



Request for Proposal, Secondary
IWM06088

Survey and Analysis of
Composting Industry Best
Management Practices and
Market Conditions

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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
Physical Address: 1001 I Street,
Sacramento, CA 95814
CIWMB Contracts Unit, MS-19A
Mailing Address: PO Box 4025,
Sacramento, CA 95812-4025
Attn: Contracts Unit, MS-19A
Phone: (916) 341-6120
FAX: (916) 319-7518
EMAIL: contracts@ciwmb.ca.gov

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.

Service Need

The composting industry operates with very narrow profit margins. Low tip fees coupled with increasing operating costs and competitive markets, have kept the organic materials management industry's profitability in check.

An added concern to the industry is the ongoing efforts of the air and water pollution control regulatory agencies. To achieve compliance with the Clean Air Act, the air districts are conducting rulemaking for composting facilities to reduce emissions of volatile organic compounds (VOCs), ammonia (NH₃), and particulate matter (PM) which are criteria pollutants. The Regional Water Quality Control Boards are in the process of developing Waste Discharge Requirements (WDRs) for composting facilities since a general WDR waiver for composting has sunset. These rulemaking activities have the potential for a significant financial impact on the composting industry and on organic materials management facilities in general.

The CIWMB has previously conducted some research and field work on best management practices (BMPs) to reduce emissions from composting operations and has identified a few promising options; however, not all composters use a traditional open windrow composting process and there are likely additional BMPs that need to be identified through a survey of the industry. The survey would gather industry information on BMPs that reduce air emissions from composting and that ensure that composters are not impacting groundwater and storm water runoff.

The survey would gather critical information that is needed for CIWMB discussions with Regional Water Quality Control Boards and Air Quality Management Districts. The survey would also serve as an educational tool to inform composters of these impending rulemaking by regional air districts and water boards and to encourage their participation as stakeholders in that process. Because of the potential significant economic impacts air and water regulations may have on composters, the survey will also provide market information to assess impacts on the organic materials management industry.

To summarize: The work to be performed by the contractor is to conduct a BMP survey and analysis that will provide information on existing BMPs currently in use by the organics industry with respect to minimizing environmental impacts on air and water. The BMP survey will also include the market conditions to better understand the potential economic and financial impacts the rulemaking may have on the compost industry, markets, and the organic materials management in general. Specific tasks to be completed in the scope of work are identified in Section V.

OVERVIEW CONT.

Contract Budget Subject to the availability of funds and approval by the Board, there is a current maximum budget of \$75,000.

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.

Liquidated Damages The selected Contractor, to receive award of this agreement, will be subject to liquidated damages if required deliverables (i.e., reports) are not submitted by the due date(s) outlined in the Scope of Work.

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

Contract Term The term of this Agreement will span approximately 24 months and is expected to begin in June 2007.

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	March 5, 2007
Written Questions Due by 5:00 pm	March 19, 2007
Submittal's Due by 2:00 pm	April 16, 2007
Post Notice of Intent to Award	April 27, 2007

SECTION II**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/SpeTermsCond.pdf
- General Terms and Conditions (GTCs) available for viewing at www.ols.dgs.ca.gov/Standard+Language.
- Contractor Certification Clauses (CCCs) 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.

Written Questions

The RFP includes a formal question and answer period in which proposers have the opportunity to submit questions regarding the RFP. All questions must be submitted in writing either by mail, fax, or e-mail to the CIWMB Contact as listed in Section I. The questions and answers will be published in an Addendum to the RFP (see below, Addenda).

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.

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 for modification 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 Department of General Services 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 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.

RULES AND CONDITIONS CONT.

Small Business (SB) Preference

Any Proposer competing in this process as 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 Small Business and DVBE Services (OSDS).

Proposer's are encouraged to provide a copy of the OSDS certification 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.

If awarded the agreement, the contractor **must** use all of the SB and DVBE firms identified on the Small Business/DVBE Participation Summary.

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

SECTION III**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 by 2:00 p.m. on April 16, 2007.

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"
- Five bound, hard copies marked "Copy"
- One electronic copy on disc or compact disc viewable by Adobe Acrobat Reader. Entire proposal, including any attachments, must be saved as a single document.

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 30% post-consumer recycled content fiber.

Table of Contents

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

Summary

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

Work Plan

Submit an initial detailed work plan as described in Tasks 1 of the Scope of Work indicating the steps that will be taken in completing each of the Tasks (2, 3, 4, 5, 6, 7 and 8), including for each task, **personnel**, number of **hours**, the projected **timeframe**, and **cost**. In addition to the methodologies outlined in Tasks 2 - 7, alternative approaches for some or all of the tasks may be proposed as part of the competitive bid process if they meet or exceed the requirements and are adequately demonstrated in the proposed work plan. The work plan will incorporate Contract Manager review and approval throughout the process, including quarterly reporting of work performed to the CIWMB Contract Manager by e-mail, and timely submittal of outlines and draft documents prior to submittal of deliverables.

Organization

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

- Date of establishment
 - History
 - Location
 - Any known conflicts of interest
-

PROPOSAL SUBMITTAL REQUIREMENTS CONT.

Qualifications and Resources

The prospective contractor, and/or Proposer's team (if subcontractors have been identified in the Proposal), must have the experience, qualifications, and resources to perform the required tasks of the project, including:

- Ability to prepare work plans as described in the Scope of Work.
- Ability to complete all of the tasks in the Scope of Work within the deadlines.
- Ability to research and develop methodology for this project.
- Detailed knowledge and experience performing successful California surveys of the organics recycling infrastructure.
- Demonstrated ability and experience to obtain cooperation from California compost and mulch producers to respond to surveys.
- Detailed knowledge of California's compost production systems and environmental management practices.

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

Tasks to be performed and number of hours The prospective contractor must have the experience, qualifications and resources to perform the work required by this Agreement.

1. The Research Manager of the consulting team must demonstrate a minimum of five (5) years of experience in project design, management, and successful completion of the following:
 - California survey-based studies to assess compost production technology and characterizations of the California organics recycling infrastructure. The industry characterization can include assessment of the compost production processes, environmental and infrastructure assessment(s) including feedstocks, size distribution of compost and mulch producers, product, and markets;
 - Survey design, data collection, analysis, and report writing; and
 - Coordination with California organic recycling representatives.

The prospective contractor must provide evidence by means of a written description of previous work history and contracts demonstrating five (5) years of knowledge and experience managing and coordinating California compost production technology evaluation, environmental and market infrastructure assessments of the organics materials management industry. The studies must have included a protocol to collect data (via survey) and analyze data.

2. At least one person on the consulting team must demonstrate experience and knowledge in the successful completion of at least two (2) California survey-based studies to assess California's organics recycling industry. Additional knowledge and experience is also highly desirable in:
 - Design of surveys to collect data from the compost/mulch industry;
 - Compost production technology;
 - Compost best management practices; and
 - Assessment of statewide compost and mulch producing infrastructure.

PROPOSAL SUBMITTAL REQUIREMENTS CONT.

Qualifications and Resources Cont.

The prospective contractor must provide evidence demonstrating successful completion of two (2) California survey-based studies of California's organic recycling industry. The prospective contractor must include the reports in the proposal.

3. At least one person on the consulting team must demonstrate qualifications, knowledge, and experience as a technical report writer and/or technical editor and must be used as the editor of the report.

Proposals will be evaluated and scored based on the experience, qualifications and resources of the prime and any subcontractors identified in the proposal.

Each proposal must include a description of the resources to be used on the project while demonstrating an individual or team member's 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 and/or certificates
- Tasks to be performed and number of hours

Those identified in the proposals as being responsible for the work must actually perform the work.

The contractor should anticipate meeting at least 2 to 3 times with the CIWMB's Contract Manager in Sacramento throughout the term of this contract.

The contractor should anticipate meeting with the Board at least once (1) to present the study and to discuss the results of the study.

References

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

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.

Samples of Written Work

The Proposer's team must include a copy of a verifiable written work that is similar in nature to the proposed project and deliverables. In particular, written work should include:

- Studies assessing compost production technologies (California studies are highly preferable.)
 - Studies assessing statewide compost and mulch producing infrastructure, including feedstocks, product, and markets (California studies are highly preferable.)
 - Studies analyzing the impact(s) of environmental regulations on the compost industry.
-

PROPOSAL SUBMITTAL REQUIREMENTS CONT.

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.
Licenses	The Contractor shall be an individual or firm licensed to do business in California. Required documentation includes the following as applicable: <ul style="list-style-type: none"><li data-bbox="488 428 1427 491">• A copy of the Proposer’s county/city issued license with proof of expiration date, must be included with the Proposal submittal.<li data-bbox="488 520 1427 674">• 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.
Small Business (SB) Participation	The CIWMB expects a minimum of twenty-five percent (25%) of the project services to be contracted to a California OSDS Certified SB that performs a commercially useful function. This goal can be achieved by a combined effort of the prime and/or any subcontractors, that includes: <ul style="list-style-type: none"><li data-bbox="488 919 1427 1014">• If the Proposer is a Certified OSDS SB, as defined in Section V, Definitions and Terms, the Participation Summary must be completed and submitted with the proposal.<li data-bbox="488 1043 1427 1138">• If the Proposer has identified subcontractors to be utilized to meet this goal, the Participation Summary must be completed and submitted with the proposal.<li data-bbox="488 1167 1427 1262">• If the Proposer has made a good faith effort to meet these goals and has been unable to secure a certified OSDS SB, a Demonstration of Good Faith Effort must be completed and submitted with the proposal.
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 OSDS 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: <ul style="list-style-type: none"><li data-bbox="488 1535 1427 1629">• If the Proposer is a Certified OSDS DVBE, as defined in Section V, Definitions and Terms, the Participation Summary must be completed and submitted with the proposal.<li data-bbox="488 1659 1427 1753">• If the Proposer has identified subcontractors to be utilized to meet this goal, the Participation Summary must be completed and submitted with the proposal.<li data-bbox="488 1782 1427 1875">• If the Proposer has made a good faith effort to meet these goals and has been unable to secure a certified OSDS DVBE, a Demonstration of Good Faith Effort must be completed and submitted with the proposal.

PROPOSAL SUBMITTAL REQUIREMENTS CONT.

Enterprise Zone Act (EZA)

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

SECTION IV**COST PROPOSAL SUBMITTAL**

Evaluation

The Contractors cost proposal submittal will be evaluated based on whether the cost breakdown is sufficiently detailed to determine if the proposed expenses are reasonable. The lowest cost proposal will receive the maximum points and all other proposals will receive points based upon a percentage of the low bid. For example, a proposer with a low bid of \$10 will receive the maximum 30 Cost Points. Another proposer with a bid of \$15 will only receive 20 pts as calculated below.

$$\begin{array}{ccccccc} \$10 & \div & \$15 & \times & 30 \text{ Cost Points} & = & 20 \text{ Cost Points} \\ \text{(Low bid amount)} & & \text{(Other bid amount)} & & \text{(Max. Cost Points)} & & \text{(Points given to other proposer)} \end{array}$$

Cost Breakdown

The cost proposal must specify the total cost and include detailed project costs, as required in the Cost Proposal Sheet.

The SB and DVBE 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.

Travel and Per Diem

Lodging, food, and incidental expenses on trips in support of services will be reimbursed at the following State per diem rates per 24 hour day for the length of the contract. All travel will be reimbursed at the excluded employee travel rates in accordance with the California Code of Regulations Title 2, Division 1, Chapter 3, Subchapter 1, Article 2, Section 599.615.1 et seq..

- 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 V**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.

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

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.

Grounds for Rejection

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

Additionally, a proposal may be rejected if:

- It is received after the due date and time for submittal
- The cost submittal is unsigned
- The proposal cost is 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.

EVALUATION AND SELECTION CONT.

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 posting the notice of intent to award.

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-19A
Sacramento, CA 95814
Fax (916) 319-7518
Email contracts@ciwmb.ca.gov

SECTION VI**DESCRIPTION OF WORK**

Work to be Performed

The work to be performed by the contractor is to conduct a BMP survey and analysis that will provide information on existing BMPs currently in use by the organics materials management industry with respect to minimizing environmental impacts on air and water. The BMP survey also includes market assessments to better understand the potential economic impacts rulemaking may have on the composting industry, markets, and organic materials management industry. Specific tasks to be completed in the Scope of Work are identified in Tasks 1 - 8 below.

Tasks**Task 1: Work Plan**

Task 1 refers to development of the detailed work plan provided in the bid for Tasks 2 to 8, as outlined below. The work plan will include for each task, personnel, hours, timeframe, and cost. Upon award of the contract, actual work on Tasks 2 through 8 of the contract shall not begin until the finalized work plan (Task 1) has been reviewed and approved by the Contract Manager.

Deliverable: Approved Work Plan

Task 2: Establish Working Group

The contractor shall assemble and coordinate a small working group of organic management industry and regulatory representatives with the purpose of the ensuring the successful development and completion of the BMP/markets survey. The working group will have input on the types of survey questions needed to capture essential information, promotional and outreach strategies, survey methodology, confidentiality issues, and peer review of survey results.

Deliverable: Assemble and coordinate steering committee of organic management industry.

Task 3: Develop Assessment Methodology

The contractor, with input from the working group, will develop the survey methodology. The assessment methodology must provide a protocol for conducting the BMP survey, data collection, analysis, and report. The protocol must include a system boundary definition, subject to contract manager approval, that is sufficient to thoroughly analyze BMP alternatives for various types and sizes of operation. The definition of system boundaries will also consider potential subsequent market impacts of rulemaking on the compost/mulch facilities. The protocol must include the use of a mail survey, follow up phone calls, and personal meetings to ensure a high level of participation in the survey.

Deliverable: Develop Assessment Methodology

Task 4: Design BMP Survey Questions

The contractor, with input from the working group, will design the questions to be used in the BMP survey. The survey questions shall be designed to capture essential industry information on BMPs that reduce air and water emissions. The questions will also be designed to evaluate market impacts of organic materials management as a result of potential rulemaking. The questions will be designed to provide enough information to adequately characterize system boundaries. The contract manager shall approve the survey questions.

Deliverable: Develop survey instrument

DESCRIPTION OF WORK CONT.

Tasks Cont.

Task 5: Compile List of Survey Participants

The contractor will compile a list of participants that will be surveyed. The survey participants shall be designated to capture all entities within the defined system boundaries established in Task 2. The contract manager will approve the final list of survey participants.

Deliverable: Develop survey contact list and include contact list as part of report

Task 6: Conduct BMP Survey

The contractor shall pre-test the survey to assist in refining the survey to achieve a high response rate. The contractor will describe the pretest protocol which is subject to approval by the contract manager. Based on the evaluation of the pretest results, the contractor will, if necessary, modify the survey which is then subject to approval by the contract manager. The contractor shall then conduct the BMP survey on the universal list of survey participants compiled in Task 5. The contractor will delineate survey follow up procedures to target a minimum survey response rate of 85 percent. Follow up procedures shall include but are not limited to personal meetings with survey participants to record their responses.

Deliverable: Pre-test and conduct survey

Task 7: Compile Data and Analysis

The contractor will compile data and analyze the survey results. The evaluation and analysis of data must provide a characterization of the system boundaries determined in Task 3. Where appropriate, the data shall be reported in aggregated format to protect the confidentiality of survey participants. The contractor will provide quantitative data on non-responsive survey participants and indications on why that occurred.

Deliverable: Compile data and analysis

Task 8: Write and Submit Final Report

The contractor will write and submit a final report to the Board that describes the methodology, presents the data, and the evaluation of the results. The report will adhere to the Board's *Publications Guide* and will be subject to acceptance in fulfillment of the contract by the contract manager.

Deliverable: Write and submit final report

Control of Work

1. The CIWMB Contract Manager has 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 Contract Manager when the Contractor fails to complete orders required by this Agreement.

DESCRIPTION OF WORK CONT.

Control of Work

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 Contract Manager approval is required.

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
	CAL EPA	California Environmental Protection Agency
	CCR	California Code of Regulations
	DVBE	Disabled Veteran Business Enterprise
	EPA	Environmental Protection Agency (Federal Government)
	GC	Government Code
	CIWMB	California Integrated Waste Management Board
	PCC	Public Contract Code
	RFP	Request for Proposals
	SB	Small Business
	SOW	Scope of Work
	OSDS	The Department of General Services (DGS), Procurement Division (PD), Office of Small Business and DVBE Services (OSDS)

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.

Cal EPA The California Environmental Protection Agency

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.

DEFINITION AND TERMS CONT.

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 his/her designees. Any references to Executive Officer shall mean the Executive Director and/or 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 of California, Department of General Services (DGS), Procurement Division (PD), Office of Small Business and DVBE Services (OSDS).
Legal Holidays	Those days designated as State holidays in the Government Code.
Project 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 Project 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 Department of General Services (DGS), Procurement Division (PD), Office of Small Business and DVBE Services (OSDS), 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

Cost Proposal Sheet
Survey and Analysis of Composting Industry Best Management Practices and Market Conditions
IWM06088

Complete this form and submit the original in accordance with the requirements of this RFP.
 Any invoices submitted by contractor will identify line item costs and corresponding task number.

Contractor/Company Name: _____

Task #	Personnel Services: (Do not include travel or overhead) estimated # of hrs needed for contract services multiplied by the individual or position rates per hr.. (Include name/position title and hours)				Fringe Benefits (Identify fringe benefit costs citing actual benefits or as a percentage of personal services costs)	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)	Travel Expenses (Include travel expenses and per diem. Rates are set at the rate specified by DPA for excluded employees)	Overhead (This information must be provided)	Other (any other specific breakdown required to sufficiently explain the budget costs)	Total by Task
	Name/ Position	\$/Hr	Hrs	Total \$							
1											
2											
3											
4											
5											
6											
7											
8											
Total by Line Item	(Sum of Total \$)										GRAND TOTAL

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
Survey and Analysis of Composting Industry Best Management Practices
and Market Conditions
IWM06088

Contractor/Company Name: _____

Criteria	Minimum	Maximum Pts	Score
1. Overall approach and organization -	min. 5 pts	max 10 pts	_____
a) Format of proposal. (2)			
b) Overall approach and understanding of problems, issues and required tasks. (3)			
c) Addresses all items in RFP. (3)			
d) Clarity of proposal. (2)			
2. Methodology -	min. 7 pts	max. 15 pts	_____
a) Soundness and effectiveness of proposed methodology. (5)			
b) Applicability of proposed methodology. (5)			
c) Feasibility of work plan and schedule. (5)			
3. Qualifications/Resources -	min. 13 pts	max. 25 pts	_____
a) Research Manager demonstrates five (5) years knowledge and experience in project design, management, and successful completion of California survey based studies of the organics recycling industry. (10)			
b) Assigned staff's experience in the design and successful completion of a least two (2) California survey based studies of the organics recycling industry. (10)			
c) Abilities of assigned staff to conduct the necessary research with proficiency and accuracy and without omission. (5)			
4. Past Work - (References may be contacted.)	min. 10 pts	max. 20 pts	_____
1. Similarity between previous projects and the project contained in this RFP. (15)			
2. The success (including level of completion) of past projects and any related work record. (5)			
SUBTOTAL (Sections 1 through 4)			=====
5. Cost of proposal -		max 30 pts	_____
TOTAL SCORE		<u>100 POINTS</u>	=====
<p>*Note: To qualify, the bidder MUST obtain a minimum score as identified in each of Sections 1 through 4, above, AND achieve a minimum subtotal score of 53 points for these 4 sections. The bidder must also obtain a minimum total score on all sections of 75 points.</p>			

Evaluator's Signature_____
Date

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 Services (OSDS) can 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. **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.						
Agencies Contacted: <table style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="text-align: left; width: 50%;"><u>Name of Agency</u></th> <th style="text-align: left; width: 25%;"><u>Person</u></th> <th style="text-align: left; 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 trade papers or other publications focusing on SB/DVBE firms.						
Note: Attach a copy of each advertisement. Planholder lists are not acceptable. <table style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="text-align: left; width: 70%;"><u>Name of Paper or Publication</u></th> <th style="text-align: left; 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 style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="text-align: left; width: 33%;"><u>FIRM</u></th> <th style="text-align: left; width: 33%;"><u>CONTACT</u></th> <th style="text-align: left; 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.
Name of Firm: _____ Person Contacted: _____	
Nature of Work: _____ Telephone No.: _____	
Results of Contact: _____	
Reasons if Rejected: _____	
Name of Firm: _____ Person Contacted: _____	
Nature of Work: _____ Telephone No.: _____	
Results of Contact: _____	
Reasons if Rejected: _____	
Name of Firm: _____ Person Contacted: _____	
Nature of Work: _____ Telephone No.: _____	
Results of Contact: _____	
Reasons if Rejected: _____	

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 Product Categories (11)	Minimum content requirement
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

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 Required License(s)
 - Client References
 - Small Business/Disabled Veteran Business Enterprise (DVBE) Participation Summary *Form must be submitted even if participation levels are zero.*
 - 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.*
 - 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"
 - Five (5) bound copies of the Proposal package marked "Copy".
 - One (1) Electronic copy of Proposal Package in Adobe Acrobat format with all documents in a single file, including all attachments.
-

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

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

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

- Recycled Content Certification (Attachment E)
 - Payee Data Record (Standard Form 204)
-

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.

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 or as a non-small business certifying to subcontract 25% of the total bid amount?

YES – Please attach approval letter from OSDS
 NO

If claiming preference as a small business, date you filed for small business certification: _____

Your small business ID 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: