



A Public Agency

REQUEST FOR QUALIFICATION (RFQ)

Annual Report and Financial Systems Audit of Collection Services Contractor (Recology) and Facility Operations Contractor (South Bay Recycling)

Issued: December 15, 2021

Submission Deadline: January 14, 2022, 3:00 PM

South Bayside Waste Management Authority (SBWMA) / RethinkWaste

Attention: John Mangini, Sr. Finance Manager

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Table of Contents

1. BACKGROUND	2
2. INTRODUCTION	2
3. PURPOSE AND GENERAL CONDITIONS	3
4. SCOPE OF WORK.....	4
5. DESIRED QUALIFICATIONS	4
6. TERM OF AGREEMENT	5
7. PROCEDURE FOR SUBMITTING QUESTIONS AND INQUIRIES	5
8. SUBMITTAL REQUIREMENTS	5
9. RIGHT TO CONTRACT FOR SELECTED SERVICES	6
Attachment A: Qualification Certification.....	8
Attachment B: Client Reference Form	10

1. BACKGROUND

The South Bayside Waste Management Authority (SBWMA or RethinkWaste) is a Joint Powers Authority of eleven public agencies (Belmont, Burlingame, East Palo Alto, Foster City, Hillsborough, Menlo Park, Redwood City, San Carlos, San Mateo, the County of San Mateo and the West Bay Sanitary District) in San Mateo County, California formed in 1982.

RethinkWaste owns and manages the Shoreway Environmental Center, which receives all the recyclables, organic materials, and garbage collected in its service area. RethinkWaste provides strategic oversight, support, and management of service providers that collect, process, recycle, and dispose of materials for the 11 Member Agencies.

The mission of RethinkWaste is to serve as solid waste industry leaders in public health, safety and environmental stewardship by providing our ratepayers with innovative cost-effective zero waste programs and Member Agency climate action plan alignment through education, engagement, infrastructure and policy development.

Through issuance of this Request for Qualification (RFQ), RethinkWaste seeks an experienced and qualified firm to perform the SBWMA's Annual Operations and Financial Systems Audit of Collection Services Contract (Recology) and Facility Operations Contract (South Bay Recycling) as described in Section 2 below.

Submittals to RethinkWaste will be considered public records and will be made available for public review upon request after conclusion of this RFQ process and contract execution. Please refer to Section 4 for the specific scope of services being requested.

2. INTRODUCTION

SBWMA owns and manages the Shoreway Environmental Center which is operated by South Bay Recycling (SBR). The Shoreway Environmental Center receives the recyclables, organics and garbage collected by Recology (the SBWMA's collection contractor) under its franchise agreements with each of SBWMA's Member Agencies, as well as other self-haul and non-franchised material delivered to that facility. SBR reports on and makes monthly payments to SBWMA, covering revenues from sales of recyclable commodities and revenues from public self-haul customers at Shoreway.

Recology and SBR are required to track, compile and report various data related to their performance and develop various reports per the franchise agreements with SBWMA Member Agencies and SBR's operating agreement with SBWMA. The primary nature of the quantitative data presented in the reports is self-reported. The goal of the Annual Operations and Financial Systems Audit of Collection Services Contract and Facility Operations Contract is to determine the accuracy of the information contained in those reports. The Financial Systems Audit is designed to confirm the legitimacy and accuracy of financial information provided by Recology and SBR, in order to ensure that Recology accurately calculates each Member Agency's revenue surplus/shortfall for its franchised services and that SBR accurately tracks and remits revenues and payments to/from SBWMA.

3. PURPOSE AND GENERAL CONDITIONS

This RFQ provides information for interested firms to prepare a written response regarding their qualifications and approach to the proposed work.

ADDENDUMS. Should it be necessary for RethinkWaste to issue addendums during the proposal period, RethinkWaste will endeavor to notify the known holders of this RFQ. The addendums will be posted on RethinkWaste's web site for any interested parties to review. Proposals should include a notation that the firm is aware of all the addendums which have been issued and has incorporated their provisions in their proposal.

ADDITIONAL INFORMATION. RethinkWaste reserves the right to request additional information or clarification from clients where it may serve RethinkWaste's best interest.

ADDITIONAL SERVICES. The Scope of Work describes the minimum work to be accomplished. Upon final selection of the firm, the Scope of Work may be modified and refined during negotiations with RethinkWaste.

AWARD OF PROPOSAL. RethinkWaste reserves the right to negotiate final terms with the selected firm, if any. Award may be made to the firm offering the most advantageous proposal after consideration of all evaluation criteria.

COMPLIANCE WITH LAWS. All proposals shall comply with current federal, state, and other laws relative thereto.

CANCELLATION OF SOLICITATION. RethinkWaste may cancel this solicitation at any time.

COSTS. RethinkWaste is not liable for any costs incurred by firms before entering into a formal contract. Costs of developing the proposals, or any other such expenses incurred by the firm in responding to this RFQ, are entirely the responsibility of the firm, and shall not be reimbursed in any manner by RethinkWaste. No reimbursable cost may be incurred in anticipation of award.

IRREGULARITIES. RethinkWaste reserves the right to waive non-material irregularities if such would be in the best interest of RethinkWaste as determined by the Executive Director.

NON-DISCRIMINATION. The firm represents and warrants that it does not and will not discriminate against any employee or applicant for employment because of race, religion, gender, color, national origin, sexual orientation, ancestry, marital status, physical condition, pregnancy or pregnancy related conditions, political affiliation or opinion, age or medical condition.

NO OBLIGATION. The release of this RFQ does not obligate or compel RethinkWaste to enter into a contract or agreement.

OWNERSHIP. All data, documents and other products used or developed during the RFQ process become the property of RethinkWaste upon submission.

PROPOSAL, REJECTION OF. RethinkWaste reserves the right to reject any or all proposals or any part of a proposal.

PUBLIC RECORD. All proposals submitted in response to this RFQ will become the property of RethinkWaste upon submittal and a matter of public record pursuant to applicable law.

REPRESENTATIONS. The firms understand and acknowledge that the representations made in their submitted proposal are material and important, and will be relied on by RethinkWaste in evaluation of the proposal. A firm's misrepresentation shall be treated as fraudulent concealment from RethinkWaste of the facts relating to the proposal.

RFQ PART OF AGREEMENT. Should an agreement be awarded, this Request for Qualification may become part of the agreement between RethinkWaste and the successful firm.

SEVERABILITY. If any provisions or portion of any provision, of this Request for Qualification are held invalid, illegal or unenforceable, they shall be severed from the Request for Qualification and the remaining provisions shall be valid and enforceable.

VALIDITY. Proposal must be valid for a period of ninety (90) days from the due date.

4. SCOPE OF WORK

For the Operations Audit, the Consultant shall review, test and verify the accuracy of the information contained in Recology's Annual Report as well as SBR's annual tonnage and commodity revenue report, and provide any recommendations for improvement. For the Financial Systems Audit, the Consultant shall verify the mathematical accuracy, consistency in reporting, and back-up documentation for information contained in Recology's annual Revenue Reconciliation, and the accuracy of SBR's financial systems for tracking, calculating, and reporting payments due to or from SBWMA. The work shall constitute a review of Recology's and SBR's financial systems and the accuracy of the financial reports Recology and SBR provide to SBWMA. It will not audit financial statements, nor will it represent a complete review of finance and accounting systems. The audit does not need to assess conformance with standard accounting practices (including generally accepted accounting principles, GAAP), but it does need to independently verify the mathematical accuracy of financial information provided by Recology and SBR in keeping with solid waste industry operational standards, and general compliance with agreements SBWMA has with both entities.

5. DESIRED QUALIFICATIONS

RethinkWaste is interested in working with a firm that has expertise in operational and financial auditing of solid waste management agencies and their various collection, operations and other contractors.

The successful firm shall demonstrate that it has the appropriate professional and technical background as well as access to adequate resources to fulfill and execute the stated scope of services. Any experience with similar projects for public agencies and agencies similar to those of RethinkWaste should be noted.

6. TERM OF AGREEMENT

It is anticipated that RethinkWaste and the selected firm will enter into an agreement for a three year term to run from March 1, 2022 to July 31, 2024 (with possibility of mutually agreed-upon two additional one year extensions).

7. PROCEDURE FOR SUBMITTING QUESTIONS AND INQUIRIES

All communications about this RFQ must be directed to John Mangini in writing via email at bids@rethinkwaste.org by December 30, 2021 by 4:00 pm. RethinkWaste will provide a written response to all questions in the form of an Addendum to this RFQ by January 5, 2022, **if necessary.**

8. SUBMITTAL REQUIREMENTS

Firms must submit sufficient information, as outlined below, for RethinkWaste to evaluate the firm's qualifications and proposal quality. Selection will be based on a combination of the cover letter, firm and staff qualifications, cost, understanding of scope of work and proposal, delivery schedule, and references.

To be deemed responsive to this RFQ, the firm's submittals must be received by e-mail only to bids@rethinkwaste.org no later than January 14, 2022, at 3:00 p.m.

See below for anticipated RFQ Process and Firm Selection Timeline

ITEM	DUE DATE
RFQ Released	December 15, 2021
Deadline for Submitting Questions to RethinkWaste by 4:00 p.m.	December 30, 2021
RethinkWaste to provide written responses to questions, if necessary	January 5, 2022
<u>Proposal Must Be Submitted via email by 3:00 p.m., to:</u> John Mangini RethinkWaste bids@rethinkwaste.org	January 14, 2022
Review of submittals, selection and contract negotiations	January 2022
Commence Project	March 2022

Please label the email subject line "Response to RFQ— Operations and Financial Audit".

Please include both a PDF version and the source file (e.g., Word or Excel file) of all documents submitted.

Submittals should be concise and responsive. To be considered responsive to the RFQ, proposals must provide the following:

1. **Cover Letter** - A maximum two (2) page cover letter must be provided describing your firm, date established, main services, key qualifications and prior experience. The individual authorized to contractually bind the firm should sign the cover letter. Resumes for the proposed team and sub-contractors, if any, should be provided as an appendix.

2. **Description of Qualifications** – Describe the firm’s qualifications, expertise and prior specific related experience, and proposed use of subcontractors (if any). RethinkWaste prefers that the firms explain their specific qualifications related to the anticipated scope of work in this section, and that a more general description of qualifications and experience be reserved for the cover letter.
3. **Approach** - A maximum five (5) page proposal shall describe the recommended approach to successfully execute the noted scope of work in a timely and cost-effective manner. The approach to the scope of work shall be of such detail to demonstrate the firm’s ability to accomplish the project objectives. In this section, include a minimum of three (3) examples of similar projects/programs/campaigns they have worked on, the scope of work, timing, cost and list of staff that conducted the work.
4. **References** – Provide the names and contact information of at least three (3) references for which similar services have been provided in the last three (3) years. Please include other public agencies if you have them.
5. **Costs** - A maximum two (2) page proposed budget shall provide the specific hours and costs for each project task and shall delineate the staff responsible for each and whether they will be done in-house or by sub-contractors and their hourly rate. All additional costs and contingency must be clearly delineated.
6. **Qualification Certification** – Complete Attachment A
7. **Client Reference Form** – Complete Attachment B
8. **Additional Attachments** - Firms are encouraged to include pertinent examples (i.e., three (3) minimum) that are similar in nature or content to the scope of services presented therein.

9. RIGHT TO CONTRACT FOR SELECTED SERVICES

RethinkWaste, at its sole option, will select the firm which best fulfills the requirements and provides the best value to RethinkWaste.

RethinkWaste reserves the right to contract for selected services relating to this proposal from any firm, in part or in whole.

An evaluation panel will review all proposals submitted. Discussions (written and/or in person) may, at RethinkWaste’s option, be conducted with any firm. Discussions may be for the purpose of clarification to assure full understanding of, and responsiveness to, the RFQ’s requirements. Firms shall be accorded fair and equal treatment with respect to any opportunity for discussion and written revision of proposals. In conducting discussions, RethinkWaste will not disclose information derived from proposals submitted by competing firms. There will be no public opening and reading of proposals. Overall responsiveness to the RFQ is an important factor in the evaluation process.

The criteria used as a guideline in the evaluation will include, but not be limited to, the following:

- Qualifications and experience of the firm, including capability and experience of key personnel and experience with other public or private agencies to provide services for.
- Responsiveness to the RFQ process and general provisions and understanding of the Scope of Work as evidenced by submitted proposal.
- Understanding of RethinkWaste services and service area audience and experience in San Mateo County/Bay Area.
- History of successfully performing services for public or private agencies.
- Ability to meet any necessary timelines or other requirements.
- References
- Costs

Attachment A: Qualification Certification

FIRM NAME	
ADDRESS	
TELEPHONE #	
CONTACT EMAIL	
CONTACT NAME AND TITLE	

FIRM REPRESENTATIONS

1. Firm additionally certifies that neither firm nor its principals are presently disbarred, suspended, proposed for disbarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal department or agency, any California State agency, or any local governmental agency.
2. Firm certifies that they did not receive unauthorized information from any RethinkWaste staff member, contractor or Board Member during the RFQ response period except as provided for in this RFQ package or through formal addenda, if any, issued by RethinkWaste.
3. The firm certifies that they do not have any conflicts of interest, whether actual or perceived, and has disclosed any such work in its response to this RFQ.
4. The firm hereby certifies that the information contained in the Proposal and all accompanying documentation is true and correct.
5. Please check the appropriate box below:
 - If an *individual* submits a response to this RFQ, he or she shall sign it. If he or she is doing business under a fictitious name, the response shall so state.
 - If a response to this RFQ is submitted by a *partnership*, the full names and addresses of all members and the address of the partnership shall be stated and the response shall be signed for all members by one or more members thereof.
 - If a *corporation* submits a response to this RFQ, an authorized officer or officers of the corporation shall sign it in the corporate name.
 - If a *limited liability company (LLC)* submits a response to this RFQ, an authorized officer or officers shall sign it in the LLC's name.
 - If a response to this RFQ is signed by a *joint venture*, the full names and addresses of all members of the joint venture shall be stated and a representative of each individual entity shall sign it.

Attachment A – Qualification Certification (continued)

By signing below, the submittal pursuant to this RFQ shall be deemed a representation and certification by the client that they have investigated all aspects of the RFQ, that they are aware of the applicable facts pertaining to the RFQ process, its procedures and requirements, and that the client has read and understands the RFQ.

Authorized Representative Name: (Signature)
Authorized Representative Name: (Print name)
Authorized Representative Title and Entity: (Print title and entity)
Complete additional signatures below as required.
Authorized Representative Name: (Signature)
Authorized Representative Name: (Print name)
Authorized Representative Title and Entity: (Print title and Entity)
Authorized Representative Name: (Signature)
Authorized Representative Name: (Print name)
Authorized Representative Title and Entity: (Print title and entity)

