



Request for Proposal, Secondary  
IWM06051

“Study To Identify Potential Long-  
Term Threats and Financial  
Assurance Mechanisms For Long-  
Term Postclosure Maintenance and  
Corrective Action At Solid Waste  
Landfills”



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**SECTION I****OVERVIEW**

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**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.

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**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) 341-6105  
FAX: (916) 319-7582  
EMAIL: [contracts@ciwmb.ca.gov](mailto: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.

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**Service Need**

In July 2006, the California Integrated Waste Management Board (CIWMB or Board) directed its staff to conduct a "Study To Identify Potential Long-Term Threats and Financial Assurance Mechanisms For Long-Term Postclosure Maintenance and Corrective Action At Solid Waste Landfills." The study will assess the pros and cons of various options, including, but not limited to: 1) a statewide requirement that all operators contribute to a pooled fund to provide for the longer-term postclosure maintenance (PCM) and/or known or reasonably foreseeable corrective action (CA) faced at active and closed facilities, and 2) a statewide requirement that all operators purchase insurance coverage for any PCM and CA costs faced at the facility that are not already identified and otherwise assured to the State. The study will also identify additional financial assurance (FA) demonstrations (i.e., financial mechanisms) not currently identified that could provide equivalent or better assurance.

In addition, to provide a basis for subsequent regulatory or statutory changes, the study will:

1. Identify and evaluate factors associated with the landfilling of solid waste that could impact or contribute to the impact to public health, safety, and the environment, and the likelihood of such an impact occurring; assessing the likelihood of an impact occurring will be taken up under Tasks 4 and 5 as a qualitative assessment;
2. Identify human and/or environmental receptors potentially at risk from these factors;
3. Identify and evaluate landfill construction, containment, materials and maintenance factors that may exacerbate or mitigate risk;
4. Develop a rational analysis that assigns a value which corresponds to the degree of risk associated from analysis of #1, #2 and #3, listed immediately above; the assigned values should correspond to the combined degree of risk associated with the parameters/factors identified in #1, #2, and #3;
5. Evaluate how risk associated with these factors (#1, #2 and #3, listed immediately above) is likely to change over time; and,
6. Develop a methodology (using #1 through #5, listed immediately above) for California Integrated Waste Management Board (CIWMB) staff to evaluate an individual landfill's risk [high, medium, or low] and to use that value for determining overall financial assurances coverage levels; the methodology will serve as a basis for subsequent rulemaking on long-term FAs based on CIWMB direction and per AB 2296, see below.

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**OVERVIEW CONT.**

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**Service Need (cont.)** Based on the results of such a study, the CIWMB Contract Manager would then return to the Board with further recommendations regarding PCM and CA financial assurance requirements.

The CIWMB's direction is consistent with the requirements of Assembly Bill No. 2296, (Montanez, Stats. of 2006, Ch. 504), which was signed by the Governor on September 27, 2006. This bill requires the CIWMB, on or before January 1, 2008, to:

- Conduct a study to define the conditions that potentially affect solid waste landfills, including technologies and engineering controls designed to mitigate potential risks, and to identify potential long-term threats to public health and safety and the environment.
  - Conduct a study on various FA mechanisms that would protect the state from long-term PCM and corrective action costs in the event that a landfill owner or operator fails to meet its legal obligations to fund PCM or corrective action during the postclosure period.
  - Adopt on or before July 1, 2009 regulations and develop recommendations for needed legislation to implement the findings of the study.
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**Contract Budget** Subject to the availability of funds and approval by the Board, there is a current maximum budget of \$300,000 (three hundred thousand dollars).

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

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

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.

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**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.

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**Contract Term** The term of this Agreement will span approximately seven (7) months and is expected to begin no later than June of 2007.

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

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

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## OVERVIEW CONT.

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### **Process Schedule**

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

Advertisement Date	February 5, 2007
Written Questions Due by 5:00 pm	February 20, 2007
Submittal's Due by 2:00 pm	March 19, 2007
Post Notice of Intent to Award	March 26, 2007

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**SECTION II****RULES AND CONDITIONS**

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**Introduction**

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

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**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](http://www.ciwmb.ca.gov/Contracts/Forms/SpeTermsCond.pdf)
- General Terms and Conditions (GTCs) available for viewing at [www.ols.dgs.ca.gov/Standard+Language](http://www.ols.dgs.ca.gov/Standard+Language).
- Contractor Certification Clauses (CCCs) available for viewing at [www.ols.dgs.ca.gov/Standard+Language](http://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.

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**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.)

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**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.

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## RULES AND CONDITIONS CONT.

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### 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.

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### 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).

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### 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.

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### 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.

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### 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.

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### Unreliable List

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

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### 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.

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### 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.

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### 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.

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## RULES AND CONDITIONS CONT.

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### **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.

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### **Subcontractors**

A proposed subcontractor, who has an economic relationship with a business entity or person that has management and/or control over a solid waste landfill, may not subcontract under this agreement for more than 25% of the total contract.

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.

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**SECTION III****PROPOSAL SUBMITTAL REQUIREMENTS**

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**Introduction**

**No business entity or person who has an economic relationship with a business entity or person that has management and/or control over a solid waste landfill may submit a proposal for this agreement.**

**A proposed subcontractor, who has an economic relationship with a business entity or person that has management and/or control over a solid waste landfill, may not subcontract under this agreement for more than 25% of the total contract.**

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.

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**Deadline**

The proposal package must be received by the CIWMB, at the address listed in Section I, Overview by 2:00 p.m. on March 19, 2007.

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

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**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."

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**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.

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**Document Printing**

All documents must be submitted double-sided on paper with a minimum of 30% post-consumer recycled content fiber.

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**Table of Contents**

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

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**Summary**

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

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## PROPOSAL SUBMITTAL REQUIREMENTS CONT.

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### **Work Plan**

Submit an initial detailed work plan as described in Tasks 1 and 5 of the Scope of Work indicating the steps that will be taken in completing each of the Tasks (2, 3, 4, and 6), including for each step the personnel involved, the projected timeframe, and cost. In addition to the methodologies outlined in Tasks 2, 3, 4 and 6, 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 bi-weekly 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.

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### **Organization**

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

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

### **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 of financial assurance demonstrations that could be applicable to solid waste landfills
  - Thorough knowledge of various pooled funds, both statewide and throughout the country that could be applicable to solid waste landfills
  - Thorough knowledge of various insurance products necessary to provide an umbrella insurance policy capable of assuring all long-term PCM and CA costs that could be applicable to active and closed solid waste landfills
  - Ability to identify and assess potential risks posed at a business/facility that could impact or contribute to the impact to public health, safety, and the environment and that could be applicable to solid waste landfills
  - Ability to develop and apply methodologies that are used in determining overall financial assurance coverage levels and that could be applicable to solid waste landfills.
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## PROPOSAL SUBMITTAL REQUIREMENTS CONT.

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### Qualifications and Resources (cont.)

The Project Manager must demonstrate a minimum of five (5) years of experience in project design, management, and successful completion of one or more of the following, with greater consideration going to applicants who can demonstrate the broadest range of experience:

- Studies involving financial assurance demonstrations that could be applicable to solid waste landfills
- Studies involving various pooled funds, both statewide and throughout the country that could be applicable to solid waste landfills
- Studies involving various insurance products necessary to provide an umbrella insurance policy capable of assuring all long-term PCM and CA costs that could be applicable to active and closed solid waste landfills
- Studies in which the Project Manager identified and assessed potential risks posed at a business/facility that could impact or contribute to the impact to public health, safety, and the environment and that could be applicable to solid waste landfills
- Studies indicating the ability to develop and apply methodologies that are used in determining overall financial assurance coverage levels and that could be applicable to solid waste landfills.

**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 4 to 6 times with the CIWMB's Contract Manager in Sacramento throughout the term of this contract.

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### References

A minimum of three (3) verifiable references and/or experience must be provided for the prime and each subcontractor identified in the proposal.

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.

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## PROPOSAL SUBMITTAL REQUIREMENTS CONT.

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### **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, samples (either included or referenced) should include:

- Studies involving financial assurance demonstrations that could be applicable to solid waste landfills
  - Studies involving various pooled funds, both statewide and throughout the country that could be applicable to solid waste landfills
  - Studies involving various insurance products necessary to provide an umbrella insurance policy capable of assuring all long-term PCM and CA costs that could be applicable to active and closed solid waste landfills
  - Studies in which the Project Manager identified and assessed potential risks posed at a business/facility that could impact or contribute to the impact to public health, safety, and the environment and that could be applicable to solid waste landfills
  - Studies indicating the ability to develop and apply methodologies that are used in determining overall financial assurance coverage levels and that could be applicable to solid waste landfills
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### **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.

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### **Licenses**

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

- A copy of the Proposer's county/city issued license with proof of expiration date, must be included with the Proposal submittal.
  - 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, Proposer's must submit a copy of the appropriate license(s) for each team member who will provide "professional" services under the contract.
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### **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:

- 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.
  - 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 OSDS SB, a Demonstration of Good Faith Effort must be completed and submitted with the proposal.
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## PROPOSAL SUBMITTAL REQUIREMENTS CONT.

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### **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:

- 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.
- 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 OSDS DVBE, a Demonstration of Good Faith Effort must be completed and submitted with the proposal.

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### **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](http://www.ciwmb.ca.gov/contracts/forms).

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### **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](http://www.ciwmb.ca.gov/contracts/forms).

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### **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](http://www.ciwmb.ca.gov/contracts/forms).

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**SECTION IV COST PROPOSAL SUBMITTAL**

**Evaluation**

The proposals 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.

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

**Cost Breakdown**

The cost proposal must be submitted using the Cost Proposal Sheet provided in this RFP (See Attachment A).

The Cost Proposal must specify your total proposal cost and detail total project costs, including a breakdown by tasks and by the person(s) to complete the tasks. The Cost Proposal Sheet should correlate with the Work Plan identified in Section III of this RFP. It is recommended that you allocate costs in the following proportions with the total equaling 100%:

<b>Phase One</b>	<b>45%-65%</b>	<b>Date to be Completed</b>
<b>Task 1</b> Finalize detailed work plan for tasks 2 through 4 indicating the steps that will be taken in completing each task.	0.5% –1%	10 days after execution of the contract
<b>Task 2</b> Review existing financial demonstrations and provide a detailed report of appropriate applicable alternative financial mechanisms. (A minimum of 70% of the costs for this task must be directed to subtask 3)	10%-15%	No later than December 1, 2007
<b>Task 3</b> Develop a detailed report of demonstrations consisting of a working model of a statewide pooled fund to receive equitable contributions from all operating solid waste landfills within California to cover all long-term PCM and CA at active and closed solid waste landfills.	15%-25%	No later than December 1, 2007
<b>Task 4</b> Develop a model product that could be purchased by all landfill operators to provide an umbrella insurance policy capable of assuring all long-term PCM and CA costs at active and closed landfills not already identified and assured to the CIWMB.	15%-24%	No later than December 1, 2007
<b>Phase Two</b>	<b>35%-45%</b>	
<b>Task 5</b> Finalized detailed work plan for task 6 indicating the steps that will be taken in completing the task.	0.5% -1%	10 days after execution of the contract
<b>Task 6</b> Develop a detailed report showing factor analysis, assumptions, and recommendations along with automated methodology for determining overall financial assurances coverage levels for any active or closed landfill in California.	35%-44%	No later than December 1, 2007
<b>Total</b>	<b>100%</b>	

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## **COST PROPOSAL SUBMITTAL CONT.**

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**Cost Breakdown cont.** 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.
-

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**SECTION V****EVALUATION AND SELECTION**

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**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.

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**Selection Process**

Those proposals passing the PreQualification, will be evaluated and scored by the Selection Committee, utilizing the Scoring Criteria identified in this RFP. The Selection Committee will determine the Subtotal score. To qualify, the proposer MUST achieve the minimum score for each criterion 1 through 4, AND achieve a minimum Subtotal score of 52 points, as identified on the Proposal Scoring Sheet. The Total score will be the sum of the Subtotal plus the Cost Points which are determined as described in Section IV Evaluation. The Proposer must achieve a minimum Total Score of 75 points.

---

**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.

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**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 will utilize a tie breaker to determine the winning Proposer. The Proposer with the highest percentage of SB and DVBE participation as identified on the SB/DVBE Participation Summary will win the tie breaker.

The CIWMB reserves the right to not award an Agreement.

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**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](http://www.ciwmb.ca.gov/contracts) and at the headquarters building noted in Section I.

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**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.

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## EVALUATION AND SELECTION CONT.

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

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**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, 7<sup>th</sup> 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) 319-7582  
Email [contracts@ciwmb.ca.gov](mailto:contracts@ciwmb.ca.gov)

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**Work to be Performed** The Contractor will be required to review all currently available financial assurance demonstrations within California and propose additional financial demonstrations not currently identified that will provide equivalent or better assurance than the financial demonstrations currently allowed by the CIWMB. The results of this analysis will be provided to the CIWMB in a written and electronic report format identifying the pros and cons of each financial assurance demonstration, the associated fees to be encountered by the regulated public and the administrative expenses expected to be absorbed by the CIWMB in review and acceptance of the financial demonstrations.

To provide a basis for subsequent regulatory or statutory changes, the study will:

1. Identify and evaluate factors associated with the landfilling of solid waste that could impact or contribute to the impact to public health, safety, and the environment, and the likelihood of such an impact occurring;
2. Identify human and/or environmental receptors potentially at risk from these factors;
3. Identify and evaluate landfill construction, containment, materials and maintenance factors that may exacerbate or mitigate risk;
4. Develop a rational analysis that assigns a value which corresponds to the degree of risk determined from analysis of #1, #2 and #3, listed immediately above;
5. Evaluate how risk associated with these factors (#1, #2, and #3, listed immediately above) is likely to change over time; and,
6. Develop a methodology (using #1 through #5, listed immediately above) for CIWMB staff to evaluate an individual landfill's risk [high, medium, or low] and to use that value for determining overall financial assurances coverage levels.

The results of this analysis will be provided to the CIWMB in a written and electronic format applicable to any active or closed landfill within California for the purpose of assigning overall financial assurances coverage levels.

## Tasks

### ***PHASE I***

**Task 1** refers to development of the detailed work plan provided in the bid for Tasks 2 to 4, as outlined below. Upon award of the contract, actual work on Tasks 2 through 4 of the contract shall not begin until the finalized work plan in Task 1 has been reviewed and approved by the Contract Manager.

**Task 2:** Review existing financial demonstrations identified in Title 27, California Code of Regulations, Division 2, Subdivision 1, Chapter 6 as well as identification, applicability and analysis of other appropriate financial demonstrations not currently identified in these regulations.

1. Include analysis of appropriate application of current demonstrations for long-term (beyond 30-year) postclosure maintenance (PCM) and corrective action (CA) financial exposures at both active and closed landfills.
2. Compare and contrast financial demonstrations for safety, security and the timely accessibility of funds.
3. Develop appropriate alternative financial mechanisms with similar security attributes as current assurances.

Deliverable: Detailed report of demonstrations consisting of a list of applicable financial demonstrations appropriate for long-term PCM and CA financial exposures at active and closed solid waste landfills. The report will include the completed analysis of all currently identified financial demonstrations within Title 27, CCR, Division 2, Subdivision 1, Chapter 6 as well as identification and analysis of other appropriate financial demonstrations not currently identified. The report is to be submitted in both hard and electronic copies using a computer software format acceptable to CIWMB Contract Manager. All deliverables will be reviewed and approved by Contract Manager.

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## DESCRIPTION OF WORK CONT.

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### Tasks (cont.)

**Task 3\*:** Develop a working model for a statewide pooled fund for long-term PCM and CA at active and closed solid waste landfills.

1. Review existing California pooled funds as potential models (e.g., underground tank cleanup fund).
2. Review pooled funds from other states and their applicability to long-term PCM and CA at active and closed landfills in California.
3. Compare and contrast existing institutional and financial market pooled funds identifying positive aspects and potential shortfalls.
4. Identify procedures to ensure that the fund is paid into and accessible by all operators equitably.
5. Identify expected costs to operators and the CIWMB to establish and maintain the fund.
6. Identify anticipated earnings potential of the fund and its liquidity and viability to financially assure long-term PCM and CA at active and closed landfills.
7. Identify alternative working models for use by the CIWMB.

Deliverable: Detailed report of demonstrations consisting of a working model of a statewide pooled fund to receive equitable contributions from all operating solid waste landfills within California to cover all long-term PCM and CA at active and closed solid waste landfills. The report will include the conceptual model of the pooled fund, the resources necessary to establish and manage the fund, the parameters for utilization of the fund, and a thorough evaluation of the effectiveness of such a pooled fund to adequately and equitably provide an ongoing resource for the long-term PCM and CA of all active and closed solid waste landfills. The report is to be submitted in both hard and electronic copies using a computer software format acceptable to CIWMB Contract Manager. All deliverables will be reviewed and approved by CIWMB Contract Manager.

**Task 4\*:** Develop a product to be purchased by all landfill operators to provide an umbrella insurance policy capable of assuring all long-term PCM and CA costs at active and closed landfills not already identified and assured to the CIWMB.

1. Consult with insurance industry representatives.
2. Provide draft certification language to CIWMB Contract Manager for review.
3. Identify pricing process for product.
4. Identify factors considered in determining pricing of product.
5. Estimate average anticipated premium cost to each operator.

Deliverable: Draft and final Insurance Certificate acceptable to insurance industry and CIWMB Contract Manager that will be available from the insurance market and that would provide an umbrella of financial coverage to all solid waste landfills within California. The certificate will be considered for use in subsequent rulemaking on long-term financial assurances (FAs) based on CIWMB direction and per AB 2296. The Insurance Certificate will be provided in both hard and electronic format using computer software format acceptable to CIWMB Contract Manager. The final certificate must also include the anticipated pricing structure. All deliverables will be reviewed and approved by CIWMB Contract Manager.

**\*Note:** The prospective contractor is encouraged to offer other ideas in the detailed work plan for assuring long-term PCM and CA costs in addition to a statewide pooled fund (Task 3) and umbrella insurance policy (Task 4).

### **PHASE II**

**Task 5** refers to development of the detailed work plan provided in the bid for Task 6, as outlined below. Upon award of the contract, actual work on Task 6 of the contract shall not begin until the finalized work plan in Task 5 has been reviewed and approved by the Contract Manager.

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## DESCRIPTION OF WORK CONT.

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### Tasks (cont.)

**Task 6:** Develop a methodology for CIWMB staff to evaluate an individual landfill's risk [high, medium, and low] and to use that value for determining overall financial assurances coverage levels. The methodology will serve as a basis for subsequent rulemaking on long-term FAs (per AB 2296).

1. In consultation with CIWMB Contract Manager, identify and evaluate factors associated with the landfilling of solid waste that could impact or contribute to the impact to public health, safety, and the environment, and the likelihood of such an impact occurring; assessing the likelihood of an impact occurring will be taken up under Tasks 4 and 5 as a qualitative assessment. These factors include, but are not limited to: depth to groundwater, geologic make-up of the area (soils, rock, and major and minor earthquake fault lines), climate, potential for flooding, surface water run-off, and waste types in place.
2. In consultation with CIWMB Contract Manager, identify human and/or environmental receptors potentially at risk from these factors (#1, above), including but not limited to, proximity to human populations, proximity to endangered or sensitive habitats, proximity to natural resources, and proximity to public works.
3. In consultation with CIWMB Contract Manager, identify and evaluate landfill construction, containment, materials and maintenance factors that may exacerbate or mitigate risk. Factors must include, but are not limited to:
  - a. Design, construction techniques and materials utilized for leachate collection systems, gas collection systems, base liner systems, final cover systems and monitoring well systems;
  - b. Maintenance history and maintenance quality;
  - c. Compliance with state minimum standards.

Based on a rational analysis, factors are to be assigned values that correspond to the degree to which factors may exacerbate or mitigate risk; the actual assigning of values will be taken up under Task 4. The analysis must include the quality of materials; quality of systems maintenance; degree of deterioration of systems over time; possibility of systems failures; and the availability of trustworthy design, construction, maintenance and compliance records.

4. In consultation with CIWMB Contract Manager, develop a rational analysis that assigns a value which corresponds to the degree of risk determined from analysis of #1, #2 and #3, listed immediately above; the assigned values should correspond to the combined degree of risk associated with the parameters/factors identified in #1, #2, and #3.
5. In consultation with CIWMB Contract Manager, evaluate how risks associated with these factors are likely to change over time. The evaluation must include, at a minimum, possible changes in demographics and land use around active and closed landfills during the period when the wastes may continue to pose a risk.
6. In consultation with CIWMB Contract Manager, develop a methodology (using #1 through #5, listed immediately above) for CIWMB staff to evaluate an individual landfill's risk [high, medium, or low] and determine overall financial assurances coverage levels; the methodology will serve as a basis for subsequent rulemaking on long-term FAs based on CIWMB direction and per AB 2296, see below.

Deliverable: Detailed report showing factor analysis, assumptions, and recommendations along with an automated methodology for determining overall financial assurances coverage levels for any active or closed landfill in California. The report and methodology will be provided in both hard and electronic copies in formats acceptable to CIWMB Contract Manager. All deliverables will be reviewed and approved by CIWMB Contract Manager including testing of the methodology on several existing landfills.

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## DESCRIPTION OF WORK CONT.

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### 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.

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.

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**SECTION VII DEFINITION AND TERMS**

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**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.

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<b>Abbreviations</b>	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)
	FA	Financial Assurances
	PCM	Postclosure Maintenance
	CA	Corrective Action

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**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.

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**Board** Members of The California Integrated Waste Management Board.

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**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.

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**Cal EPA** The California Environmental Protection Agency

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**CIWMB** The California Integrated Waste Management Board.

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**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.

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**Contract** A legally binding agreement between the state & another entity, public or private, for the provision of goods or services.

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**Contract Manager** A person designated by the responsible state agency or department to manage performance under a contract.

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<b>Contractor</b>	A party contracting with the awarding agency. Vendor is often used synonymously with contractor.
<b>Director</b>	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.
<b>Disabled Veteran Business Enterprise (DVBE Certified)</b>	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).
<b>Legal Holidays</b>	Those days designated as State holidays in the Government Code.
<b>Project Manager</b>	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.
<b>Scope of Work</b>	The description of work required of a contractor by the awarding agency.
<b>Small Business (Certified)</b>	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.
<b>State</b>	The State of California.
<b>State Contract Law</b>	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.
<b>Subcontractor</b>	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**  
**Study To Identify Potential Long-Term Threats and FA Mechanisms For Long-Term PCM and CA At Solid Waste Landfills**  
**IWM06051**

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 and indicate if subcontractor)				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											
Total by Line Item	(Sum of Total \$)										<b>GRAND TOTAL</b>

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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:	_____

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## Proposal Scoring Sheet

### Study To Identify Potential Long-Term Threats and Financial Assurance Mechanisms For Long-Term Postclosure Maintenance and Corrective Action At Solid Waste Landfills IWM06051

Contractor/Company Name: \_\_\_\_\_

Criteria	Minimum	Maximum Pts	Score
1. Overall approach and organization -	min. 7 pts	max 15 pts	_____
a) Format of proposal. (5)			
b) Overall approach and understanding of problems, issues and required tasks. (5)			
c) Addresses all items in RFP. (3)			
d) Clarity of proposal. (2)			
2. Methodology -	min. 10 pts	max. 20 pts	_____
a) Soundness and effectiveness of proposed methodology. (10)			
b) Applicability of proposed methodology. (5)			
c) Feasibility of work plan and schedule. (5)			
3. Qualifications/Resources -	min. 13 pts	max. 25 pts	_____
a) Assigned staff's knowledge and educational background of the particular project involved. (10)			
b) Assigned staff's experience and background in similar projects. (10)			
c) Abilities of assigned staff to conduct the necessary research with proficiency and accuracy and without omission. (5)			
4. Past Work - (References will be contacted.)	min. 5 pts	max. 10 pts	_____
a) Similarity between previous projects and the project contained in this RFP. (5)			
b) The success (including level of completion) of past projects and any related work record. (5)			
<b>SUBTOTAL (Sections 1 through 4)</b>			=====
5. Cost of proposal -		max 30 pts	_____
<b>TOTAL SCORE</b>		<u>100 POINTS</u>	=====
<p><b>*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 52 points for these 4 sections. The bidder must also obtain a minimum total score on all sections of 75 points.</b></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 style="height: 100px;"> </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.						
<b>Note: Attach a copy of each advertisement. Planholder lists are not acceptable.</b> <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 style="height: 100px;"> </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 style="height: 100px;"> </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: _____	

STATE OF CALIFORNIA  
 California Integrated Waste Management Board  
 CIWMB 74C (Revised 8/06 for Contracts)

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

**Recycled-Content Certification**

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

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

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

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

Public Contract Code sections 12205 (a) (1) (2) (3) (b) (1) (2) (3) 10233, 10308.5, 10354, and 12205(a)

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

Print name \_\_\_\_\_ Signature \_\_\_\_\_ Company \_\_\_\_\_ Date \_\_\_\_\_

(See footnotes on the back of this page.)

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

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

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

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

For additional information visit [www.ciwmb.ca.gov/BuyRecycled/](http://www.ciwmb.ca.gov/BuyRecycled/)

<b>Code</b>	<b>Description</b>	<b>Minimum content requirement</b>
<b>Product Categories (11)</b>		
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.

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- 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: