



**REQUEST FOR PROPOSALS FOR
DISPOSAL SERVICES OF ASH RESIDUE AND
OTHER MUNICIPAL SOLID WASTE**

July 29, 2010

**Deadline for the Submission of Proposals -
September 14, 2010 At 4:00 PM**

**ONONDAGA COUNTY RESOURCE RECOVERY AGENCY
100 Elwood Davis Road
North Syracuse, NY 13212-4312**

**Telephone: 315-453-2866
Fax: 315-453-2872**

www.ocrra.org

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REQUEST FOR PROPOSALS FOR DISPOSAL SERVICES OF ASH RESIDUE AND OTHER MUNICIPAL SOLID WASTE

SECTION 1

BACKGROUND INFORMATION

1.1 THE AGENCY

The Onondaga County Resource Recovery Agency (the "Agency" or "OCRRA") is a New York Public Benefit Corporation created by Public Authorities Law, Title 13B, for the public purpose of assisting in the planning, development, construction, operation and maintenance of solid waste facilities. OCRRA is empowered to receive, transport, process, dispose of, sell, store, convey, recycle and deal with, in any lawful way, solid waste. OCRRA is also empowered to contract with municipalities, public corporations, or persons for solid waste services.

1.2 THE OCRRA SERVICE TERRITORY

OCRRA's service territory Onondaga County is located in the center of New York State and encompasses 810 square miles of land. Approximately 461,000 people reside in OCRRA's 33-member municipalities. The largest single municipality is the City of Syracuse with a population of approximately 160,000.

1.3 GENERAL PURPOSE OF THIS RFP

OCRRA anticipates the need for disposal services beginning June 1, 2011, primarily for the disposal of ash residues from the waste-to-energy facility. The ash is tested semi-annually; those test results consistently and unfailingly show the ash residue is non-hazardous and in compliance with all state and federal regulations. Test data on the ash residue is published in OCRRA's annual reports and annual waste-to-energy reports found on its web site, via this link to the reports page: http://www.ocrra.org/about_annual_reports.asp. A second category of disposal needs is for municipal solid waste (MSW) that is not processed through the waste-to-energy facility, so called by-pass waste. Such solid waste is typically construction and demolition debris that is non-recyclable and not processed at the waste-to-energy facility. Finally, although the typical tonnage of the unprocessed MSW by-pass material is 15,000 to 25,000 tons per year, OCRRA wishes to secure adequate capacity to dispose of up to 340,000 tons of waste per year in the event of the unavailability of capacity at the waste-to-energy facility.

Disposal requirements for ash residue are anticipated to be in the range of 70,000 to 95,000 tons per year. The by-pass municipal solid waste requiring disposal (typically construction and demolition debris) is anticipated to be in the range of 15,000 to 25,000 tons per year. OCRRA is seeking proposals for the disposal of these materials through a four year base period and several option periods beyond the four year base term. During the base term, OCRRA desires to have capacity available for 340,000 tons of waste per year in the unlikely event of an upset condition at the waste-to-energy plant. In the option years, OCRRA may be in a circumstance that requires sending all municipal solid waste to the landfill disposal facility, and proposals for the option term should reflect the 340,000 ton per year disposal needs.

1.4 OCRRA FACILITIES

The Waste-to-Energy Facility is located in the Town of Onondaga between Rock Cut Road and N.Y.S. Route 481. Ash is stored on-site in the Ash Handling Building. Ash is loaded on transport vehicles within this building. Ash is weighed prior to leaving the Waste-to-Energy Facility site.

The Ley Creek Transfer Station is located north of the City of Syracuse, off of Seventh North Street, in the Town of Salina. This station includes a scale house and two separate weigh scales to record in-coming and out-going weights. This transfer station is utilized for multiple purposes, including as a construction and demolition debris receiving and processing station, and as a residential recycling and MSW drop-off location. The Rock Cut Road Transfer Station is located across the street from the Waste-to-Energy Facility in the Town of Onondaga.

1.5 PROJECT REVIEW TEAM

The Agency has assembled a Project Team to assist it in a review of proposals and related contracts. The Agency reserves the right, at its discretion, to modify the project team membership, size and other characteristics as it deems necessary. The Onondaga County Resource Recovery Agency Board of Directors will be responsible to authorize decisions regarding the selection of the final contractor(s). In accordance with New York State Law, Proposers shall not lobby or contact members of the Project Team or the OCRRA Board. All contacts or questions regarding the Request for Proposals shall be maintained only through the designated contact person, all as further described in this document.

1.6 PROJECT TIME LINE

July 29, 2010	Issuance of RFP
August 19, 2010	Deadline for Questions regarding the RFP, faxed to OCRRA's designated contact person
September 2, 2010	OCRRA provides response to all questions submitted to the designated contact person regarding RFP via posting on its web site, www.ocrra.org

September 14, 2010

Deadline for the Submission of Proposals - 4:00 PM

Through October 2010	OCRRA review of proposals and negotiations with potential vendors
November 17, 2010	OCRRA Operations Committee Considers and Reviews various proposals and staff review of proposals
December 8, 2010	OCRRA Board of Directors Authorizes Disposal Contract Terms and its Finalization
January 2011	Contract completed and Executed by the Parties
June 1, 2011	Services under the Disposal agreement Begin

OCRRA reserves the right to modify this schedule as it deems necessary.

1.7 OCRRA POLICIES

OCRRA has developed broad policies that will be utilized in its procurement of disposal services considerations, including:

- A. Municipal Waste and Derivatives:
The Agency will only deliver for disposal municipal solid waste, construction and demolition debris, and ash from the processing of these items and other materials considered MSW by New York State law and regulation. OCRRA will not knowingly process hazardous, designated recyclables, or other wastes which are not compatible with municipal solid waste through this proposed contract.
- B. No Recycling Interference:
OCRRA will not enter disposal service contracts that would require the delivery of recyclables or that would, in any way, impede the full implementation of its Comprehensive Recycling Plan for Onondaga County.
- C. No Ownership of Facilities:
The Agency does not desire to become a part or full owner of a disposal or ash processing facility. Its interest is limited to the procurement of disposal or related services only.
- D. Length of Service:
The Agency is seeking disposal services for a **4**-year period (June 1, 2011 - May 31, 2015). The Agency also seeks a contract right to extend such an agreement with a series of one-year disposal options for up to **5** additional years. The Agency reserves the right during each option term to terminate such services upon 90 days notice.
- E. Environmental Security:
The Agency will require a review of the proposer's compliance with all applicable federal and state regulations, past performance, and on-site investigation by Agency Team prior to contract signing.
- F. Transfer Services (Option):
During the base 4-year term of the Services, OCRRA reasonably expects to provide all ash, MSW, and C&D handling and transportation services to and from the Proposer's disposal (processing) location. In the 5 one-year extension option periods, OCRRA is requesting receiving proposal responses that separately consider both MSW disposal only, and MSW transportation and disposal (T&D) services.
- G. Alternative Approaches:
While the Agency anticipates that proposals will be for the provision of landfill disposal services, alternatives will be considered, inclusive of the proposed use of the ash residue as an alternative daily cover (ADC) material, or the processing of the ash residue such that the resulting material can be beneficially reused in another manner. OCRRA's Waste-to-Energy ash residue has previously been utilized as Comparable Structural Fill and as Alternative Daily Cover, both within landfill settings. Alternatives will be considered on the basis of criteria generally described in Appendix 1, and responses

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setting forth ash disposal prices for such uses provided to information requested in section 2.8.

- H. Minority and Women-Owned Business Enterprises:
OCRRA has a Policy to encourage the support of contracts with minority, women-owned, and small businesses. Please indicate whether your firm has specific objectives in connection with supporting Minority/Women Owned Business Enterprises (M/WOBE), and, if so, how such objectives will be incorporated into this project.
- I. Inquiries and Contact Person: All inquiries or contacts during the procurement period shall be directed to Ms. Rusty Hunt, via fax (315) 453-2872. Questions related to this proposal shall be submitted to Ms. Hunt via fax, and only via fax, on or before 4:00 PM August 19, 2010. All these questions, and OCRRA's answers, will be posted on the Procurements page of OCRRA's web site http://www.ocrra.org/about_procurements.asp - on September 2, 2010 - in order to enable all potential proposers a fair and equal opportunity to respond to this RFP. Interested parties and their agents and representatives are directed not to contact, or lobby, members of the Board of Directors of OCRRA or any other OCRRA staff members regarding this RFP; reference the document entitled Important State Finance Law Procurement Compliance Provisions, found later in this Request for Proposals for all contact information provisions.

SECTION 2

INSTRUCTIONS TO RESPONDENTS

2.1 ADDRESSED TO:

Proposals must be enclosed in a sealed envelope, plainly marked as:
'PROPOSALS – LANDFILL DISPOSAL SERVICES', and addressed as follows:

Ms. Rusty Hunt
CONTACT PERSON
Onondaga County Resource Recovery Agency
100 Elwood Davis Road
North Syracuse, NY 13212

2.2 DEADLINE DATES:

Receipt of **questions** related to this RFP must be no later than **4:00 p.m. on August 19, 2010**. All questions must be submitted to the designated contact person, Ms. Rusty Hunt, and *only via FAX* at 315-453-2872.

All Proposals must be submitted no later than 4:00 p.m. on September 14, 2010, in sealed envelopes and to the address listed above in section 2.1 above.

2.3 COSTS TO RESPOND:

The proposer is responsible for all costs associated with the preparation of responses to this request for proposals. None of these costs will be the responsibility of the Agency.

2.4 SUBMITTAL COPIES:

Proposer shall **submit three (3) copies** of the cover letter and all required forms in a sealed envelope referenced in 2.1 above. Under separate cover, package and seal three (3) copies of other materials that the Proposer desires as supporting documents.

2.5 CONFIDENTIALITY:

All submittals to the Agency will be subject to the New York State Freedom of Information Law (Public Officer's law, Article 6, Section 84-90). If any information disclosure would cause substantial injury to a competitive position or constitute a trade secret or proprietary information, the proposer must complete Form C. However, the Agency assumes no responsibility for any disclosure or use of data submitted. The Agency does anticipate deferring public disclosure of proposal details for the successful proposer to facilitate the Agency's ability to enter into contract negotiations with one or more proposers.

Proposers are urged to only designate as confidential those materials that, in proposer's opinion, clearly represent proprietary information or trade secrets.

2.6 COVER LETTER:

The submittal must include a cover letter summarizing the key financial, technical and environmental considerations being offered. The cover letter should, at a minimum, include:

- ✓ Description of facility(s) offered in terms of location, distance from OCRRA's waste-to-energy facility, access, capacity, and environmental design/operation systems (please include map).
- ✓ Statement that the proposal will not be withdrawn or altered for a period of 180 days from the September 14, 2010 deadline.
- ✓ Description of the Proposer's owners, principals, and management including telephone and email contact information.
- ✓ Commitment of Proposer to carry out all provisions of the proposal if selected by the Agency.
- ✓ An officer, principal, or partner empowered to sign such material must do so and commit to the obligations contained in the proposal.
- ✓ Statement that all information in the entire submittal, including all forms and supplemental submittals, are included and are accurate and factual.
- ✓ Designation of the individual authorized to negotiate a contract with the Agency.

2.7 REQUIRED FORMS AND ATTACHMENTS:

All proposal submittals must include fully completed forms, as listed below, which where required must be signed by a duly authorized officer, or employee, and incorporated into the Proposal:

Form A	Cost Proposal
Form B	Performance Information & Performance Guarantee
Form C	Confidentiality Notice
Form D	Business Information Form
Form E	State Finance Law Disclosure Form
Form F	Conflict of Interest Affidavit
Form G	Certificate of Non-Collusion

The Agency also seeks the following supplemental information to be attached to all responses to this RFP:

ATTACHMENT 1:	Current Facility Licenses, Permits & Certifications (as applicable)
ATTACHMENT 2:	Schedule Of Insurance (Liability, Automobile, Pollution) with dates and limits of coverage
ATTACHMENT 3:	List of Affiliated Corporations, Sub Contractors

The Agency also reserves the right to request a stockholder list for a closely held corporation.

Proposers may, at their discretion, submit other materials for Agency consideration.

2.8 ALTERNATIVE APPROACHES:

OCRRA will consider proposals which provide a viable, technologically proven, and environmentally safe ash reuse process. Proposals for the beneficial use, or reuse, of the Ash Residue shall include the furnishing of all facilities, labor, material, and equipment to effect such activity. Those proposing beneficial use of the ash must provide information concerning the following:

A. Processing Procedures:

Describe, at a minimum, the proposed procedure.

B. Proposed Uses:

Describe, as specifically as possible, the proposed beneficial uses of the ash.

C. Regulatory Requirements:

Provide a list of all permits and other regulatory approvals necessary to implement the proposed ash processing.

Demonstrate that the proposed alternative will be in compliance with all applicable rules, regulations, and permitting requirements.

D. Current Operations:

Describe experience in processing municipal waste combustion ash for beneficial use. Provide information on the receiving hours for waste disposal. Provide information on turnaround times that will be afforded at the disposal facility, from entry at the landfill, through unloading and scale out.

E. Project Timeframe:

Describe the proposed timeframe for project implementation, inclusive of environmental regulatory review, testing, facility construction (if any) and acceptance, and start of initial operations for ash residue reuse if the term is not identical to the proposed contract start date of June 1, 2011.

SECTION 3

SELECTION AND EVALUATION PROCESS

3.1 GENERAL:

The evaluation and selection process will be based upon a review of all submittals, site investigation, interviews and the use of independent sources of information. Minimum qualifications will be evaluated as shown in Appendix 1 (Please note that the appendix provided herein that outlines OCRRA's evaluation process is for general information purposes only).

OCRRA specifically reserves the right to reject any and all proposals, in its sole discretion, or to waive any informality in proposals received. The Agency also reserves the right to provide addendums to the RFP which may include a request for additional information.

3.2 EVALUATION CRITERIA:

The Agency intends to select the Proposal which is deemed most advantageous to the Agency in its sole discretion, and reserves the right not to select any Proposal. In reaching this determination, the Agency shall consider, without limitation, such factors as disposal cost, transportation costs, environmental performance, other logistic or operational costs, and considerations associated with coordinating OCRRA's own operations with the disposal Proposal, the information contained in all of the Proposal Forms, and the criteria stated in Appendix 1. Proposers should be aware that while costs will be a significant factor in the Agency's determination, the Agency specifically reserves the right to select other than the lowest disposal cost proposal, if the Agency determines that such other proposal, on the basis of all costs and operational factors considered, is most advantageous to OCRRA.

3.3 PREFERRED VENDORS:

The Agency will review all submittals, may conduct interviews, may request additional clarifications or new information, may solicit independent evaluations, or conduct other investigation efforts deemed necessary.

The Agency may, in its sole discretion, defer public announcement of proposals to facilitate the Agency's ability to enter into contract negotiation with one or more proposers. Furthermore, the Agency may, in its sole discretion, discontinue discussions with a preferred vendor, name an alternate preferred vendor, or terminate this procurement at any time.

3.4 FINAL SELECTION:

Subsequent to contract negotiations relative to all terms, conditions and language necessary, the Agency Board of Directors will make the final decision regarding selection and authorization for contract signing.

FORM A
COST PROPOSAL

Proposer Name: _____
 Address: _____

 Business Telephone: _____
 Fax: _____
 Authorized Agent: _____

Time Frame	Per Ton Disposal Charge <small>Include all applicable surcharges, fees, taxes from Legislation, Regulation, or Programs of State, Federal, County, or Host Municipalities</small>	
	Ash	Other MSW
June 1, 2011 to May 31, 2012 (a)		
June 1, 2012 to May 31, 2013 (a)		
June 1, 2013 to May 31, 2014 (a)		
June 1, 2014 to May 31, 2015 (a)		
June 1, 2015 to May 31, 2016 (b)		
June 1, 2016 to May 31, 2017 (b)		
June 1, 2017 to May 31, 2018 (b)		
June 1, 2018 to May 31, 2019 (b)		
June 1, 2019 to May 31, 2020 (b)		

- (a) 4-year minimum contract period
- (b) Five (5) one-year extension options subject to the Agency's right to terminate such services with 90 days prior written notice.

Other charges, if any: _____

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T&D OPTION – OCRRA is interested in obtaining proposal pricing to complement various scenarios related to waste-to-energy.

Time Frame	Per Ton <u>Transportation And Disposal</u> Charge Include all applicable surcharges, fees, taxes, tolls, and costs for disposal and transportation to disposal site	
	Ash up to 85,000 tpy	MSW up to 340,000 tpy
June 1, 2015 to May 31, 2016 (b)		
June 1, 2016 to May 31, 2017 (b)		
June 1, 2017 to May 31, 2018 (b)		
June 1, 2018 to May 31, 2019 (b)		
June 1, 2019 to May 31, 2020 (b)		

FORM B - Part I

PERFORMANCE INFORMATION

1. **GUARANTEED WASTE ACCEPTANCE CAPACITY:**

This proposer will accept and has adequate capacity to accept all ash and by-pass municipal solid waste from the Onondaga County Resource Recovery Agency for the following periods. This capacity assurance should also include capacity information for up to 340,000 tons of MSW per year in the unlikely event of an upset condition at the waste-to-energy facility, or if OCRRA elects to use landfill disposal in lieu of waste-to-energy after May 2015. (answer as yes, no, not applicable or don't know):

TIME PERIOD	ASH RESIDUE @ 70,000 to 95,000 TPY (answer as yes, no, not applicable or don't know):	TYPICAL MSW @ 15,000 to 25,000 TPY (answer as yes, no, not applicable or don't know):	All MSW up to 340,000 TPY (answer as yes, no, not applicable or don't know)
4-YEAR BASE CONTRACT TERM June 1, 2011 to May 31, 2015			
1 st year extension option June 1, 2015 to May 31, 2016			
2 nd year extension option June 1, 2016 to May 31, 2017			
3 rd year extension option June 1, 2017 to May 31, 2018			
4 th year extension option June 1, 2018 to May 31, 2019			
5 TH year extension option June 1, 2019 to May 31, 2020			

2. **Permit and Facility Information:**

Please provide the following information regarding the intended disposal facility:

- Facility Name, physical address, site telephone number, and facility website address.
- Facility NY DEC Solid Waste Permit ID Number (or similar Regulatory Agency if facility is located in another state) and web link, if available, to the website where the permit may be accessed.
- 2008 and 2009 Waste Quantity Received in Tons per Year (TPY)
- Existing Annual Solid Waste Permit Limit (TPY)
- Existing and Entitled Capacity Under Permit (Tons)
- Proposed Capacity Not Under Permit (Tons)
- Copy of the most recent Solid Waste Management Facility Inspection Report Issued by the NYDEC (or similar regulatory agency if facility is located in another state)

- Standard Site Rules for Disposal Customers using the facility, including any Special Disposal Limitations or Provisions. Also include information on disposal hours, holidays, Saturday deliveries, etc.
- Provide typical turnaround times for both ash (10 wheel) dump trucks, and for walking floor (18 wheel) tractor trailers, (please provide as 'all in' turnaround time: from entry at the landfill, through the scales, to the working face, scale out, and exit). Describe any special provisions or opportunities to minimize delays at the disposal site.
- Provide two hauler references (including contact name, and company contact information) who may be contacted to provide verification of turn-around times (described above) and reference information on site conditions, condition of site roadways, site traffic and tipping face management during inclement weather events.
- Provide a summary of the various permitted Beneficial Use Determinations and permitted Alternative Daily Cover materials currently accepted at the facility.
- Provide a summary of Minority and Women-Owned Business Enterprise plan and objectives, if any, for the facility.
- Provide a summary of Financial Assurance Criteria (§360-2.19) required by the NYSDEC (or similar regulatory authority in other states) for the Closure and Post Closure of the disposal facility. Provide a summary of the financial assurances and funds in place with respect to these disposal facility responsibilities.

FORM B - Part II

PERFORMANCE GUARANTEES

In connection with the Facility Permit and Performance Information requested above, the Proposer is prepared to provide the following financial assurances in acceptance of OCRRA's final contract for services:

1. In the event that the Proposer is unable to accept the ash or MSW quantities delivered by or on behalf of the Agency, the Proposer will pay the Agency for any additional expense the Agency incurs in connection with the transportation and disposal of waste to alternate facilities.
2. The Proposer will operate the facility(s) in accordance with the requirements of applicable law and regulations for the term of the agreement with the Agency, at the sole expense of the Proposer.
3. An Event of Default by the Proposer will result in a termination of the Contract by the Agency, and the payment of liquidated damages by the Proposer to the Agency in an amount equal to at least three months of service as set forth in the Contract with the Agency.

Proposer Firm Name: _____

Signature of Authorized Official: _____

Name (typed): _____

Title: _____

Date: _____

FORM C

CONFIDENTIALITY NOTICE

The data on page (s) _____

of this proposal or marked along the margin with a vertical red line, contain technical or financial information which the proposer considers proprietary information or trade secrets whose disclosure could cause substantial injury to the Proposer's competitive positions. The Proposer request that such data be used only for the evaluation of the proposal, but understands that such data may otherwise be disclosed to the extent that the Agency determines is necessary or proper for compliance with any law, order or decree of any court or agency of competent jurisdiction, or necessary or proper in the Agency's view to show compliance by the Agency with any law, order or decree of any court or agency of competent jurisdiction.

NOTE: PROPOSER IS URGED TO ONLY DISIGNATE AS CONFIDENTIAL THOSE MATERIALS WHICH, IN ITS OPINION, CLEARLY REPRESENT PROPRIETARY INFORMATION OR TRADE SECRETS.

Proposer
Signature of Authorized Official

Date

**FORM D
 BUSINESS INFORMATION FORM**

1.	Name Of Firm:	
2.	Address:	
3.	Contact Person:	
4.	Phone Number:	
5.	Fax Number:	
6.	Check All Appropriate:	
	<input type="checkbox"/> Municipally Owned and Operated	
	<input type="checkbox"/> Closely Held Corporation - State of Incorporation: _____	
	<input type="checkbox"/> Publicly Held Corporation- State of Incorporation: _____	
	<input type="checkbox"/> Proprietorship - Name of Proprietor: _____	
	<input type="checkbox"/> Partnership - List of Principal Partners: _____	

7.	Years in Business:	
	.	
	.	
8.	Describe the Firm's Waste Disposal Experience:	
9.	Average Tons of Waste Handled Each Day:	
10.	Chief Executive/Operating Officer:	
	Address:	
	Phone Number:	
	Fax Number:	

Form E
Important State Finance Law Procurement Compliance Provisions

OCRRA Procurement regarding: Request For Proposals For Disposal Services

OCRRA Designated Procurement Contact Person(s): Rusty Hunt

OCRRA conducts its procurements to provide all vendors with an opportunity to compete fairly to maximize competition. New York State has enacted provisions in its State Finance Law, applicable to any contract over \$15,000.00, which further promotes fair competition. This law now requires that all communications i.e. “contacts” with the Agency regarding this procurement, after the Request to Bid, Request for Proposals, or Request for Quotes go out, must be through a designated OCRRA Procurement Contact Person. Our Designated Procurement Contact Person is listed above. All contacts by potential vendors should be through the Designated Procurement Contact Person and NO ONE ELSE! All such contacts will be recorded by the Designated Procurement Contact Person and any responding information given to a potential vendor will also be shared with all potential vendors, so no one has a competitive advantage. As a potential vendor on this procurement, you will need to fill in the Permissible Contacts Affirmation form, attached, and submit it with your bid/proposal/quote. You will also need to fill in the other part of this two-page form that advises OCRRA of any Non-Responsibility Determinations under this law. If you fail to comply with the above Procurement contacts restrictions or you submit knowingly false, inaccurate or incomplete information, or you violate our OCRRA Ethics Code, you may be found to be a “Non-Responsible” vendor. This can result in a rejection of your firm for contract award, a cancellation of the contract, if later discovered (the Contract will include a cancellation provision for such a contingency), and in the event of two such findings in a four-year period, debarment from obtaining any further OCRRA procurement contract for a period of four years from the time of the second violation.

Please be sure to familiarize yourself with these new legal provisions, fill out the attached forms, and contact only the Designated Procurement Contact Person during the procurement process. This will promote fair competition on this procurement and will not disqualify your firm from a potential OCRRA contract award.

**Disclosure to OCRRA During Procurement Process of
Prior Non-Responsibility Determinations**

OCRRA Procurement regarding: Request For Proposals For Disposal Services

OCRRA Designated Procurement Contact Person: Ms. Rusty Hunt

OCRRA conducts its procurements to maximize competition and provide all vendors with an opportunity to compete fairly. New York law now provides that, for any procurement over \$15,000.00, all potential vendors must disclose whether a governmental entity in New York has made a finding of “Non-Responsibility.” “Non-Responsibility” is defined in State Finance Law Section 139-j and can include failure of a potential bidder/proposer/quoter to timely disclose truthful, accurate, or complete information that may allow OCRRA to make a determination as to its “responsibility” relative to this procurement, as well as unauthorized procurement contacts (including contacts to someone other than the designated procurement contact) and ethics code violations. In order to qualify for consideration on this procurement, the bidder/proposer/quoter must complete and sign the following form.

FORM E (continued)

Name and Address of Bidder/Proposer/Quoter Seeking to Enter into the Procurement Contract with OCRRA: _____

Name, Title, and Phone Number of Person Submitting this Form: _____

Has any Governmental Entity in New York made a finding of Non-Responsibility regarding the bidder/proposer/quoter seeking to enter into the Procurement Contract in the previous four years? (Please circle):

No

Yes

If you answered yes to the above question, please provide details regarding the finding of Non-Responsibility below.

New York Governmental Entity: _____

Date of Finding of Non-Responsibility: _____

Basis of Finding of Non-Responsibility: _____

Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named bidders/proposers/quoters after a finding of intentional provision of false or incomplete information? (Please circle):

No

Yes

If yes, please provide details below.

New York Governmental Entity: _____

Date of Termination or Withholding of Contract: _____

Basis of Termination or Withholding: _____

Bidder/proposer/quoter certifies that all information provided to OCRRA above with respect to State Finance Law §139-k is complete, true, and accurate.

By: _____ Date: _____

Signature _____

FORM E (continued)

PERMISSIBLE CONTACTS AFFIRMATION

As a potential bidder/proposer/quoter on an OCRRA solicitation where the contract amount may exceed \$15,000.00, I recognize that once the solicitation issues, New York law requires that all contacts with OCRRA regarding that procurement must be through the designated OCRRA Procurement Contact Person and no one else. On behalf of my client as a potential bidder/proposer/quoter, I affirm that my client understands and agrees to comply with the procedures of the Onondaga County Resource Recovery Agency relative to permissible contacts as required by New York State Finance Law §139-j (3) and §139-j (6) (b). This form must be submitted with the bid, proposal, or quote.

OCRRA Designated Procurement Contact Person: _____

Vendor Signature

Print Signer's Name

Vendor Title: _____

Date: _____

Vendor Name: _____

Vendor Address: _____

FORM G

CERTIFICATE OF NON-COLLUSION

Non-Collusive Certifications required of all bidders/proposers/quoters under Section 103-d of the General Municipal Law as amended by Chapter 751 of the Laws of 1965 and Chapter 675 of the Laws of 1966 effective September 1, 1966, is as follows:

By submission of this bid/proposal/quote, the bidder/proposer/quoter and each person signing on behalf of the bidder/proposer/quoter certifies, and in the case of a joint bid/proposal/quote each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

(1) The prices in this bid/proposal/quote have been arrived at independently without collusion, consultation, communications, or agreement for the purpose of restricting competition, as to any matter relating to such prices with any other bidder/proposer/quoter or with any competitor.

(2) Unless otherwise required by law, the prices which have been quoted in this bid/proposal/quote have not been knowingly disclosed by the bidder/proposer/quoter and will not knowingly be disclosed by the bidder/proposer/quoter prior to opening, directly or indirectly, to any other bidder/proposer/quoter or to any competitor; and

(3) No attempt has been made or will be made by the bidder/proposer/quoter to induce any other person, partnership, or corporation to submit, or not to submit, a bid/proposal/quote for the purpose of restricting competition.

Legal Name of Bidder/Proposer/Quoter (Typed)

Address (Typed)

City State Zip

BY: _____
Signature

Name (Typed)

Dated _____, 20____

Title (Typed)

APPENDIX 1
Minimum Qualifications - Evaluation Criteria
(For Use by the Agency)

Proposal Completeness Criteria	Yes	No	Notes
Cover Letter			
Form A Cost Proposal complete			
Form B Part I Permit and Facility Information complete			
Form B Part II Performance Guarantees complete			
Form C Confidentiality Notice complete			
Form D Business Information complete			
Form E State Finance Law Procurement Compliance Provisions			
Form F Conflict of Interest Affidavit complete			
Form G Certificate of Non-Collusion complete			
Technical and Environmental Criteria			
Facility has permitted capacity			
Facility meets or exceeds applicable state & federal requirements			
Facility can accept ash/MSW			
Facility has experience with ADC materials			
Performance Guarantees			
Guarantee Provided			
Financial and Operational Logistics for OCRRA delivery of disposable materials			
Travel mileage			
Travel time			
Turnaround time at the Disposal Facility			
Tolls			
Experience and History of Operation			
Years Operating			
Personnel Experience			
Other Background considerations			
History with appropriate state regulatory agency			
Permitted			
Applied for Permits			
Status of Permits/Application			
Citations/Commendations			
Other Background Considerations			
Capacity Commitment Available			
Other Background Considerations			
Alternative approaches for ash reuse are proposed in accordance with the RFP			
MWBE Considerations			
The Agency also seeks the following supplemental information to be attached to all responses to this RFP and will review same as part of its evaluation of Proposals:			
ATTACHMENT 1:	Current Facility Licenses, Permits & Certifications (A complete listing)		
ATTACHMENT 2:	Schedule Of Insurance (Liability, Automobile, Pollution)		
ATTACHMENT 3:	List of Affiliated Corporations, Sub Contractors		