

RFP #2021-01 Residential Solid Waste, Bulk Waste, and Recycling
Services



TOWN OF WINDERMERE
REQUEST FOR PROPOSALS
RFP: #2021-01 RESIDENTIAL SOLID WASTE, BULK
WASTE, AND RECYCLING SERVICES

RESPONSES ARE DUE BY 5:00 PM EST MARCH 10, 2021

MAIL OR DELIVER RESPONSES TO:

ATT: Robert Smith, Town Manager
614 Main St.
Windermere, FL 34786

Hand Delivery:
ATT: Robert Smith
501 Forest St.
Windermere, FL 34786

CONTACT:

Robert Smith, Town Manager
614 Main St.
Windermere, FL 34786
Phone: (407) 876-6480, Fax (407) 876-0103
Email: rsmith@town.windermere.fl.us

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1. OVERVIEW

The Town of Windermere is accepting written proposals from solid waste companies to provide Residential Solid Waste, Bulk Waste, and Recycling services to the Town of Windermere. The cost and services shall include residents and the Town's Public Facilities. The Town of Windermere levies a non-ad valorem assessment on tax bills for solid waste collection. The selected company will bill the Town monthly for services.

The Town of Windermere reserves the right to reject any and all proposals received, to solicit new proposals, or take any other such actions that may be deemed to be in the best interest of the Town of Windermere. The Town of Windermere is an Equal Opportunity Employer. MBE/WBE/DBE businesses are encouraged to participate. The Town of Windermere strictly enforces open and fair competition.

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2. SUBMISSION REQUIREMENTS:

Companies are invited to submit proposals to the Town of Windermere to provide Residential Solid Waste, Bulk Waste, and Recycling Services. The cost and services shall include the Town's Public Facilities.

Requirements for submission and selection criteria may be obtained from the Town of Windermere's web site at www.town.windermere.fl.us. All questions pertaining to this Request for Proposals (RFP) should be directed, in writing, to Robert Smith, Town Manager, 614 Main St. Windermere, FL 34786, by facsimile (407) 876-0103, or by email rsmith@town.windermere.fl.us. Any addenda to this RFP shall be made on the Town web site. It is the sole responsibility of those submitting an RFP to check the web site for addendums. Questions are due by February 24, 2021. Final addenda will be posted by February 25, 2021.

Proposers must submit one (1) original response unbound marked "Original", three (3) bound copies marked "Copies", and one (1) electronic copy (Flash Drive; PDF Format) of the submittal in a sealed envelope clearly marked on the outside with the Proposers name and "RFP 2021-01 Residential Solid Waste, Bulk Waste, and Recycling Services" addressed and delivered to:

**Att: Robert Smith, Town Manager
614 Main Street
Windermere, FL 34786**

**Hand Delivery
Att: Robert Smith, Town Manager
501 Forest St.
Windermere, FL 34786**

Proposals must be received by Robert Smith before 5:00pm March 10, 2021. Any proposals received after this date and time will be automatically rejected. Proposals may be delivered by Certified Mail, Return Receipt, hand-delivered or couriered. Faxed or emailed proposals will be automatically rejected. Companies that hand deliver proposals may request a receipt. If sent by mail or courier, the above mentioned envelope shall be enclosed in another envelope addressed to the entity and address stated above. Proposers should be aware that certain "express mail" services will have to meet the required time frame of submittal or be deemed automatically rejected. It is the sole responsibility of the Proposer to ensure their proposal is received in a timely manner.

The Town of Windermere reserves the right to reject any and all proposals, to waive informalities in any or all proposals, to re-advertise for RFP's, and to separately accept or reject any item or items and to negotiate contracts in the best interest of the Town of Windermere.

While every effort has been made to ensure the accuracy and completeness of the information in this RFP we recognize that the information may not be complete in every detail and that all work may not be expressly mentioned herein. It is the responsibility of the proposing company to include in their proposal all pertinent information.

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3. Calendar of Events

All times listed in the calendar of events is Eastern Daylight Time

Request for Proposals Advertised	February 10, 2021
Questions Due to the Town (written)	February 24, 2021
Responses to Questions Due from the Town	February 25, 2021
Proposals Due to the Town	5pm EST March 10, 2021
Short List Presentations (if necessary)	March 2021
Contract Negotiated with Town	March/April 2021
Board Approval of Company	April 2021

- The Town reserves the right to alter scheduled dates and times

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4. Instructions to Respondents

4.01 Description

Town of Windermere is seeking companies to provide Residential Solid Waste, Bulk Waste, and Recycling services. The cost and services shall include the Town's Public Facilities as well.

4.02 Disqualification of Respondents

- A. **NON-COLLUSION AFFIDAVIT:** Any person submitting a response to this invitation must execute the enclosed NON-COLLUSION AFFIDAVIT. If it is discovered that collusion exists among the Responders the response of all participants in such collusion shall be rejected, and no participants will be considered in future responses for the same work
- B. **PUBLIC ENTITY CRIME:** A person or company who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a response/bid on a contract to provide any goods or services to a public entity submit response/bids on leases or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in section 287.017, Florida Statutes, for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.
- C. **DRUG-FREE WORKPLACE FORM:** Any company submitting a proposal in response to this RFP must execute the enclosed DRUG-FREE WORKPLACE FORM and submit it with the response. Failure to complete this form in every detail and submit it with your response will result in immediate disqualification of your response.
- D. **CONFLICT OF INTEREST:** Any company who is deemed to have a conflict of interest prohibited by Chapter 112, Florida Statutes, shall be disqualified.
- E. **PROHIBITED COMMUNICATION:** Any form of communication, except for written correspondence authorized herein, shall be prohibited regarding this particular RFP, or any other competitive solicitation between:
 - 1. Any person or person's representative seeking an award from such competitive solicitation; and

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2. Any Town Council Member or any Town staff authorized to act on behalf of the Council to award a particular contract (Selection Committee Member, etc)

For the purpose of this section, a person's representative shall include but not limited to, the person's employee, partner, officer, director, consultant, lobbyist, or any actual or potential subcontractor or consultant of the person.

This prohibition on communication shall be in effect as of the publication of the bid advertisement. The provisions of this section shall not apply to oral communications at any public proceeding, oral presentations before selection committees, contract negotiations, presentations made to the Council if requested, and protest hearings.

The provisions of this section shall terminate at time of award.

4.03 EXAMINATION OF RFP DOCUMENTS

Each Respondent shall carefully examine the RFP and other contract documents, and inform him or herself thoroughly regarding any and all conditions and requirements that may in any manner affect cost, progress, or performance of the work to be performed under the contract. Ignorance on the part of the Respondent in no way relieves the Respondent of the obligations and responsibilities assumed under the contract.

Should a Respondent find discrepancies or ambiguities in, or omissions from, the specifications, or be in doubt as to their meaning, Respondent shall notify the Town Manager in writing prior to the Response Question Due Date.

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4.04 CLARIFICATIONS AND ADDENDA

Any changes or clarification will be made in writing in the form of an addendum and, if used, will be posted on the Town Web Site www.town.windermere.fl.us. Each respondent shall acknowledge receipt of any addenda in their proposal. If the acknowledgement is not included, the response to the RFP will constitute acknowledgment. It is the responsibility of all Respondents to verify all addenda prior to submitting a response to the RFP.

4.05 GOVERNING LAWS AND REGULATIONS

The Respondent is required to be familiar with and shall be responsible for complying with all Federal, State, and Local laws, ordinances, rules, and regulations.

4.06 SIGNATURE OF RESPONDENT

The Respondent must sign the response forms in the space provided for the signature. If the Respondent is a professional association or other business entity, the title of the officer signing the response on behalf of the entity must be stated and evidence of the officer's authority to sign the response must be submitted. The Respondent shall state in the response the name and address of each person interested therein.

4.07 COST OF PROPOSAL

The Town of Windermere assumes no responsibility or liability for the costs incurred by the submitting company to prepare and/or submit a proposal. The entire cost of preparing and submitting the proposal, or any work in connection therewith will be paid by the submitting company.

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5. Scope of Services

PROJECT SCOPE

Town of Windermere is seeking to contract with a company to provide all labor, materials, personnel and equipment needed to provide Residential Solid, Waste, Bulk Waste, and Recycling Services for all residential areas of the Town including Town Public Facilities.

5.01.1 Services will include the following to the extent approved by the Town Council and/or Town Manager

- The successful bidder will manage all waste streams from Town of Windermere Residents and Town Public Facilities. This includes all regularly generated solid, non-hazardous waste, bulk waste, and recyclables.
- The Contractor agrees that it will pick up all garbage and trash at town properties at no charge, and on the same basis as its residential trash pick-up.
- Respondent will agree *at a minimum* to maintain the current collection times and frequency to create a seamless program transition. Those are as follows:
 - Garbage Collection: Tuesdays & Fridays
 - Recycling: Tuesdays
 - Yard Waste: Wednesdays
- Respondent will offer special pick up (large items) twice a year for residents.
- Provider will be active in the Community and support local sanctioned events.
- Provider will assist the Town in education and implementing better practices that encourage recycling to Town residents including but not limited to a Downtown Recycling Program.
- Provider shall maintain a listed, local, Orange County telephone number by company name which shall be manned between 8:30am-4:30pm, Monday through Friday, by a responsible person (legal holidays not included). Answering services are not acceptable, except after business hours.
- All customer complaints shall be resolved within 48 hours of notice.

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6. Company Experience:

6.01 The Company must provide the following information:

- Years in service
- Experience with Municipal and County Waste Services;
- Basic knowledge of the operation of Town of Windermere waste services;
- Ability to comply with all local, State, and Federal regulations as it relates to Solid Waste collection.
- Respondent must demonstrate their service approach to providing above described services to the Town.

6.02 Records

Respondent shall be required to maintain and provide access to records regarding services to the Town in accordance with Florida public records requirements.

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7. FEES FOR SERVICES

7.01 Price

Companies must provide pricing for the following services: Current total amount of Residential customers: 1,131

- Curbside Service: Current: 1,121 Customers
 - Curb Side Service: \$ Include Annual Rate
 - Recycling Service: \$ Include Annual Rate

- Rear Door Service: Current: 10 Customers
 - Rear Door Service: \$ Include Annual Rate
 - Recycling: \$ Include Annual Rate

- Additional Services: Include Annual Rates. These would be considered as additional alternatives over the base bid.

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8. EVALUATION/PROPOSAL FORMAT

Proposals will be evaluated based on the information provided in the proposals. For proposals to be eligible, the format must be strictly followed. All proposals must be type written, bound 8 1/2 x 11 format, and should be properly identified by name of respondent and marked with "RFP 2021-01 Residential Solid Waste, Bulk Waste, and Recycling Services" and limited to 25 pages. MBE/WBE/DBE certificate(s), other appendix documentation, sectional dividers, and front and back covers will not be counted towards the total. A letter of interest or executive summary, not to exceed three (3) additional pages, may also be included in the proposal. Proposals that exceed this length will be considered non responsive and will not be evaluated. During this RFP process, any intentional omissions, alterations, or false representations will be grounds for rejection of any proposal. The required forms do not count as part of 25 page limitation.

Proposals must include the following tabbed sections:

1. Company or Personal Background
2. Experience
3. References (at least 3)
4. Service approach
5. Fees for Service
6. Required Forms
 - a. Response Cover
 - b. Hold Harmless Agreement
 - c. Certificate of Insurance
 - d. Non Collusion Affidavit
 - e. Drug Free Workplace Form

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9. Indemnification and Insurance

9.01.1 Indemnification and Hold Harmless

The Respondent agrees to indemnify and hold the Town harmless for any and all claims, liability, losses and causes of action which may arise out of its fulfillment of the contract awarded pursuant to this RFP. It agrees to pay all claims and losses, including related court costs and reasonable attorneys' fees, and shall defend all suits filed due to the negligent acts, error or omissions or Respondent employees and/or agents

9.01.2 Insurance Requirements

Respondent must provide a certificate of insurance with their response.

- Comprehensive General Liability in the amount of at least Five Million Dollars (\$5,000,000) for injuries, including but not limited to wrongful and accidental death per person and Ten Million Dollars (\$10,000,000) for any one accident, and property damage insurance in an amount of at least One Million Dollars (\$1,000,000); and
- Comprehensive Automobile Liability insurance in an amount of at least Five Million Dollars (\$5,000,000) bodily injury for each person and Ten Million Dollars (\$10,000,000) for each occurrence and One Million Dollars (\$1,000,000) Property Damage for each accident; and
- Workers Compensation as determined by statutory requirements.

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HOLD HARMLESS AGREEMENT

I _____ on behalf of Company _____ agree to indemnify and hold the Town harmless for any and all claims, liability, losses and causes of action which may arise out of its fulfillment of the contract awarded pursuant to this RFP. It agrees to pay all claims and losses, including related court costs and reasonable attorneys' fees, and shall defend all suits filed due to the negligent acts, error or omissions of Respondent or employees and/or agents of Respondent.

Signature of Respondent

Witness

STATE OF FLORIDA
COUNTY OF _____

THE FOREGOING INSTRUMENT was acknowledged before me by means of physical presence or online notarization, this ____ day of _____, 2021, by _____, as _____ of _____, a _____, on behalf thereof, who is personally known to me, or produced _____ as identification.

[AFFIX NOTARY SEAL]

Notary Public Signature
Print Notary Name: _____
My commission expires: _____

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NON-COLLUSION AFFIDAVIT

I _____ on behalf of Company _____ responded to request for proposals for Residential Solid Waste, Bulk Waste, and Recycling Services for the Town of Windermere. This proposal has been executed with full authority to do so. This proposal has been arrived at independently without collusion, consultation, communication or agreement for the purposes of restricting competition, as to any matter relating to responses of any other responder or with any competitor, and no attempt has been made or will be made by the Responder to induce any other person, partnership or corporation to submit, or not to submit, a response for the purpose of restricting competition;

The Statements contained within this affidavit are true and correct, and made with full knowledge that the Town of Windermere relies upon the truth of the statements contained in this affidavit in awarding contracts for said services.

Signature of Respondent

Witness

STATE OF FLORIDA

COUNTY OF _____

THE FOREGOING INSTRUMENT was acknowledged before me by means of physical presence or online notarization, this ____ day of _____, 2021, by _____, as _____ of _____, a _____, on behalf thereof, who is personally known to me, or produced _____ as identification.

[AFFIX NOTARY SEAL]

Notary Public Signature

Print Notary Name: _____

My commission expires: _____

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DRUG FREE WORKPLACE CERTIFICATION

In order to have a drug-free workplace program, a business shall:

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against an employee for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug free workplace, available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees from drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under this solicitation a copy of the statement specified in subsection (1) above.
4. In the statement specified in subsection (1), notify the employees that, as a condition of working in the commodities or contractual services that are under this solicitation, the employee will abide by the terms of the statement and will notify the employee of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the work place no later than five (5) days after such conviction.
5. Impose a sanction on, or require the satisfactory participation in, a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this company complies fully with the above requirements.

Signature of Respondent

Witness