (signed Acknowledgment/ Authorization block)
 - Client References (minimum 3)
 - Samples of Written Work
 - Small Business/Disabled Veteran Business Enterprise (DVBE) Participation Summary *or*
 - Demonstration of Good Faith Efforts
 - Personnel Information and Organizational Chart
-

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

- One (1) unbound reproducible original Proposal package marked "original."
 - One (1) Electronic copy of Proposal Package in Adobe Acrobat format.
-

The following form is only required upon submittal as applicable pursuant to the provisions outlined in Section IV, Submittal Requirements:

- Certification of Enterprise Zone Act Preference
The form may be downloaded at www.ciwmb.ca.gov/contracts/forms
 - Certification of Target Area Contract Preference Act
The form may be downloaded at www.ciwmb.ca.gov/contracts/forms
 - Certification of Local Military Base Recovery Area Act Preference
The form may be downloaded at www.ciwmb.ca.gov/contracts/forms
-

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

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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 PREFERENCE

Are you claiming preference as a small business?

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

Date you filed for small business preference: _____ Your small business ID No. _____

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

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

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

If three references cannot be provided, explain why:

Sample Budget Template for Scenarios A and B

<INSERT CONTRACTOR NAME HERE>
 “TIRE-DERIVED PRODUCT BUSINESS ASSISTANCE IWM05030”
 <TITLE- SCENARIO A or SCENARIO B COST SHEET>

Task Description	Personnel Services:				Operating Expenses (operating expenses related to the services provided in this agreement, including rent and supplies, as applicable)	Equipment Costs (Include a description of equipment to be used by Proposer’s team, Do not include costs for equipment to be used by business)	Other (any other specific breakdown required to sufficiently explain the budget costs)	Total by Task
	Estimated # of hrs needed for contract services multiplied by the classification/title rates per hr as identified in column F of the Cost Proposal Sheet (Attachment A).	Name and Classification/title	\$/Hr	Hrs				
Total by Line Item	(Sum of Column titled “Total \$”)							GRAND TOTAL

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**Acknowledgement/Authorized
on**

The undersigned acknowledges the submittal of this proposal constitutes an irrevocable offer for a ninety (90) day period for the CIWMB to award an Agreement. Additional acknowledgement is made of receipt of all competitive documents, including Addenda, relating to this Agreement.

The undersigned acknowledges that the Proposer has read all of the requirements set forth in CIWMB documents and will comply with said provisions. The undersigned hereby authorizes and requests any person, firm, agency, or corporation to furnish any information requested by the CIWMB in verification of the recitals comprising this Proposal and also hereby authorizes the CIWMB to contact such persons, firms, etc., in order to obtain information regarding the undersigned.

The undersigned acknowledges that there are no potential conflicts of interest, as defined in Public Contract Code (PCC) 10410, 10411, and Government Code (GC) 87100, by the submitting firm and/or any subcontractors listed in the Proposal.

I declare under penalty of perjury that the foregoing is true and correct.

Name & Title of Authorized Representative:

Contractor Name:

Address:

Telephone #:

City, State Zip:

Email:

Signature of Authorized Representative:

Date Signed:

Tire-Derived Product Business Assistance Program Overview

Introduction	<p>Below is the scope of the grant process that will be utilized for the Tire-Derived Product Business Assistance Program. The process described below will produce the resulting scope of work for the contractor selected under this RFP process. This is only a draft of the grant process and is subject to change and final Board approval. (last Rev. Nov.29, 2005)</p> <hr/>
Tire-Derived Product Business Assistance Program	<p>This program is designed to increase demand for tire-derived products by building the capacity and improving cost efficiencies of tire-derived product businesses. Eligible businesses may apply for assistance to:</p> <ol style="list-style-type: none">1. Evaluate and improve their business plan and operations2. Improve their manufacturing process3. Enhance marketing efforts4. Test and certify new products5. Purchase necessary equipment <hr/>
Eligible Applicants	<p>Eligible applicants include for-profit California-based businesses and those for-profit businesses domiciled in other states but with an existing or demonstrated commitment to an operational presence in California. Eligible applicants must produce in California, or demonstrate commitment to produce, products made from recycled one hundred percent (100%) California waste tires.</p> <p>Subsidiary and/or affiliated businesses may apply for an initial assessment (limited to two entities per fiscal year period), and are limited to a maximum combined assistance of \$175,000 per year for all related entities. Affiliated businesses have at least one owner with a 20 percent or greater interest in another applicant business.</p> <hr/>
Ineligible Applicants	<ul style="list-style-type: none">• Businesses that perform waste tire incineration, pyrolysis, gasification and/or liquefaction.• Waste tire collectors and/or haulers, also the tire collection and/or hauling portion of other businesses.• Businesses, or that portion of business' operation, that shred or chip tires for use as Alternative Daily Cover (ADC) or Tire-Derived Fuel (TDF).• Entities that perform only research and testing and are not in business to produce and/or sell products.• Wholesalers and/or distributors, however they may benefit from assistance provided to eligible businesses.• De novo businesses (from concept stage to less than six months of actual operation/sales)*• Micro businesses (businesses that produce and sell less than 5,000 PTE in the previous 12 months)* <p>* These businesses will be directed to appropriate technical resources, such as: US Small Business Development Centers, local Economic Development Corporations, and other similar providers of valuable training and resources to entrepreneurs. An exception will be allowed for those businesses that have already been awarded a Product Commercialization Grant or approved for a Recycling Market Development Zone loan and are still in the de novo or micro business category.</p> <hr/>

Available Funds The Tire-Derived Product Business Assistance Program has \$3,850,000 for fiscal years 2005/06 (\$1,800,000) and 2006/07 (\$2,050,000) with additional monies for subsequent fiscal years. Eligible applicants may apply for a general assessment of their business and receive up to \$175,000 per fiscal year for any combination of assistance identified under **Process** (below) and specifically identified equipment. The amount of assistance provided will be based on available funding (\$1,800,000 for 2005/06 and \$2,050,000 for 2006/07), historical tire usage, and other factors approved by the Board.

Grant Cycle The CIWMB anticipates one application period early in 2006 for the 2005/06 fiscal year with an ongoing process (with quarterly deadlines) in subsequent fiscal years. During the ongoing processing period, funding will be awarded on a first-come first-served basis for eligible businesses. Businesses may be awarded assistance once during each 12 month period.

Grant Assistance by Business Type A maximum of thirty percent (30%) of the annual assistance funding, subject to a maximum of \$50,000 per business will be available for the following categories:

1. Startup (in actual operation between six months and three years).
2. Small businesses (divert less than 250,000 PTE¹ for molded, extruded or other products or 1,000,000 PTE for civil engineering applications and/or crumb rubber production).
3. Non-production businesses (contracts out for production but markets and sells its product).

Applicant businesses that have previously been awarded a Product Commercialization Grant or approved for a Recycling Market Development Zone loan may be considered a "small business" and eligible for a minimum assistance of \$25,000 regardless of PTE diversion during the previous 12 months.

Assistance funding, subject to a maximum of \$175,000 per business, will be available for the following categories:

1. Existing businesses (divert a minimum of 1,000,000 PTE for civil engineering applications and/or crumb rubber production or 250,000 PTE¹ for molded, extruded or other products).
2. Expanding businesses (in a related business but expanding into producing tire-derived products)². Examples include the vertical expansion of a tire collector or shredder/processor into producing a final product such as mulch, mats, tire-derived aggregate, etc.
3. Conversion to recycled rubber (currently manufacturing a product with virgin rubber and want to convert to using recycled rubber)³.

The maximum amount of award is determined by the business category and actual PTEs diverted in the previous 12 months (see chart below). Businesses must make every effort to accurately document the number of PTEs diverted in the previous 12 months. If the number of PTEs is knowingly overstated by a substantial amount (more than 15 percent), the business will be disqualified for the Program, and potentially any future grants from the CIWMB, for a period of three years.

Category	Business Life	PTE ¹ in Previous 12 Months	Award Based on \$x per PTE ¹	Maximum Award
Start up	6 months – 3 years	At least 5,000	\$1.50	\$50,000
Small	3 years or more	Less than 250,000	\$1.50	\$50,000
Non-production	3 years or more	At least 5,000	\$.75	\$50,000
Existing	3 years or more	More than 250,000	\$.50	\$175,000
Expanding	3 years or more	At least 5,000	\$5.00	\$175,000
Conversion	3 years or more	At least 5,000	\$5.00	\$175,000

Match Fund Requirement

There is no match requirement. However, it is expected that Program monies supplement, not supplant, existing business efforts.

Process

Application

This consists of submission of the application, evaluation of a business, and preparation of general business assessment. A business will submit an application (including company information such as financial information, business and marketing plans, etc.) to the CIWMB. Applications that do not contain the required information shall be considered incomplete and will be rejected.

CIWMB staff will determine whether the applicant business is eligible and meets the threshold criteria approved by the Board. Staff from the Waste Tire Diversion and the Recycling Market Development Zone Program will review and analyze the information, visit the business location, and meet with the owner/management. The Contractor will visit business locations and meet with management as appropriate and in a manner to minimize costs.

Appropriate information will be shared with the Contractor and, if agreed to by the business' representative, a volunteer industry expert. These participants (business representative, CIWMB staff, and Contractor) will evaluate the business' situation and market opportunities and identify (and prioritize) assistance and equipment that may benefit the business. The Contractor will prepare a general business needs assessment detailing the identified assistance and equipment needs with associated cost estimates.

Examples of assistance include, but are not limited to:

- General Business Assistance (business plan development or modification, human resource issues, inventory management/control [including just-in-time inventory systems], asset management, appropriate business structure, appropriate or optimal financial structure, accounting systems and controls, website development or modification, etc.).
- Technical Assistance (efficient plant design, manufacturing process improvement or optimization, optimizing specific equipment performance, increasing the amount/percentage of recycled material, converting to recycled material from virgin material, etc.).

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- Marketing Assistance (marketing plan development or modification, product pricing, product promotion, product packaging, distribution systems, cooperative marketing, ad placement, trade shows, etc.).
 - Product Testing and Certification (testing products to satisfy the marketplace requirements of the public and private sectors).

Approval

The Contract Manager will request Board approval for assistance and any equipment needs consistent with the Board-approved criteria for this competitive grant award. If requests exceed available monies, applicant businesses will be ranked by the number of PTE¹ and will be approved in descending order (starting with the greatest number of tires diverted), subject to the 30% limit for small businesses.

Assistance

Assistance will be provided to businesses in a manner and timing consistent with the needs of the business and an effort to minimize overall contract costs. The Contract Manager will direct the Contractor to provide assistance to the businesses through the use of a Work Order. The Contractor will provide the assistance within 18 months from award. The Contract Manager reserves the right to have the Contractor to provide priority service to a specific business if there is an urgent business need. Any equipment shall be purchased at the earliest opportunity consistent with business needs and assistance being provided.

The Contractor may also provide services that benefit an identified sector or the industry as a whole. Such services may include, but are not limited to, testing of materials or products, development of a coordinated marketing approach and/or “branding” of products from California recycled tires, web site coordination, obtaining third-party testimonials regarding the benefits of tire-derived products, marketing assistance for the Program, etc.

Reporting

The Contractor will provide monthly reports covering business assistance activity.

The Contractor will also provide annual reports and/or presentations to the Board and/or any of its Committees. These reports will identify the types and results of the assistance provided, including aggregated sales and PTE diversion information.

Businesses will provide annual information on PTE and key financial information to the CIWMB for five years after the assistance is provided. Company information will be collected by Tire Program staff, aggregated, and released in a manner so as not to identify individual businesses.

Other

Representations made by applicants, including but not limited to, usage of California waste tires and financial/business information, are subject to verification by the CIWMB and/or other entities.

All equipment purchased with assistance funds must remain in California and continue to be used by the business for at least five (5) years after the assistance term. The business will provide an annual report for five (5) years after the end of the assistance term.

¹ PTE means Passenger Tire Equivalent and equates to 12 pounds of crumb rubber or 20 pounds of tire shreds or chips. The figure relates to the number of PTEs sold by the business in the immediately preceding 12 months. If a tire-derived product contains less than 30% (by weight) of the original fiber and steel that was in the whole tire, then use 12 pounds to calculate the number of PTEs.

Notes

1. PTE means Passenger Tire Equivalent and equates to 12 pounds of crumb rubber or 20 pounds of tire shreds or chips. If a tire-derived product (TDP) contains less than 30% (by weight) of the original fiber and steel that was in the whole tire, then use 12 pounds to calculate the number of PTEs. If a TDP contains 30 percent or more (by weight) of the original fiber and steel that was in the whole tire, then use 20 lbs. to calculate the number of PTEs. The PTE number used for this Program relates to the number of PTEs sold by the business in the immediately preceding 12 months.
 2. Assistance for an expanding business will be based on estimated PTE diversion for the 12 full months following providing of assistance and/or installation of equipment. The estimate will be agreed upon by the business, Contractor, and CIWMB staff.
 3. Assistance for businesses converting to recycled California rubber will be based on the PTE equivalent of the previous 12 month usage of the material to be substituted.
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