

REQUEST FOR PROPOSALS

**Consulting Services for Developing a
Future Solid Waste RFP & Feasibility
Study of Infrastructure Needs**

CITY OF OCEANSIDE

December 9, 2009

Responses due by 10:00am, January 14, 2010

Prepared by:

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1.0 GENERAL

1.1 INTRODUCTION

The City of Oceanside (City) is seeking professional services to support the City in maintaining and developing several key goals in the management of solid waste and recyclables. Those goals include but are not limited to the following:

- 1.1.1 Exceed state compliance and recycling diversion levels through the reduction of waste generated per capita and the improvement of curbside, commercial, multi-family and construction & demolition recycling programs
- 1.1.2 Develop programs, services and infrastructure that allow the City to facilitate the handling of recyclables and reduction of waste.
- 1.1.3 Maintain the lowest rate possible to accommodate stricter recycling mandates, and provide economic incentives to those who produce less waste.

1.2 BACKGROUND

The City of Oceanside takes pride in environmental stewardship, through numerous programs that promote sustainability, reduction of waste, reuse of materials, recycling, and water conservation and pollution prevention. In fact, in the past year and half, the City has launched the “Green Oceanside” campaign, which actively promotes environmental sustainability and conservation in the local community. This campaign was launched in partnership with numerous City Departments, private businesses, and local non-profit organizations, to provide an annual Green Week, filled with educational programs for local students, community contests, and a Green Fair. As the campaign approaches its second year it has grown from just a successful outreach event to creating a “Green” identity for the City that promotes community pride in environmental conservation efforts.

The City currently has a franchise agreement with Waste Management of North County, Inc. for the collection of solid waste, recyclables, and green waste materials. The base term of the franchise agreement expires June 30, 2012 with a two-year notice of termination (by July 1, 2010).

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The current curbside recycling program is serviced via a pod system that is reaching the end of its operational life. The commercial recycling system is not mandated, but rather monitored by staff and the hauler to promote recycling. An electronic copy of the current franchise agreement and amendments is available via email request sent to cfoster@ci.oceanside.ca.us. Also available are various benchmark studies throughout the current contract with Waste Management that should be part of this review process by the consultant.

The City of Oceanside takes great pride in its local green waste recycling program located at the El Corazon Compost Facility. Agri Services, Inc. partnered with the City of Oceanside in 1995 to operate a Green Waste composting facility that processes all green waste collected at the curbside, multi-family units and commercial locations. The compost generated from this facility is used on numerous City landscaping projects, and is also available for free to all City residents, thus truly creating a local sustainable program for the community of Oceanside. The current facility is planned to expand within the next year, and there are goals in place that include interest in infrastructure that will allow the composting of food waste. This facility alone greatly contributes to the City's high diversion rate of 59%, and allows the City of Oceanside to maintain its leadership in North County San Diego by being one of the only cities in the region to keep these types of materials out of the landfill as Alternative Daily Cover.

Under recently enacted California SB 1016, the new per capita disposal and goal measurement system moves the emphasis from an estimated diversion measurement number to using an actual disposal measurement number as a factor. This legislation and pending legislation will have an impact on the services the City considers for the new franchise agreement. The City highly values looking into all opportunities for conservation and source reduction through a clear understanding of what comprises the waste stream and what measures can be taken to reduce that waste stream.

The City of Oceanside Integrated Waste Commission makes recommendations to the City Council on policies pertaining to the collection and disposal of solid waste and recycling programs, household hazardous waste programs, green waste programs, composting projects, education, and other related solid waste issues. This commission also makes recommendations on solid waste code enforcement and compliance topics. Currently, under the direction of the Commission there are two Ad Hoc subcommittees: the RFP Ad Hoc subcommittee and the Transfer Station and Recycling Center Ad Hoc subcommittee.

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The Oceanside solid waste programs are funded through the Solid Waste Enterprise Fund and are not a part of the City's general fund budget.

A copy of the Integrated Waste Commission work plan is available via email request sent to cfoster@ci.oceanside.ca.us.

The City is interested in assessing future regional capacity associated with the handling, segregation, and transfer of solid waste and recycling and materials recovery. Various and differing visions have been raised by members of the City Council, City staff, the public and the Integrated Waste Commission as to whether the city should invest in additional infrastructure to support such operations. Questions that have been raised include:

What is the probable future demand for the handling, segregation, and transfer of solid waste and recycling and materials recovery for the City?

Will existing or currently planned capacity in the region support future demand? If so, can the City secure this capacity? What would be the waste transfer tipping fees (excluding landfill fees)?

If demand exceeds capacity, should the City partner with one or more of its neighbors (e.g. Carlsbad, Camp Pendleton, Vista) to create new infrastructure?

Should the City consider investing alone? At what cost? What are the potential revenue sources within the region? Would the facility operate at a profit or loss? How would it be funded and operated – publicly and/or privately? Land cost and/or acquisition?

What are the advantages and disadvantages of either separating or combining the hauling contract and the facility operations contract?

For the decision makers to answer the above questions, it is imperative to have an unbiased consultant gather and provide relevant data.

1.3 OBJECTIVE(S)

The City of Oceanside is soliciting consultant services to:

- 1) assist with the preparation of the RFP for an open and competitive bid on Solid Waste, Green Waste and Recycling services;

- 2) analyze the existing and future capacity in the region for the handling, segregation, and transfer of municipal solid waste and recyclables;
- 3) identify potential agreement options and funding options for utilizing other facilities versus developing a facility in the local area with regional partnerships; and
- 4) analyze and identify the costs and potential revenue associated with siting, permitting, and developing a Solid Waste and Recycling/Materials Recovery facility in Oceanside. Evaluate the short term and long term impacts of this option and compare to other options.

1.4 “PRE-PROPOSAL” CONFERENCE

A non-mandatory Pre-Proposal Conference is scheduled on or about December 6, 2009.

2.0 SCOPE OF WORK [SOW]

The work elements under this SOW are identified as follows:

- Work Element 1 – Meetings and Public Engagement
- Work Element 2 – Develop a RFP for Solid Waste and Recycling services
- Work Element 3 – Analysis of the capacity in the region for the handling, segregation, and transfer of municipal solid waste and recyclables
- Work Element 4 – Potential agreement options, funding options, and cost/revenue analysis for utilizing other facilities versus developing a facility in the local area with regional partnerships
- Work Element 5 – Cost/revenue analysis of permitting, constructing, and operating a solid waste and recycling/materials recovery facility in Oceanside.

The following subsections describe the tasks to be completed within these work elements.

2.1 WORK ELEMENT 1 – MEETINGS AND PUBLIC ENGAGEMENT

The tasks within Work Element 1 are identified as follows:

- Task 1 – Site Visit/Project Kick-off Meeting
- Task 2 – Project Meetings for Work Elements 2,3,4, & 5

The following subsections summarize the activities required for each of these tasks.

2.1.1 Task 1 – Project Kick-off Meeting

No later than fourteen (14) days after the Contract is awarded, the Contractor shall coordinate and attend a “kick-off” meeting at Oceanside. Attendees of this meeting will include project manager, and other project team members. The Contractor will provide meeting minutes to the City of Oceanside within ten (10) calendar days.

2.1.2 Task 2 – Project Meetings for Work Element 2

The consultant will be requested to attend with staff various community meetings including but not limited to City Council meetings, Commission meetings, subcommittee meetings (Suggested number of meetings: 18 meetings and 3 public workshops). Additionally the consultant will be required to coordinate and conduct all public workshops related to these issues. The consultant will be required at a minimum to audio tape all meetings and video tape public workshops (excluding Council meetings and regularly scheduled Commission meetings).

Contractor shall submit a draft, draft final, and final version and response to comments (RTCs) in accordance with the schedule given in Attachment B of this SOW.

2.2 WORK ELEMENT 2 - DEVELOP REQUEST FOR PROPOSALS (“RFP”) FOR SOLID WASTE FRANCHISE AGREEMENT

Consulting services are needed to support the City in the development of a Request for Proposals for a future Solid Waste Franchise Agreement. After gathering information from the City Council meetings, Commission meetings, Subcommittee meetings, city staff, and the public as described in Work Element 1, the consultant will provide expertise and data identifying potential service options that could be included in an RFP and eventually a Solid Waste Franchise Agreement. The consultant will make recommendations on costs associated with various levels of services and identify potential positive and negative impacts of services on the community and on compliance with state mandates. The

Integrated Waste Commission will present its findings to City staff prior to or shortly after the award of this contract. Refer to Attachment A for general examples of types of services beyond existing services that the City is considering. Note that this list is not all inclusive.

The tasks within Work Element 2 are identified as follows:

- Task 1 – Consultant’s Recommendations for Contract Services
- Task 2 – RFP Development and Circulation*
- Task 3 – Evaluation of Proposals*
- Task 4 – Negotiation of Agreements*

*All or part of this task is an option and will require City approval before commencing work

The following subsections summarize the activities required for each of these tasks.

2.2.1 Task 1 – Consultant’s Recommendations for Contract Services

The City expects the consultant’s analysis, findings, conclusions, and recommendations to be presented in a draft and final written report

The City expects the consultant to provide an outline or a Table of Contents of the report within its proposal.

The consultant shall submit a draft, draft final and final version and response to comments (RTCs) in accordance with the schedule given in Attachment B of this SOW.

2.2.2 Task 2 – RFP Development and Circulation

2.2.2.1 Draft Request for Proposals (“RFP”) for a Solid Waste Franchise Agreement. The RFP may be structured with “alternates” or “options” in order to evaluate the cost/benefit of different services. Draft to be reviewed and approved by staff and the Commission.

The City expects the consultant to provide an outline or a Table of Contents of the RFP within its proposal.

The Contractor shall submit a draft, draft final, and final version and response to comments (RTCs) in accordance with the schedule given in Attachment B of this SOW.

2.2.2.2 Draft final submittal - The consultant will be asked to present its findings at one or more City Council meetings, at least one public workshop and Commission meetings as defined earlier.

2.2.2.3 Circulation of Final Request For Proposals (“RFP”): The Consultant will be responsible for preparing the final RFP document based upon input and direction from the City. The final RFP will be circulated as directed by the City. The consultant will assist with responses to inquiries during this process. This Task is an option and will require city approval before commencing work.

2.2.3 Task 3 – Evaluation of Proposals

The Consultant will assist with the evaluation and comparison of proposals and the development of a recommendation to the City Council. This Task is an option and will require City approval before commencing work.

2.2.4 Task 4 – Negotiation of Agreements

The Consultant will assist with the negotiation of a final franchise agreement for collection services, to be presented to the City Council. The agreement will need to address the services to be provided including performance measurement and methodology for cost adjustments. This Task is an option and will require City approval before commencing work.

2.3 WORK ELEMENT 3 – ANALYSIS OF THE CAPACITY IN THE REGION FOR THE HANDLING, SEGREGATION, AND TRANSFER OF MUNICIPAL SOLID WASTE AND RECYCLABLES

The major priority for the City is to have a well written, solid waste RFP that addresses the City’s interests concerning solid waste, recyclables,

green waste, construction & demolition debris, etc. If these performance objectives are defined clearly and adequately, a degree of latitude can be given to proposers to respond in an innovative and forward-looking fashion with what services and infrastructure they can provide or the City would need to meet the performance objectives of the RFP. Knowledge of existing and future capacity in the region will be of importance when comparing and analyzing proposals and costs within proposals.

The tasks within Work Element 3 are identified as follows:

- Task 1 – Data Collection
- Task 2 – Analysis and Report

2.3.1 Task 1 – Data Collection

This study will examine the existing and anticipated future capacity in the region that can process both Municipal Solid Waste [MSW] and recyclables in a manner consistent with steady low rates and compliance with existing and future state mandates. The consultant will collect data from facilities within San Diego and Orange County and interview municipal and private owners/operators on plans to either expand or reduce capacity within the next 10 years. The City strongly opposes any consideration of the Gregory Canyon Landfill proposal.

This study is anticipated to be conducted in parallel with Work Element 2, the development of the RFP.

2.3.2 Task 2 – Analysis and Report

The City expects the consultant's findings, analysis, conclusions, and recommendations to be presented in a draft and final written report.

The City expects the consultant to provide an outline or a Table of Contents of the report within its proposal.

Contractor shall submit a draft, draft final, and final version and response to comments (RTCs) in accordance with the schedule given in Attachment B of this SOW.

2.4 WORK ELEMENT 4 – POTENTIAL AGREEMENT OPTIONS, FUNDING OPTIONS AND COST/REVENUE ANALYSIS FOR UTILIZING OTHER

FACILITIES VERSUS DEVELOPING A FACILITY IN THE LOCAL AREA WITH REGIONAL PARTNERSHIPS

The next step after identifying capacity in the region is to develop alternatives that either leverage the capacity of other facilities or create additional capacity. A few of these options are as follows (the consultant in its analysis should identify any other options available):

1. Continue to manage MSW and recyclables as is, with current infrastructure capabilities. Evaluate the short term and long term impact of no infrastructure development in the immediate area, and its relation to stricter state mandates requiring commercial recycling, increased diversion of recyclables, and stricter air quality standards including greenhouse gas effects.
2. Contract with existing facilities in the local area for processing of MSW and recyclables. Be sure to evaluate expansion needs and costs, transportation costs, and potential tipping fees associated with those facilities. Evaluate the short term and long term impacts of this option including upon the ratepayers.
3. Construct a Solid Waste and Recycling/Materials Recovery facility in the region (e.g. Oceanside, Carlsbad, Camp Pendleton, Vista). Identify level of servicing that would be available at the new facility along with site needs and costs associated with development and operation. Identify potential revenue sources from possible importation of MSW and recyclables from the local area. Evaluate the short term and long term impacts of this option and compare to other options.

In the proposal, identify evaluation criteria to be used in comparing the alternatives.

Cost analysis of all scenarios/options should include all costs associated with no action or either the development of a new facility or expansion of an existing facility including but not limited to: architectural and engineering cost, site improvements, land costs, off-site improvements, relocation of existing facilities costs, building cost, soft cost, tipping fees and permits, consultant cost and any other development/operator related information necessary to evaluate the build out/expansion scenarios.

Funding sources for all scenarios should be identified and evaluated within the study. The analysis should also identify potential agreement

options and funding options for the development of a facility in the region versus utilizing other facilities in the local area.

The City expects the consultant to provide an outline or a Table of Contents of the report within its proposal.

The Contractor shall submit a draft, draft final, and final version and response to comments (RTCs) in accordance with the schedule given in Attachment B of this SOW.

2.5 WORK ELEMENT 5 – COST/REVENUE ANALYSIS OF PERMITTING, CONSTRUCTING, AND OPERATING A SOLID WASTE AND RECYCLING/MATERIALS RECOVERY FACILITY IN OCEANSIDE

The above work (work element 3 and 4) will provide information to decision makers on whether there is a need for new infrastructure in the region.

This work element is a feasibility study/cost analysis/revenue analysis of a Solid Waste and Recycling/Materials Recovery facility in Oceanside, including the siting of that facility, and the costs associated with permitting, building, and operating the facility. The study will assess the potential impact of siting a Solid Waste and Recycling/Materials Recovery facility in Oceanside and on the neighboring communities and roadways and will include projections of impacts on rates. Identify any required permits, approvals, etc. that proposed development will require and develop timelines for development. Particular attention should be paid to identifying sites and related costs for potential relocation of existing facilities.

The City expects the consultant to provide an outline or a Table of Contents of the report within its proposal.

Contractor shall submit a draft, draft final, and final version and response to comments (RTCs) in accordance with the schedule given in Attachment B of this SOW.

3.0 REQUIREMENTS FOR SUBMITTAL OF RESPONSES

3.1 The Response shall consist of a transmittal letter and required information as listed below:

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3.1.1 A statement that the signatory is authorized to submit the proposal on behalf of each listed member of the respondent's team.

3.1.2 A statement that the proposal will remain in effect for a minimum of 180 days;

3.1.3 Name and contact information of a single contact person for all correspondence and notifications.

3.1.3 Cost proposal.

3.2 Consultant Team Qualifications.

3.2.1 A listing and resumes of all members of the consultant's study team who will be doing the analysis.

3.2.2 A description of similar studies performed, the clients' names and the dates the analysis was concluded.

3.2.3 A statement that the consultant and its team members do not have a financial interest in waste hauling service providers or relationships with City employees, Commission members, or City Council members.

3.2.4 Proposal must provide Corporate and Personal Resumes of principals including an experience list that demonstrates prior contractual agreement with other municipalities. Consultants must divulge any prior contractual agreements with waste haulers or solid waste facility developers in the past 5 years, and any investments with waste haulers or solid waste facility developers. Consultants must disclose and explain details as to whether they have been involved in litigation or negotiation over any waste facility or waste hauling contract in the last five years.

4.0 TIME AND PLACE FOR SUBMITTAL OF RESPONSES

4.1 The deadline for receipt of Responses shall be 10am, January 14, 2010. Responses received by the City after that date and time will not be considered. **IT IS THE RESPONDENT'S RESPONSIBILITY TO**

ENSURE THAT SUBMITTALS ARE RECEIVED BY THE CITY PRIOR TO THE DEADLINE.

4.2 Each respondent shall submit its proposal in electronic format with a minimum of five (5) copies as well as five (5) bound paper copies and one (1) unbound paper copy to:

City of Oceanside
Attn: Colleen Foster, Management Analyst
4927 Oceanside Blvd.
Oceanside, CA 92056

4.3 Hard copies of responses must be in 8½” by 11” format, double-sided, and minimum of 30% recyclable content paper. The City reserves the right to request additional information during the RFP review period.

All questions or requests for information should be addressed to Colleen Foster at the above address or e-mailed to cfoster@ci.oceanside.ca.us.

5.0 SELECTION CRITERIA

After the conclusion of the proposal acceptance period, the CITY will review all proposals for responsiveness to these Instructions to Respondents and the Proposal Documents. Respondents submitting proposals, which meet the criteria contained in the Instructions to Respondents and the Proposal Documents, may be interviewed by CITY to determine:

- a. Consultant’s qualifications and capabilities to adequately fulfill the requirements of the agreement;
- b. that the Consultant has an accurate, complete and satisfactory understanding of the scope of work and level of acceptable service;
- c. methods of providing services when several different procedures for providing the service would produce acceptable results; and
- d. whether price must be negotiated to meet revised service specifications.

The CITY reserves the right to reject any or all proposals, negotiate each Proposal item and to waive any irregularity of the proposal if doing so serves the public interest.

Cost of all proposals will be considered; however, the contract will not necessarily be awarded to the respondent with the lowest cost proposal.

6.0 CONSULTANT TEAM SELECTION

6.1 The process will be as follows:

- 6.1.1 Issue RFP on or about: December 9, 2009
- 6.1.2 Consultant Responses due: January 14, 2010
- 6.1.3 Interview Consultant teams (see Section 7.4), request clarification, and obtain additional information as needed.
- 6.1.4 Staff recommendation to the Integrated Waste Commission to be followed by City Council recommending selection within 30 days of receipt of proposals for a consultant.
- 6.1.5 Completion of work within 180 days from receipt of authorization to proceed by the City of Oceanside.

7.0 SPECIAL CONDITIONS

7.1 This RFP does not commit the City to procure or award a contract for the scope of work described herein.

7.2 All information submitted in response to this RFP shall become the property of the City, and as such, may be used by the City in any manner.

7.3 The City has sole discretion and reserves the right to reject any and all Responses received with respect to this RFP and to cancel the RFP at any time prior to entering into a formal agreement. The City reserves the right to reasonably request additional information or clarification of information provided in the Response without changing the terms of the RFP.

7.4 The City has sole discretion and reserves the right to interview any respondent and request that respondents make themselves available for meetings and presentations as required. Respondents interviewed are responsible for any costs or expenses incurred by the respondent or any team member thereof as a result of, or arising out of a City initiated interview process.

7.5 The City reserves the right to waive any technicalities or irregularities in any proposal.

7.6 Consultant teams acknowledge and agree that the City will not be liable for any costs, expenses, losses, damages (including damages for loss of anticipated profit), or liabilities incurred by the consultant team or any member thereof as a result of, or arising out of, submitting a proposal, negotiating changes to such proposal, or due to the City's acceptance or non-acceptance of the proposal.

7.7 Neither the City nor any of its officers, agents, consultants, or employees shall be responsible for the accuracy of any information provided as part of this RFP. All respondents are encouraged to independently verify the accuracy of any information provided. The use of any of this information in the preparation of a Response to the RFP is at the sole risk of the respondent.

7.8 The successful proposer will be expected to execute a Professional Services Agreement containing the terms included in the form attached hereto as Attachment D.

SECTION 8.0 – PERFORMANCE MEASUREMENT AND PAYMENT

The Performance Measurement and Payment Summary included herein as Attachment C outlines the performance standards for the work elements and their respective tasks along with the method of assessing the performance and the schedule of payment upon reaching each milestone.

**ATTACHMENT A – EXAMPLES OF TYPES OF SERVICES BEYOND
EXISTING SERVICES THAT THE CITY IS CONSIDERING**

- Automated System
- Pay As You Throw
- Single Container Recycling
- Food Waste and Green Waste Composting
- Sharps Collection
- Construction Debris (CDW) Recycling
- Commercial Recycling
- Multi-family recycling
- Alternative Collection Schedules
- Good Neighbor policy
- Roadway contributions

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	Work Element 2		Work Element 3		Work Element 4		Work Element 5
Week 1	NTP	Commence Recommendations for Contract Services Project Kick-off Mtg	Week 1	Commence Analysis of Capacity	Week 1		Week 1
Week 8		Draft Recommendations for Contract Services	Week 8	Draft Analysis of Capacity	Week 8	Commence MRF Alternative Options	Week 8
		Review & Comment Period End		Review & Comment Period End			
Week 12		Draft Final Recommendations for Contract Services	Week 12	Draft Final Analysis of Capacity	Week 12		Week 12
		Review & Comment Period End		Review & Comment Period End			Commence FS/Cost Analysis
Week 16		Final Recommendations for Contract Services	Week 16	Final Analysis of Capacity	Week 16	Draft MRF Alternative Options	Week 16
						Review & Comment Period End	
Week 20		Commence Hauling RFP	Week 20		Week 20	Draft Final MRF Alternative Options	Week 20
						Review & Comment Period End	Draft FS/Cost Analysis
							Review & Comment Period End
Week 24			Week 24		Week 24	Final MRF Alternative Options	Week 24
							Draft Final FS/Cost Analysis
							Review & Comment Period End
Week 28		Draft Contractor RFP	Week 28		Week 28		Week 28
		Review & Comment Period End					Final FS/Cost Analysis
Week 32		Draft Final Contractor RFP	Week 32		Week 32		Week 32
		Review & Comment Period End					
Week 36		Final Contractor RFP	Week 36		Week 36		Week 36
		Circulate RFP					
Week 40		Receive Proposals	Week 40		Week 40		Week 40
		Evaluate Proposals					
Week 44		Recommendation to City Council	Week 44		Week 44		Week 44
Week 48		Negotiate Franchise Agreement	Week 48		Week 48		Week 48
Week 52		Final Franchise Agreement	Week 52		Week 52		Week 52

ATTACHMENT B: Solid Waste Consultant Deliverables Schedule
(See table above)

ATTACHMENT C: Recommended Fee Schedule

The proposed breakdown Fee Schedule for all deliverables as stated in Attachment B will be as follows:

- Week 12: (Work Element 2, 3, 4 & 5) 40% of total Contract price
- Week 28: (Work Element 2, 3, 4 & 5) 40% of total Contract price
- Week 36: (Work Element 2, 3, 4 & 5) 20% of total Contract Price

Deliverables as identified in Attachment B for weeks 40 to 52 are dependent on additional City approval and therefore are considered to be additive alternatives.