

## City Response to Questions Received from Collection Services RFP Eligible Proposers

October 4, 2012

#	Citation	Page #	Line #	Proposer Question	City Response
1				<p>What is the current revenue for MM&amp;O, RR and disposal services conducted under existing contracts? I think this would be a matter of public record in setting the maximum rate. Specifically, in preparing a response to Oakland's RFP for Zero Waste, it would be extremely helpful if I knew the individual revenues for: Service Group 1, Service Group 2, Service Group 3.</p>	<p>Gross revenue from Oakland ratepayers for franchised solid waste and recycling services in 2011 was \$79,787,094. This includes landfill disposal, all government and franchise fees, and residential recycling contractor payments (\$5,797,865). It does NOT include receipts from commercial recycling or commercial organics collection services, which are not currently franchised. This figure includes receipts from roll-off services that contain construction &amp; demolition services that are currently franchised but will be excluded from the MM&amp;O Contract and regulated in a non-exclusive franchise system. The City is not able to isolate landfill disposal revenues.</p>
2	RFP Tables 2-3 and 2-4			<p>What is the purpose of Table 2-4? It appears to cover MFD garbage service; however, the numbers differ from those represented in Table 2-3. I need correct information in order to estimate revenues and service lifts for purposes of routing.</p>	<p>Table 2-3 shows Container counts, while Table 2-4 shows Customer counts, as indicated in the Tables' titles. A spreadsheet containing account data was provided to eligible proposers on the USB data stick with the RFP on 9/5/12 (Section 7, Attachment 2).</p>

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3	RFP Sec. 3.3.2.3.2	3-20	876	<p>Second, regarding the Request for Proposals for Zero Waste Services, Section 3.3.2.3.2, page 3-20, References, line 876 states that "Proposers must provide a minimum of five (5) governmental clients that the City may contact to conduct a reference check. The proposers must be providing or have provided similar services as requested herein to the municipality within the last five (5) years." Please confirm that if a prospective proposer does not have five governmental franchises/contracts for references that it does not meet the minimum requirements of the RFP. For the record, we regard the impact of this provision, along with other provisions in the RFP, as unreasonably favorable to large, national companies and unreasonably burdensome or exclusionary to smaller companies such as ours.</p>	<p>An eligible proposer who does not have at least one governmental reference would not meet the minimum requirements.</p> <p>a) RFP Section 3.3.2.3.2 is amended as follows "Proposers must provide a minimum of <u>one (1) and up to five (5) governmental clients references</u> that the City may contact to conduct a reference check. The proposer must be providing or have provided similar services as requested herein to <del>the municipality</del> <u>each governmental client reference</u> within the last five (5) years. Proposers must identify the number of Residential and Commercial accounts serviced for each reference, the type of Diversion programs, and the Diversion results for the <del>last</del> <u>most recent</u> three (3) years of each contract."</p> <p>b) RFP Section 4.3.2.3.2 is amended as follows "Proposers must provide a minimum of <u>one (1) and up to five (5) governmental client references</u> that the City may contact to conduct a reference check. The proposer must be providing or have provided similar services as requested herein to <del>the municipality</del> <u>each governmental client reference</u> within the last five (5) years. Proposers must identify the number of Residential and Commercial accounts serviced for each reference, the type of Diversion program, and the Diversion results for the <del>last</del> <u>most recent</u> three (3) years <u>of each contract</u>."</p>
4				<p>The RFP states that the proposer must have a minimum of five government clients providing similar services to municipality within the last five years. Is that a minimum requirement in order for a proposer to bid on a</p>	<p>No, this requirement has been amended to require that each proposer must provide at least one (1) and up to five (5) references. Please see City's full response on Line #3 in this table.</p>

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				contract?	
5	MMO Contract Sec. 7.13.12	30	1275	Section 7.13.12, line 1275 on page 30 of the MM&O Collection Services Contract has a typo. "CONTRACT" should be replaced with "CONTRACTOR"	MM&O Contract Section 7.13.12, line 1275 is amended as follows: "The bill shall indicate that <del>CONTRACT</del> <u>CONTRACTOR</u> has terminated service..."
6	RFP Form 2F	Sec. D	1st line of S. D	Should the description specify that these are Additional "Backyard" cart rates, since that's what lines D2, D4, D6, & D8 say?	Lines D2, D4, D6, and D8 should be deleted. Lines D1, D3, D5, and D7 represent the entire cost for each additional cart. MM&O Collection Form 1F is revised as an attachment to this Addendum.
7	RFP Form 2F	Sec. D	D2, D4, D6, & D8	It appears as if the calculation in these lines is not calculating properly - can this be fixed?	See City response on Line #6 in this table.
8	RFP Form 2F	Sec. D	D2, D4, D6, & D8	It appears as if the description of the calculation in these lines is not correct, i.e., "Lines A6 + B2" -shouldn't it be "Lines A6 + D2" instead of B2? If B or D, per Ques. #2 above, it appears as if the calculation in these cells is only grabbing the line in Sec. D immediately above it.	See City response on Line #6 in this table.
9	RFP Sec. 3.2.5.2	3-23	998	In describing the proposer's Collection Services Operations Plan the RFP states "This <b>must</b> address items as listed above and also include items listed in the following sub-sections 3.3.2.5.2.1 through 3.3.2.5.2.6." Which/where are the relevant "... items as listed above ..."?	RFP Section 3.3.2.5.2. is amended as follows: " <b>Collection Services Operations Plan</b> Proposers shall provide a detailed Collection Services operations plan that presents the specific Collection programs that will be implemented in the City. This may be appended as part of the signed MM&O Collection Services Contract. This <del>must address items as listed above and also include items</del> listed in the following sub-sections 3.3.2.5.2.1 through 3.3.2.5.2.6:"

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10	RFP Sec. 4.3.2.5.2	4-19	2020	In describing the proposer's Collection Services Operations Plan the RFP states "This <b>must</b> address items as listed above and also include items listed in the following sub-sections 4.3.2.5.2.1 through 4.3.2.5.2.6." Which/where are the relevant "... items as listed above ..."?	RFP Section 4.3.2.5.2 is amended as follows: " <b>Collection Services Operations Plan</b> Proposers shall provide a detailed Collection Services operations plan that presents the specific Collection programs that will be implemented in the City. This may be appended as part of the signed RR Collection Services Contract. This must address items <del>as listed above and also include items</del> listed in the following sub-sections 4.3.2.5.2.1 through 4.3.2.5.2.6:"
11	RFP Table 2-1	2-2		<p>a) How many tons of City generated garbage, organics and recycling was collected by the franchisee in 2010 and 2011?</p> <p>b) This information is necessary for proposers to complete 3.3.2.5.3 item 4 line 1094 of the RFP.</p>	<p>a) There are two (2) categories of City-generated tonnage:</p> <p>(1) "City-Generated and Hauled" materials that are <i>delivered to the transfer station by the City</i>. 2010 and 2011 aggregate annual tonnage is represented in Table 2-1. City-Generated and Hauled tonnage is further described in Table 2-1B (Calendar Year Report of City-Generated &amp; Hauled Tonnage) which is attached to this Addendum, and added to the Collection Services RFP as Attachment 1G. Requirements to accept these materials are described in Table 3-2, "City Delivered Material", and in MM&amp;O Contract Section 12.07.</p> <p>(2) Materials that are <i>collected by the franchisee from City Facilities</i>. Requirements to collect these materials are described in Table 3-2 "City Facility Mixed Materials Collection, and Processing or Transfer" and "City Facility Source Separated Organic Materials Collection, and Processing," and in MM&amp;O Contract Section 12.01. City Facilities are collected on</p>

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					<p>commercial routes by the current franchisee. The City does not have information on the tonnage of material collected from City Facilities. Table 2-6 quantifies current service levels and frequencies for these materials. This Addendum adds Attachment 3 (City Facilities with Service Levels) to the Collection Services RFP.</p> <p>b) RFP Section 3.3.2.5.3 Line 1094 is amended as follows:  "4. A table segregated by SFD, MFD, <u>and Commercial,</u> <del>and City</del> services that estimates..."</p>
12	RFP Table 2.1	2.2		Under "City Generated and Hauled" – does this equate to the service provided in Table 2-6 for City Garbage? If not, what does this number represent?	<p>No. The "City Generated and Hauled" tonnage in Table 2-1 is <i>delivered by the City to the transfer station</i>, and subject to the requirements of Table 3-2 "City Delivered Materials" (page 3-4), and MM&amp;O Contract Section 12.07.</p> <p>City-Generated and Hauled tonnage is further described in Table 2-1B (Calendar Year Report of City-Generated &amp; Hauled Tonnage) which is attached to this Addendum, and added to the Collection Services RFP as Attachment 1G.</p> <p>Table 2-6 shows service volume and collection frequency for materials that are <i>collected by the franchisee</i> and subject to the requirements of Table 3-2 "City Facility Mixed Materials Collection, and Processing or Transfer" and "City Facility Source Separated Organic Materials Collection, and Processing" and MM&amp;O Contract Section 12.01.</p>
13				Will there be a list of City Facilities that the contractor is supposed to service at no charge?	Yes. See City response on Line #11 in this table.

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14				Approximately 15,000 tons were generated by the City; those were tons I want you to confirm. Are tons collected by the five or so routes that are City-employee routes for the abatement and blight services?	See City response on Line #11 in this table.
15	RFP Sec. 3.3.2.5.1	3-23		Does the City have a mechanism for insuring cooperation from the incumbent during the transition?	Yes, WMAC Franchise Agreement Section 17.25 and CWS Agreement Section 17.27 provides: <b>"Cooperation with Subsequent Providers.</b> At the expiration of the Term provided for hereunder . . . Contractor, at its own expense, shall cooperate fully with the City, as necessary, to ensure an orderly transition to any and all new service providers . . . "
16				How many City Cans are there currently?	There are 1,338 street litter containers.

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17	RFP Sec. 1	1-3	83	Page 1-3, line 83: States "Street litter Containers purchase, placement, and maintenance" and page 3-4, Table 3-2 states service as "City Street Litter Container maintenance and replacement" and service summary as "Place, maintain and replace Street Litter Containers throughout the Service Area." Please clarify if proposer is to purchase all new, only replacement, or no containers.	As described in MM&O Contract section 12.02, CONTRACTOR will be required to take ownership of the City's street litter Containers on July 1, 2015, maintain those Containers, replace irreparably damaged Containers, provide new Containers as needed, and maintain an adequate Container inventory. There are currently 1,338 street litter Containers in use, including 1,185 Containers owned by CITY, and 153 Containers owned by Clear Channel, the latter placed at bus stops. CONTRACTOR must Collect all containers, but is not required to maintain or replace containers owned by Clear Channel or those that may be placed by a Community Benefit District or Business Improvement District. The Contractor is required to assume maintenance, repair, and replacement activities currently performed by CITY. Annually, the City replaces approximately 25 Containers and 400 liners, and repairs 400 Containers. The approximate on-street inventory of street litter Containers by type includes: 840 concrete aggregate, 260 decorative, 80 Urban Renaissance, 153 Clear Channel, and 6 Big Belly solar compactors. With the exception of the Big Belly containers, street litter containers are approximately 32-gallons capacity. Proposers are free to propose replacement of any and all City street litter Containers or only those that are irreparably damaged.

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18	RFP Sec. 2			For litter containers, please provide locations, size, quantities, and frequency of collection (e.g., multiple times per day).	This Addendum adds Attachment 4 (City Litter Containers) to the Collection Services RFP. As described in MM&O Contract Section 12.02, "This service shall include daily emptying of street litter Containers including liners and enclosures, and removal of debris atop or around Container, on Work days (Monday-Friday), and monitoring and emptying of Containers on Saturday and Sunday, as directed by CITY." More specific information about Saturday and Sunday collection will be provided in a future addendum.
19				With City services and containers there were expected, is there going to be a provision for the amount of replacement that's expected beyond just the maintenance of those City containers? The question is about the capital investment for those. We will specify in a written question.	See City response on Line #17 in this table.
20				a) Will the City be implementing a plan to reduce MM&O materials generated by the City b) by the same target numbers used for the MM&O hauler?	a) The City will work with Contractors to maximize waste reduction and waste diversion. b) This question is moot per the amendment to RFP Section 3.3.2.5.3 in line 11 of this table.
21	RFP Sec. 1	1-4	1690-1740	Page 1-4, line 169-170: States "...or identify that they seek to partner with an eligible proposer ..." Are partners required to attend mandatory meetings?	No.
22	RFP Sec. 2	2-2	Table 2-1	Page 2-2, Please provide Table 2-1 in a monthly or quarterly format for the past two years.	Table 2-1 tonnage data is provided in monthly format in Table 2-1A (Monthly Report of Summary of Franchised Tonnage by Program Type 2010-2011), which is attached to this Addendum, and added to the Collection Services RFP as Attachment 1F.

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23	RFP Sec. 4	4-8	1590	Page 4-8, line 1590 of the RFP: States \$250,000 as the reimbursement costs to the City for the procurement process and Page 26, line 1146 of the Residential Recycling Collection Services Contract: States \$500,000 as the reimbursement costs to the City for the procurement process. Please clarify.	RFP Section 4.1.15.1 is amended as follows: <b>“Reimbursement for the Cost of this Procurement Process</b> The City will require the RR Collection Services Contractor to reimburse the City for the cost of this procurement in the amount of <del>Two Hundred Fifty Thousand Dollars (\$250,000)</del> <u>Five Hundred Thousand Dollars (\$500,000)</u> . This amount will not be exceeded. The reimbursement is a one-time payment due within thirty (30) days after execution of the RR Collection Services Contract award.”
24	RFP Sec. 4	4-16	1879	Page 4-16, line 1879 of the RFP: States contractor must submit a \$1.5 million performance commitment letter and Page 44, line 2248 of the Residential Recycling Collection Services Contract: States \$3 million. Please clarify.	a) Per the City’s response in Collection Services RFP Addendum 2, item 28: RFP Section 4.3.2.1.3. is amended as follows: <b>"Performance Security Commitment Letter</b> In order to propose on Service Group 2 – RR Collection Services, proposers must submit a <del>One Million Five Hundred Thousand Dollars (\$1,500,000)</del> <u>Three Million Dollars (\$3,000,000)</u> Performance Bond Commitment Letter or a letter stating that the proposer will provide a Letter of Credit in accordance with the requirements of Section 24.01 of the RR Collection Services Contract." b) Section 24.01 of the RR Collection Services Contract is accurate.
25				Related to the above, will the CA Public Contract Code sections 4100-4114 (Subcontractor Listing Law) be applicable to subcontractors/contractors providing services in connection with the Hauler proposal to the City?	No. This is not a public works contract.

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26				Is it possible to have when the amendments are revised in the contract it be a redline version, so we can kind of follow the redline version whenever there is changes?	Yes. After the October 10, 2012 final date for proposers to submit questions, the City will issue a complete set of “redline” RFP and contract documents reflecting changes made by addenda, and a complete set of revised fill-in RFP forms and spreadsheets.