



REQUEST FOR PROPOSAL (RFP)

for

**FOOD WASTE COMPOSTING COLLECTION/PROCESSING
PILOT PROGRAM**

July 2013

The Town of Durham, New Hampshire, is soliciting Proposals and seeking to partner with a qualified company specializing in composting of organics as part of a pilot program in Durham to serve local property owners.

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I. INTRODUCTION.

The Town of Durham, New Hampshire (“Town”) is issuing this Request for Proposal (RFP) soliciting proposals and seeking to partner with a qualified company specializing in composting of organics as part of a pilot program in Durham to serve local property owners. The Town seeks to gather information on the viability of a composting program and to evaluate the effect of such a program on its sustainability goal.

II. QUALIFICATIONS AND BID REQUIREMENTS.

Interested companies should submit qualifications and other material information to demonstrate the following capabilities and provide references:

- a. Prior experience with successful composting/zero waste programs in the New Hampshire Seacoast area, engagement with local communities, and the ability to partner with and educate the community regarding compost/zero waste strategies;
- b. Ability to provide mulch annually to registered program users;
- c. Applicant’s client reference list for contact by the Town;
- d. List of employees to be assigned to the project and professional references for each, along with a demonstrated record of those persons working together on past successful projects;
- e. Fee structure, including separately detailed costs to Town and to pilot program participants;
- f. Ability to market pilot program to Durham residents.

III. REPUTATION AND RESOURCES.

Applicants will provide complete information on experience of key personnel to be involved in the implementation process and references from work on similar projects. Applicants should include a minimum of three references complete with contact information in the Proposal for projects similar to the project described herein. Applicants will submit evidence of previous successful performance in comparable work. A brief description of the projects completed with each reference should be provided.

Please submit any other information that you consider helpful to the Town in evaluating responses to this RFP by electronic copy (flash drive, website, etc.).

IV. SCOPE OF WORK.

Applicants should have ability to serve businesses, schools, and local homeowners throughout the Durham community; specifically:

Education: Provide education to the Town, if required, regarding zero waste and/or the benefits of composting. Ideally, the company will utilize zero waste practices itself.

Residential: Offer curbside residential compost pick up.

Commercial: The company will be asked to train staff of participating businesses, provide a list of what goes in the compost bin, provide a bin, and pick it up on a schedule agreeable to the Town in consultation with the selected company.

Schools: The company may be tasked with cooperating with the local schools in the continuation and expansion of their existing composting program.

Training: Training is an important component to successful zero waste or composting programs. The successful company must offer strategies to provide training for property owners who enroll in the program.

Pick-ups: The successful company should have the capacity to provide daily to bi-weekly pick-up scheduling of composted materials to fit the needs of pilot participants, or as determined appropriate in consultation with the Town.

Ease of Use: The successful program must be designed to be quick and easy for Durham property owners.

Receptacles: The company should provide participants with a bin and a liner in which to place their organics. Company will pick up and leave participants with a new liner and a clean bin. Proposals should include any recurring costs to be part of the program.

Scope: Prior to executing a contract with the selected Applicant, the Town may alter or amend the Scope of Work at its sole discretion. Once a contract is executed, the Scope of Work may be amended only in accordance with the contract documents.

Duration: After evaluations of an initial pilot period, the Town possesses the right to enter into a long-term contract with the successful Applicant.

V. PROPOSAL PREPARATION.

In order to facilitate evaluation of the Proposals, Applicants are instructed to be concise and to follow the outline provided. Proposals that do not follow the outline or do not contain the required information may be considered as unresponsive. Additional detailed information may be annexed to the Proposal.

VI. FORMAT FOR PROPOSALS.

Proposals should include, in order, the following:

- A. Letter of Transmittal;
- B. Executive Summary;
- C. Brief organizational profile, including background and experience of the firm;
- D. Response to Scope of Work (see part III of this RFP); and

- E. Previous project summaries that are similar in scope to the project described herein and that demonstrate pertinent corporate and key personnel experience; listing of the pertinent projects may be included. Please include reference contact information. (The Town reserves the right to contact any references provided herein or otherwise obtained).

Together, Parts B-D should not exceed 5 pages, double sided, single spaced with 12 point type. Part E should not exceed an additional 5 pages. The bidder may provide additional materials electronically by referencing websites or including on DVD, CD, or a flash drive.

VII. SIGNATURE.

The Proposal shall be signed by an official authorized to bind the Proposal and shall contain a statement to the effect that the Proposal is a firm Proposal for a one-hundred-and-twenty (120)-day period from opening. In addition:

- A. If the Applicant is a corporation then the full name of the corporation should be included, together with the names of authorized signatories. The Proposal should be executed by all of the authorized signatories or by one or more of them provided that a copy of the corporate resolution authorizing those persons to execute the Proposal on behalf of the corporation is submitted;
- B. If the Applicant is a partnership or joint venture then the name of the partnership or joint venture and the name of each partner or joint venture should sign personally (or, if one or more person(s) have signing authority for the partnership or joint venture, the partnership or joint venture should provide evidence to the satisfaction of the Regional District that the person(s) signing have signing authority for the partnership or joint venture). If a partner or joint venture is a corporation then such corporation should sign as indicated in subsection (a) above; or
- C. If the Applicant is an individual, including a sole proprietorship, the name of the individual should be included.
- D. The Proposal shall also provide the name, title, address, and telephone number of the individual(s) with authority to contractually bind the company and who may be contacted during the period of Proposal evaluation for the purpose of clarifying submitted information.

VIII. PROPOSAL SUBMISSION.

- A. All responses to this RFP must be received in a sealed envelope and clearly marked **“Request for Proposal: Food Waste Composting Collection/Processing Pilot Program for the Town of Durham.”**

It is the Applicant's sole responsibility to ensure its Proposal is received at the address set out below by the closing time and date. Faxed submissions will NOT be accepted.

- B. Applicants shall submit ten (10) duplicate copies of their qualifications in accordance with this request to: Jennie Berry, Administrative Assistant, 15 Newmarket Road, Durham, New Hampshire 03824. Proposals may also be sent by email to jberry@ci.durham.nh.us to the attention of Todd I. Selig.
- C. Proposals must be received no later than 5:00 p.m. on Friday, August 16, 2013 to be eligible for consideration. Finalist(s) will be invited to review their Proposals in a meeting with the Town Administrator and other representatives of the Town. Questions regarding submissions should be directed to the Town Administrator at 603-868-5578, tselig@ci.durham.nh.us.
- D. Proposals received after the closing date and time indicated above will not be accepted or considered and will be returned upon the company's request and at the company's expense.

IX. APPLICANT'S EXPENSES

Applicants are solely responsible for their own expenses in preparing and submitting Proposals, and for any meetings, negotiations, or discussions with the Town of Durham relating to or arising from this RFP. The Town of Durham and its representatives, agents, consultants and advisors will not be liable to any Applicant for any claims, whether for costs, expenses, losses or damages, or loss of anticipated profits, or for any matter whatsoever, incurred by the Applicant in preparing and submitting a Proposal, or participating in negotiations for a Contract, or other activity related to or arising out of this RFP or in responding to any further request for interviews, additional data, etc.

X. INSURANCE.

Evidence from insurance provider of adequate insurance per the Town of Durham's Purchasing Policy generally described as follows: A. Workmen's Compensation (WC) Part One: (Statutory) & WC Part Two: Employers Liability (Bodily Injury by Accident - \$100,000 each accident, Bodily Injury by Disease - \$100,000 each employee with \$300,000 policy limit; General Liability (\$1,000,000 per occurrence, \$2,000,000 policy aggregate); Auto liability CSL (CSL Liability and Property Damage - \$1,000,000 per accident) and Uninsured Motorists (\$1,000,000 per accident); and Professional Liability (\$1,000,000 per claim). In addition, a performance bond for the total project may be required depending upon the type of project. A letter of credit may be substituted for the performance bond upon approval by the Town Administrator.

XI. NO CONTRACT

By submitting a Proposal and participating in the process as outlined in this RFP, Applicants expressly agree that no contract of any kind is formed under, or arises from, this RFP, prior to the signing of a formal written Contract.

XII. REVISIONS TO THE REQUEST FOR PROPOSALS.

If it becomes necessary to revise any part of this RFP, an addendum will be sent to all those who received the original document.

XIII. NATURE OF PROPOSAL AND ELIGIBILITY.

The determination of whether a Proposal may be withdrawn is solely at the discretion of the Town Administrator. However, in no event shall a Proposal be withdrawn unless (a) the request for withdrawal is filed within five (5) days of the date of the opening and (b) the Applicant establishes that the RFP contains a material mistake and the mistake occurred despite the exercise of reasonable care.

XIV. RIGHT TO REJECT PROPOSALS AND WAIVE INFORMALITIES.

The Town reserves the right to reject any or all Proposals for any reason, to waive any nonmaterial irregularities or information in any Proposal, and to accept or reject any item or combination of items.

XV. WAIVER OF DEFICIENCIES

If a Proposal does not satisfy every Town of Durham request or requirement as described in this RFP, the Town of Durham may, in its sole discretion, waive such deficiency and consider such Proposal in the evaluation of Proposals.

XVI. PROPOSAL EVALUATION AND SELECTION.

The Town will evaluate each Proposal based on the documentation requested herein, using criteria that includes, but is not necessarily limited to or in the order of, the following:

- A. The Proposal's responsiveness to the RFP (format, capabilities, approach, clarity, etc.);
- B. How well the Proposal matches the needs of the Town of Durham;
- C. The qualifications and experience of personnel committed to the project. Once the best Proposal(s) have been identified, Town staff will contact and schedule interviews with selected firm(s). The Town reserves the right to hold additional interviews with firms to discuss terms and to negotiate, if applicable, the price and terms with prospective firms prior to making a final determination relative to Proposals received; and
- D. Applicants will be deemed to have carefully examined the RFP, including all attached Schedules and all relevant documents, prior to preparing and submitting a Proposal with respect to any and all facts which may influence a Proposal.

XVII. NEGOTIATION OF CONTRACT AND AWARD

If the Town of Durham selects a preferred Applicant or Applicants, then it may:

- A. Enter into a Contract with the Preferred Applicant(s); or
- B. Enter into discussions with the Preferred Applicant(s) to clarify any outstanding issues and attempt to finalize the terms of the Contract(s), including financial terms. If discussions are successful, the Town of Durham and the Preferred Applicant(s) will finalize the Contract(s); or
- C. If at any time the Town of Durham reasonably forms the opinion that a mutually acceptable agreement is not likely to be reached within a reasonable time, give the Preferred Applicant(s) written notice to terminate discussions, in which event the Town of Durham may then either open discussions with another Applicant or terminate this RFP and retain or obtain the services in some other manner.

XVIII. MISCELLANEOUS.

The selection of an Applicant does not obligate the Town to enter into a contract, provided, however, that any contract entered into between the Town and a selected candidate shall be in a form entirely satisfactory to the Town in its sole discretion. The Town reserves the right in the sole discretion of the Town administration to accept or reject any candidate on the basis of the qualifications submitted and to exercise its judgment in evaluating qualifications. The Town reserves the right in its sole discretion to request additional information from any candidate.

Applicants acknowledge that the Town is a public entity, and any requests or agreements to maintain confidentiality of any proprietary information shall be limited to the extent required by public records and preservation laws.