

Proposer \_\_\_\_\_

Facility \_\_\_\_\_

## Appendix A - Proposal Forms

October 24, 2014

Proposers must complete all forms and insert them in relevant sections as described in **Chapter V. Proposal Instructions**. Base Proposals must include all completed forms:

**Form 1. Prices**

**Form 2. Facility Volumes and Capacity (*for each facility*)**

**Form 3. City Inclusion Plan**

**Form 4. Principal Staff**

**Form 5. Proposer Commitment**

**Form 6. Surety Intent**

**Form 7. City of Seattle Vendor Questionnaire**

**Form 8. City Non Disclosure Request**

**Alternative Proposals** should include **Form 1** for alternative prices and **Form 2** (*if facilities or expected volumes are different than Base Proposal*).

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## Form 1 Prices

These prices would be in effect for the first year of processing services. The prices should be in dollars per ton received.

### 2015 Processing Prices (\$/ton)

Proposers may provide prices for either 40-60% of contracted recycling tons or for 100% or for both. However, proposers must provide prices for both contract terms for any share of the recycling that they propose.

Contract Term	40-60% of Contract Recycling	100% of Contract Recycling
April 2016 – March 2021 <i>(with extensions to 2026)</i>	\$____/ton	\$____/ton
April 2016 – March 2026	\$____/ton	\$____/ton

Textiles - Increase prices above by \$\_\_\_\_/ton.

*(This is an incremental tip fee increase, if any, on all tons if the City elects to collect bagged textiles in the commingled recyclables.)*

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## Form **43** City of Seattle Inclusion Plan

*Detailed instructions are attached to this form.*

### A. WMBE Subcontracting

**1. Do you anticipate hiring subcontractors to support the proposed work?**

*If so complete the WMBE subcontracting questions 2-5 below.*

- 2. WMBE aspirational goals** – Provide your aspirational goals for WMBE utilization that you intend to achieve during contract performance. The goals should represent a realistic and achievable commitment. The goals do not need to match, and are not expected to match any proposed WMBE Guarantees.

Aspirational goal for participation by woman owned firms.	%
Aspirational goal for participation by minority owned firms.	%
<b>Total</b>	%

- 3. WMBE subcontracting strategies** - Describe strategies you intend to use to achieve your WMBE aspirational goals.
- 4. WMBE past performance** - As evidence of your good faith intentions to achieve your aspirational goals, describe your past subcontracting performance on contracts with similar work. Your response should concentrate on achievement when your effort was voluntary or where you exceeded the regulatory minimum requirement.
- 5. WMBE Guarantees** - This section gives the option to guarantee utilization of certain WMBE firms as evidence of good faith efforts. If you choose to list WMBE firms, you guarantee to the City and WMBE firm they will be used. Describe the Guarantee you are giving (a percentage of total contract value, or a scope of work guaranteed to the firm or similar).

WMBE Business Name	Describe Guarantee

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**B. Diverse Employment**

1. Describe any programs within in your local operations that are uniquely focused on hiring workers with employment barriers, veterans, disabled, the chronically unemployed or low income individuals, or woman and minority (if they are underutilized in your profession). The City expects a substantive and highly integrated program, instead of a standard EEO or Affirmative Action policy.
2. Describe how this commitment would translate directly into placement of such workers to perform the scope of work for this City contract opportunity.

## Form ~~43~~ Inclusion Plan Instructions

WMBE firms include any self-identified or state-certified firm that is at least 51% woman or minority owned (per SMC 20.42). The following may assist bidders: <https://wald1.seattle.gov/dea/registration/> and [http://www.omwbe.wa.gov/certification/certification\\_directory.shtml](http://www.omwbe.wa.gov/certification/certification_directory.shtml)). A WMBE does not need to be self-identified and registered within the **City's Yellow Pages** at time of bid, but must do so before contract execution.

1. When the City places the Inclusion Plan into the solicitation requirements, the "Bidder" must complete and submit this WMBE Inclusion Plan as part of the RFP response. If the form is not completed and submitted as part of the response, the bid will be considered non-responsive.
2. The RFP provides the evaluation scoring matrix, which includes how many points this Inclusion Plan will be given in RFP evaluation. Notes below provide you the context of how points will be considered. The Plan will be evaluated by the City based upon the strength of the good faith efforts to utilize WMBE-owned firms
3. A Prime (i.e. the Bidder, Vendor, the company submitting the proposal) who self-identifies (or is state certified) as a WMBE firm, must complete this form. even if it intends to self-perform.
4. If you are a WMBE Prime and chose to self-perform elements that are eligible for subcontracting (i.e. work that is discretionary, which a prime may chose to self-perform or subcontract) , you may include your self-performance as part of your aspirational goal, and may name your self-performance for such discretionary work within your Guaranteed WMBE utilization.
5. All work identified in the Plan to be performed by a WMBE firm must be a commercially useful function for the contract scope.
6. The City may discuss the Plan with the apparent successful bidder before incorporating into the contract; the Plan may be amended by mutual consent.
7. For phased work, (for example, an IT project), provide responses as thorough as possible given the scope known. If future phases require, the City will review the Plan for mutually-agreed upon updates.

### Aspirational WMBE Goals

1. These goals are a serious commitment the Prime (i.e. Bidder or Proposer) can reasonably and realistically achieve given good faith efforts.
2. These aspirational goals, good faith efforts, progress reports, and collaboration with the City are material to the contract.
3. The Bidder is to provide an Aspirational Goal that is achievable. Failure to achieve the goal itself is not a material breach, but substantial variance below the Aspirational goal volunteered by the Bidder may measure failed good faith efforts, to establish a reasonable goal and/or build an appropriate effort to achieve the aspirational goal.
4. The Aspirational Goal percentage applies to the entire contract cost. If change to the contract requires a modification to the percentage, then the City and Prime will discuss whether a greater or lesser goal is appropriate and modify the Plan.
5. The bidder should enter a total WMBE goal on page 1 where indicated. The City seeks a separate percentage WBE and MBE goal. If the bidder does not provide such goals separately and only gives a total, then the City may seek the two separate percentages after bid opening and rely upon the total

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for scoring. If the Bidder provides a WBE and MBE goal, but does not total the percentage, the City shall total those percentages to become the total.

### **WMBE Guarantee**

1. The Prime has the option to list WMBE firms with whom the Prime commits to contract. This does not need, and is not expected, to equal your aspirational goal on page 1. You may have WMBE firms you can commit at time of bid, but may have other opportunities you are not yet prepared to guarantee.
2. A WMBE Guarantee should be secured with the WMBE firm in advance of listing on the form. The City does not require a signed contract in place with the WMBE.
3. Changes to named WMBE Guarantees:
  - a. A named firm includes any WMBE named in the Inclusion Plan with whom the Bidder would Contract if awarded the Contract.
  - b. Any such WMBE that the Prime wishes to substitute during the course of the project must have City Buyer consent through a change order and a demonstrated "good cause." "Good cause" shall include the following:
    - Failure of the WMBE to execute a written contract after a reasonable period of time.
    - Bankruptcy of the WMBE.
    - Failure of the WMBE to provide the required bond.
    - The WMBE is unable to perform the work because they are debarred, not properly licensed, or in some other way is ineligible to work.
    - Failure of the WMBE to comply with a requirement of law applicable to subcontracting.
    - The death or disability of the WMBE (if the WMBE is an individual)
    - Dissolution of the WMBE (if the WMBE is a corporation or partnership).
    - If there is a series of failures by the WMBE to perform in accordance with previous contracts.
    - Failure or refusal of the WMBE to perform the work.
  - c. If the Prime is making a change to a named WMBE Subcontractor, then the Prime shall use good faith efforts to recruit another WMBE to do the Work.

### **Diverse Employment**

1. Corporate EEO policies and affirmative action policies are not indicative of a unique employment mission.
2. A response is not required, if you have no such program within your company and/or you do not have a unique mission as part of your business purpose.

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### Form **34** Principal Staff

**a) Proposer**

Principal Officers	Title
_____	_____
_____	_____
_____	_____
_____	_____

Principal individuals responsible for implementation under this Proposal  
*(Attach resumes for all listed staff)*

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**b) Partners and subcontractors**

Principal officers	Title	Company
_____	_____	_____
_____	_____	_____

Principal individuals responsible for implementation in Seattle (attach resumes)

_____	_____	_____
_____	_____	_____
_____	_____	_____

***Attach an organization chart or other means of explaining the interrelationships between the team members.***

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incidental to the contract operations as required by and in strict accordance with the applicable provisions of the RFP, its Appendices and all Addenda issued by the City.

I acknowledge receipt of addenda:

Addenda No.

Addenda date

I further warrant that no person or selling agency has been employed or retained to solicit or secure such Contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by \_\_\_\_\_.

\_\_\_\_\_  
(Signature of Proposer)

\_\_\_\_\_  
(Signature of Partner)

[Name]

[Name]

[Title]

[Title]

**Note:** *If this Proposal is being submitted by a corporation, the Proposal shall be executed in the corporate name by the president or other corporate office. A certificate of another officer clerk of the corporation evidencing the signing officer's authority to execute the Proposal shall be attached. If this Proposal is being submitted by a joint venture, it shall be executed by all joint venture Partners, and any partner that is a corporation shall follow the requirements for execution by a corporation as set forth above.*

STATE OF \_\_\_\_\_ }  
                  SS.                    }  
COUNTY OF \_\_\_\_\_ }

On this \_\_\_ day of \_\_\_, 20\_\_\_, before me appeared \_\_\_\_\_, personally known to me to be the person described in and who executed this \_\_\_\_\_ and acknowledged that (she/he) signed the same freely and voluntarily for the uses and purposes therein described. In witness whereof, I have hereunto set my hand and affixed my official seal the day and year last written above.

(seal) \_\_\_\_\_  
Signature  
[Name]  
Notary Public in and for the state of Washington  
Residing at \_\_\_\_\_  
My appointment expires \_\_\_\_\_

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## Form 6 Surety Intent

**TO: CITY OF SEATTLE**

We have reviewed the Proposal of [Contractor] of [Address]

for the following contract:

CITY OF SEATTLE

Recycling Processing

We understand that Proposals will be received until 2:00 pm on December 2, 2014, and wish to advise that should this Proposal be accepted and the Contract awarded to the Contractor listed above, it is our intention to become surety on the Performance bond required by the Contract.

We also hereby declare that we have reviewed this Request for Proposals, including Appendix B, Section 600, and that we understand the requirements for the Performance and Payment Bond that must be provided prior to the beginning of processing services under the Contract. We hereby certify that we are able to, and that we will, provide a qualified Performance Bond should the Contractor listed above be awarded the Contract.

We are duly licensed to do business in the State of Washington.

Dated: \_\_\_\_\_

By: [Name of Surety]

[Name of Signatory]

[Title]

(Seal)

Signature \_\_\_\_\_

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## Form 7 City of Seattle Vendor Questionnaire

Vendor Information	
Vendor's Legal Name	
"Doing Business Name" (dba) if applicable	
Mailing Address	
Contact Person and Title	
Contact Person's Phone Number	
Contact Person's Fax Number	
Contact Person's E-Mail Address	
Washington State Business License # (UBI#)	
Dun & Bradstreet number (if available)	
Identify the City and State of your company headquarters	

Ownership	
Is your firm a subsidiary, parent, holding company, or affiliate of another firm?	
What year was your firm, under the present ownership configuration, founded?	
How many years has your firm been in continuous operation without interruption?	
What year did your firm begin providing, on a continuous basis, the types of services or products that are required from this solicitation?	

Financial Resources and Responsibility	Specify yes or no. If yes, explain.
Within the previous five years has your firm been the debtor of a bankruptcy?	
Is your firm in the process of or in negotiations toward being sold?	
Within the previous five years has your firm been debarred from contracting with any local, state, or federal governmental agency?	
Within the previous five years has your firm been determined to be a non-responsible bidder or proposer for any government contract?	
Within the previous five years has a governmental or private entity terminated your firm's contract prior to contract completion?	
Within the previous five years has your firm used any subcontractor to perform work on a government contract when that subcontractor had been debarred by a governmental agency?	

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<b>Disputes</b>	<b>Specify yes or no.</b> If yes, explain.
<p>Within the previous five years has your firm been the defendant in court on a matter related to any of the following issues:</p> <ul style="list-style-type: none"> <li>• Payment to subcontractors?</li> <li>• Work performance on a contract?</li> </ul>	
Does your firm have outstanding judgments pending against it?	
Within the previous five years, was your firm assessed liquidated damages on a contract?	
Has your firm received notice of and/or in litigation about patent infringement for the product and/or service that your firm is offering to the City?	

<b>Compliance</b>	<b>Specify yes or no.</b> If yes, explain.
Within the previous five years, has your firm or any of its owners, partners, or officers, been assessed penalties or found to have violated any laws, rules, or regulations enforced or administered by a government entity? This does not include owners of stock in your firm if your firm is a publicly traded corporation.	
If a license is required to perform the services sought by this solicitation, within the previous five years has your firm had a license suspended by a licensing agency or been found to have violated licensing laws?	
If Hazardous Materials are an element of the contract, has the Vendor had any violations of improper disposal of such materials or any violation of associated laws, rules or regulations in the previous five years?	

<b>Involvement by Current and Former City Employees</b>	<b>Specify yes or no.</b> If yes, explain
Are any of your company officers or employees a current or former City of Seattle employee or volunteer? If yes, identify the employee name. Advise the employee of their duty to comply with City of Seattle's Code of Ethics, Seattle Municipal Code Chapter 4.16.	
Will any of your vendor employees work more than 1,000 hours (per rolling 12 months) within a City contract, combining the hours for work under this contract and any other? If so, specify the worker name. Advise the worker of their duty to comply with the City of Seattle's Code of Ethics, Seattle Municipal Code Chapter 4.16	
Vendor (including officer, director, employee, trustee, or partner) must not have a business interest or a close family or domestic relationship with any City official, officer or employee who was, is, or will be involved in selection, negotiation,	

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drafting, signing, administration or evaluation of the Vendor performance. Vendor shall notify the City RFP Contact in writing, if known, and the City shall make the sole determination as to compliance.	
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<b>By submittal of this form, the Vendor hereby certifies:</b>	
Vendor is not debarred, suspended, proposed for debarment, or declared ineligible for award of contracts by any Federal agency.	
During the most recent three years, the Vendor has not been convicted of or had a civil judgment rendering against the firm for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a Federal, state or local government, or subcontract; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property, and my firm is not presently indicted for, or otherwise criminally or civilly charged by a Government entity with, commission of any of these offenses.	
Vendor has not paid, nor will pay, Federal appropriated funds (including profit or fee received under a covered Federal transaction), to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress on his or her behalf in connection with this solicitation, the Offeror shall notify the City of Seattle and complete and submit, with its offer, OMB standard form LLL, Disclosure of Lobbying Activities.	
Vendor has not had a governmental or private entity contract terminated prior to contract completion or debarred from bidding, within the last five years.	
Within the previous five years, vendor has not used any subcontractor to perform work on a government contract when that subcontractor had been debarred by a governmental agency.	
Vendor's Offer is valid until the date the City awards a Vendor Contract or rejects all offers;	
Vendor has not, directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of competitive pricing in the preparation and submission of its Offer;	
Vendor shall provide immediate written notice to the City of Seattle if, at any time prior to contract award, the Offeror learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.	
Submittal of this Vendor Questionnaire with your proposal provides authority and certification for your entire submittal.	

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## Form 8. City Non-Disclosure Request

The City's expectations and responsibilities for public disclosure are described in the **Chapter V. Proposal Instructions** of this RFP. If you believe any statements or items you submit to the City as part of this bid/response are exempt from disclosure, you must identify and list them below. You must very clearly and specifically identify each statement or item, and the RCW exemption that applies. If awarded a City contract, the same exemption status will carry forward to the contract records.

The City will **not** exempt materials from disclosure simply because you mark them with a document header or footer, page stamp, or a generic statement that a document is non-disclosable, exempt, confidential, proprietary, or protected. You may not identify the entire page, unless the entire page is within the exemption scope. Only records properly listed on this Form will be protected and withheld for notice. All other records will be considered fully disclosable upon request.

- I do not request any information be withheld.
- I request the following specific information be withheld. I understand that all other information will be considered public information. For each statement or item you intend to withhold, you must fill out every box below. You should not require an entire page withheld; only request the specific portion subject to the exemption.

Document Page: Specify the page number on which the material is located within your submittal package (page number)	Statement: Repeat the text you request to be held as confidential, or attach a redacted version.	RCW Exemption: Specify the RCW exemption including the subheading

For this request to be valid, you must specify the RCW provision or other State or Federal law that designates the documents as exempt from disclosure. For example, potential RCW exemptions include the following:

1. RCW 42.56.230.4 – Personal information - taxpayer
2. RCW 42.56.230.5 – Personal information – Credit card numbers and related
3. RCW 42.56.250 – Employment and licensing ( specify applicable sections)
4. RCW 42.56.260 - Real estate appraisals
5. RCW 42.56.270 (Sections 1 through 22) – Financial, commercial, and proprietary information (specify applicable sections)
6. RCW 42.56.420 – Security (specify applicable sections)