

BEFORE THE CONTRACT REVIEW BOARD
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING AN) RESOLUTION NO. 89-1079
EXEMPTION TO THE REQUIREMENT OF)
COMPETITIVE BIDDING PURSUANT TO METRO) Introduced by Rena Cusma,
CODE 2.04.041, AND AUTHORIZING ISSUANCE) Executive Officer
OF A REQUEST FOR PROPOSALS FOR PROCURE-)
MENT OF A COMPACTION SYSTEM AT METRO)
SOUTH STATION)

WHEREAS, The Metropolitan Service District is considering procurement of a compaction system at the Metro South Station; and

WHEREAS, ORS 279.015 authorizes the exemption of certain contacts from the competitive bidding requirement; and

WHEREAS, Metro Code Section 2.04.010(k), as amended, requires an exemption for contracts obtained through a Request For Proposals (RFP) process:

WHEREAS, Metro Code Section 2.04.041(c) authorizes, where appropriate, the use of alternative contracting and purchasing practices that take account of market realities and modern innovative contracting and purchasing methods which are consistent with the public policy of encouraging competition; and

WHEREAS, The RFP solicitation process described in the Staff Report is in accordance with Metro Code 2.04.041(c) such that the compaction system will be selected on the basis of the most competitive offer considering quality and cost where the term "cost" refers to cost related to quality as well as the product price; now, therefore,

BE IT RESOLVED,

1. That the Council of the Metropolitan Service District finds that:

- a) It is unlikely that exempting the solicitation of compacting system for the Metro South Station will encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts; and
- b) The contract, if awarded pursuant to the exemption, will result in substantial cost savings to the Metropolitan Service District.

2. That based on these findings, the Council of the Metropolitan Service District directs that the contract for the procurement of the compaction system at the Metro South Station be exempted from the competitive bid process and that staff is authorized to use a Request For Proposals solicitation process.

ADOPTED by the Contract Review Board of the Metropolitan Service District this 27th day of April, 1989.



Mike Ragsdale, Residing Officer

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891079.RES
May 1, 1989

ATTACHMENT #1

**METRO SOUTH STATION COMPACTION SYSTEM
REQUEST FOR PROPOSAL**

METRO SOUTH STATION COMPACTION SYSTEM
REQUEST FOR PROPOSAL

The Solid Waste Department of the Metropolitan Service District is requesting proposals for design/manufacture/installation and maintenance of a compaction system at the Metro South Transfer and Recycling Center (Metro South Station). Proposals will be due at 4:00 p.m., Thursday, June 1, 1989 in Metro's business offices at 2000 S. W. First Avenue, Portland. Proposals will not be considered if received after this time. Details concerning the project are contained in this document.

This RFP represents the most definitive statement Metro will make concerning information upon which proposals are to be based. Any verbal information which is not contained in this RFP will not be considered by Metro in evaluating the proposal. All questions or comments relating to the RFP, or the project must be submitted in writing to Chuck Geyer at the address above. Any questions which in the opinion of Metro warrant a written reply or RFP amendment will be furnished to all parties receiving a copy of this RFP. Metro will not respond to questions received after 12:00 noon, May 25, 1989.

Proposals must identify a single person as project manager to work with Metro. The contractor must assure responsibility for any subcontractor work and shall be responsible for the day-to-day direction and internal management of the project. The prime contractor shall have, or be capable of obtaining general liability insurance (minimum one million dollar limit), business automobile insurance, and workers compensation insurance covering the services to be performed. Metro shall be named as an additional insured.

Within ten (10) days of Notice of Conditional Award, the successful Proposer shall execute and deliver to Metro a Performance and Labor and Materials Bond, on a form acceptable to Metro, or a Letter of Credit conditioned upon the faithful performance of the Contract and the payment of all labor and materials. The Performance and Labor and Materials Bond or the Letter of Credit shall be in the amount of 50% of the amount of the Contract.

The Surety or Banking Institution furnishing this Bond or Letter of Credit shall have a rating of at least A and be of the appropriate class for the relevant bond amount according to Best's Key Rating System and shall otherwise have a sound financial standing and a record of service satisfactory to Metro and shall be authorized to do business in the state of Oregon. The Attorney-in-Fact (Resident Agent) who executes this Bond or Letter of Credit on behalf of the Surety or Banking Institution must attach a notarized copy of his/her Power of Attorney as evidence of his/her authority to bind the Surety or Banking Institution on the date of execution of each Bond or Letter of Credit.

DISADVANTAGED BUSINESS PROGRAM

Metro's Disadvantaged Business Program contains subcontracting goals for Disadvantaged Business Enterprise (DBE) and Women-Owned Business Enterprise (WBE) participation in that portion of the work which is subcontracted. A subcontractor is any person or firm proposed to work for the prime contractor on this project. The successful Proposer will be required to meet Metro's Disadvantaged Business Program goals or clearly demonstrate that good faith efforts, per Metro Code 2.04.160, have been made to meet the goals. The goals for this Contract are: Disadvantaged Business Enterprises (DBEs) -- seven (7) percent, and Women-Owned Business Enterprises (WBEs) -- five (5) percent of that portion of the work which is subcontracted. Metro does not wish any DBE/WBE subcontractor be placed under exclusive contract prior to contract award.

Typical actions which constitute good faith efforts are set forth in Metro's Disadvantaged Business Program (Ordinance No. 88-252). The Metro Disadvantaged Business Program Ordinance is attached hereto and by this reference incorporated herein. Special attention is called to sections 2.04.110 (8), 2.04.155, 2.04.160, and 2.04.175.

A directory of certified DBE/MBE/WBE firms is issued by the State of Oregon Executive Department, 155 Cottage St., N.E., Salem, OR 97310, (503) 378-5651. Copies of the directory are available for inspection at Metro. Contact Amha Hazen, Contracts Specialist, for more information concerning this requirement (221-1646).

BACKGROUND

"Metro" is the Metropolitan Service District, organized and existing under the laws of the state of Oregon, formed as a governing body consisting of 12 directly elected Councilors and a directly elected Executive Officer. It is responsible for the disposal of solid waste in the metropolitan Portland area.

Metro owns the Metro South Station located at 2001 Washington St. in Oregon City, Oregon, and contracts its operation. It consists of a push pit where both public and commercial waste is dumped, and a tunnel where transfer trucks are top-loaded and hauled to the St. Johns Landfill.

On January 1, 1990, Metro will begin transporting waste from the Metro South Station to the Arlington landfill, a distance of approximately 150 miles. To achieve maximum payloads and be more cost-effective, waste to be landfilled will first be compacted at the transfer station where it will be loaded into trailers for

shipment to Arlington, Oregon (see Appendix for a more detailed description).

SCOPE OF WORK

1.0 GENERAL Metro is seeking proposals from qualified firms to perform the following services and to deliver the products described. The work consists of the design, manufacture, installation, shakedown, warranting, and servicing of a compaction system for the Metro South Station. The system will be located in the existing loading tunnel (see facility drawings for more detail), and be compatible with the current method of operation (i.e. a pit type operation). The work included under this RFP is seen by Metro as occurring in the following parts.

1.1 Technical Specifications Contractor will be responsible for the design and manufacture of the compaction system. The system shall consist of a compactor and an associated loading system to receive waste from the pit, trailer alignment guides; and a system to transmit data on the weight of a load and the identification number of the trailer receiving the load, to the Metro scalehouse. The compaction system shall meet or exceed the following specifications:

- A. Capable of being loaded by a CAT loader or comparable from the current pit with a minimum of modification to the current pit configuration;
- B. Compact and load into transfer vehicles 100 tons per hour (1200 tons per day in a 12 hour period);
- C. Achieve an average density of 790 lbs per cubic yard, and a maximum density of at least 900 lbs per cubic yard;
- D. Produce an untied bale(s) of waste which when extruded measures no greater than seven and one half feet in height by seven and one half feet in width, and which is approximately 39 feet (in combined length if multiple bales are used);
- E. Maintain bale integrity after extrusion;
- F. Capable of remote operation by the CAT operator in the pit;
- G. Provide visual display of length and weight of bale during compaction;

- H. Front and rear load cells which produce certifiable weights; or an alternative arrangement acceptable to Metro
- I. Include control panel at or near extrusion/trailer interface;
- J. Accept the wide variety of material contained in the waste stream delivered to the facility (see attached waste composition study), Proposer should indicate materials requiring special treatment;
- K. Minimize dust, odor, litter/spillage through the loading design and installation of ventilation systems, a containment hood or other design acceptable to Metro.
- L. Conform with all applicable federal, state and local laws.
- M. Produce a load which is compatible with designated transport equipment (see drawing in appendix), such that no compaction (or bulging against trailer side walls) will occur within trailers.
- N. Capable of connection to an axle scale to ensure proper load distribution during and after extrusion.

1.2 Demonstrated reliability- The proposer shall describe the reliability of the compaction method proposed. To establish reliability, the proposer shall indicate the number of hours of operation and downtime. This shall be done on the basis of 4,380 hours per year (365 days, 12 hours per day). The basis for this breakdown of hours shall be an existing reference site with a minimum of one year's operating experience with a compaction system which meets the specifications contained in Item #1 above. The quantity of waste being received at the reference site should be comparable to the situation in Portland (approximately 300,000 tons per year) and a full year's worth of data must be available.

2.0 Contractor is responsible for the installation of the system and all associated costs. The installation must be accomplished to minimize disruptions to the facility's operations. Ideally the installation should be accomplished during a weekend, before the surge capacity of the pit is exceeded. Installation shall not exceed 5 calendar days.

Contractor is responsible for obtaining necessary building permits.

NOTE: Tasks 1 and 2 must be completed within 90 calendar days after signing of a contract. Metro shall negotiate with the successful proposer a system of bonuses for early completion of the various parts of the project. Metro also reserves the right to withhold payments (as well as other remedies as determined in the final Contract) for failure to complete the work in a timely manner.

- 3.0 After installation, the Contractor shall conduct a shakedown/testing of the system. The transfer station operator will load waste into the system as directed. The shakedown period shall not exceed 10 calendar days.

At the conclusion of shakedown, Metro shall conduct an acceptance test of the system to determine whether it meets the specifications contained in Item #1 for a period of seven (7) consecutive calendar days.

Contractor shall provide training to the transfer station operator during this period, including 5 sets of training manuals.

- 4.0 Contractor shall propose a replacement warranty for all major components, and a general warranty for the system. Contractor shall list those parts which cannot be obtained within 8 hours and shall propose inventory costs for these items. Contractor shall provide 2 sets of as-built drawings of the equipment in sufficient detail to identify all components of the system.

- 5.0 Contractor shall describe routine, periodic, and annual maintenance requirements for the system in number of hours per year, as well as associated costs for each level of service if provided by Contractor. Contractor shall assume that any maintenance shall occur when the pit is empty of waste. Contractor shall propose an emergency service agreement for a 2 hour response time, 24 hours a day, 7 days a week. Contractor shall provide 5 sets of maintenance manuals.

Metro shall decide which level of service agreement (if any) to purchase from the successful Proposer, based on the information submitted.

- 6.0 Alternate Configuration Metro is contemplating the purchase of a second compaction system for the facility. If Metro were to purchase a second system, both systems would be located at the east end of the facility as indicated on the

attached drawing. The second system would be required to conform with the Proposal requirements contained herein. The second unit would be installed either within the approximate timeframe indicated above, or during the Spring of 1990.

PROPOSAL FORMAT

To facilitate evaluation of proposals, Metro requires that all responding proposers adhere to the format below.

Six copies of each submittal shall include:

1. Transmittal letter. Include one or more paragraphs which summarize the approach and methods to be used. Indicate that the proposal will be valid for 90 days. State the ability of the proposer to complete the project within the budget and to comply with the deadlines.
2. Detailed description of methods (work plan) to accomplish each task of the Scope of Work. The work plan shall include (but not be limited to):
 - A. Description of equipment and service to be provided in each task
 - B. Schedule showing date of installation or provision of equipment or service for each task
 - D. Total cost for Items 1 through 3 of the Scope of Work
 - E. Subcontracting cost for Items 1 through 3 of the Scope of Work
 - F. Warranty costs and guarantees for Item 4 of the Scope of Work
 - G. Costs for each level of service described in Item #5 of the Scope of Work

Note: Metro reserves the right to require additional, detailed cost information from the successful Proposer

- H. Staffing/Project Manager Designation -- Identify specific personnel assigned to major project tasks, their experience in similar projects, their roles in relation to the work required, and

percent of their time on the project. Also identify subcontractor roles.

3. A separate maximum total cost for building permits and any other required regulatory approvals.
4. Provided the information for Items 1 through 3 above if two compaction system were purchased for installation at the East end of the facility (assuming a standard installation), and whether you can provide both systems within the time frame requested.
5. Describe in detail how information will be transmitted to Metro's onsite scalehouse. Provide separate costs for this portion of the work.
6. Statement concerning acceptability of the Metro Labor and Materials Agreement language. The Proposal should include revised language if the Metro language is unacceptable.
7. Completely filled out Disadvantaged Business Program Compliance Form and Disadvantaged/Women-Owned Business Enterprise Utilization Forms.
8. Statement of insurance coverage which includes summary of coverage, coverage limit, and deductibles for business automobile, and workers compensation insurance.
9. Statement of firm's experience with similar projects.
10. Exceptions and Comments, if any. Firms wishing to take exception to, or comment on, any specific criteria with this RFP are encouraged to document their concerns in this part of their proposal. Exceptions or comments should be succinct, thorough and organized.

Selection Process

An evaluation committee will:

- Review the proposals submitted by organizations
- Conduct an interview with each organization which submits a proposal

- Rank the proposals for recommendation to the Executive Officer and Metro Council according to the criteria below.

Proposal Evaluation Criteria

- Compliance with RFP specifications 70%
 - Reliability factor will be 20%
- Project team experience 10%
- Cost 20%
- Compliance with Disadvantaged Business Program
 (noncompliance will result in rejection of the proposal)

GENERAL PROPOSAL/CONTRACT CONDITIONS

1. Limitations and Award -- This RFP does not commit Metro to the award of a contract, nor to pay any costs incurred in the preparation and submission of proposals in anticipation of a contract. Metro reserves the right to accept or reject, to negotiate with all qualified sources, or to cancel all or part of this RFP.
2. Contract type -- Metro intends to award a labor and materials contract with the selected firm for this project. A copy of the standard form contract which the successful consultant will be required to execute is attached.
3. Billing Procedures -- Proposers are informed that the billing procedures of the selected firm are subject to the review and prior approval of Metro before reimbursement of services can occur. Payments will be made to the successful Contractor on the following basis:
 - 30% upon contract signing
 - 10% upon certification the compactor is ready for delivery
 - 40% upon completion of installation
 - 20% upon completion of acceptance testing
4. Validity Period and Authority -- The proposal shall be considered valid for a period of at least ninety (90) days and shall contain a statement to that effect. The proposal shall contain the name, title, address, and

telephone number of an individual or individuals with authority to bind any company contracted during the period in which Metro is evaluating the proposal.

OTHER INFORMATION

The following information is attached or available under separate cover:

- Metro Labor and Materials Agreement
- Metro Disadvantaged Business Program (Ordinance 87-231)
- Metro Disadvantaged Business Program Compliance Form
- Metro Disadvantaged Business Utilization Form
- Metro Women's Business Utilization Form
- Drawing of Transporter's vehicle configuration.
- Metro South Station Facility Drawings (under separate cover)
- Waste Characterization Study section of the "Solid Waste Management Plan Inventory"
- Drawing labelled "North End Compactor Modifications"

PROJECT MANAGER AND CONTACT

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(503) 241-7417 (FAX)

COMMITTEE REPORT

Agenda Item 7.1

Meeting Date April 27, 1989

CONSIDERATION OF RESOLUTION NO. 89-1079, AUTHORIZING AN EXEMPTION TO THE REQUIREMENTS OF COMPETITIVE BIDDING PURSUANT TO METRO CODE SECTION 2.04.041, AND AUTHORIZING ISSUANCE OF A REQUEST FOR PROPOSALS FOR PROCUREMENT OF A COMPACTOR SYSTEM FOR METRO SOUTH STATION

Date: April 12, 1989

Presented by: Councilor Wyers

Committee Recommendation: The Solid Waste Committee voted 3 to 0 to recommend Council adoption of Resolution No. 89-1079. Voting: Councilors Hansen, Kelley and Buchanan. Absent: Councilors Ragsdale and Wyers. This action taken April 11, 1989.

Committee Discussion/Issues: Adoption of Resolution No. 89-1079 would exempt the contract for the procurement of a compaction system at the Metro South Station from the competitive bid process and authorize a Request for Proposals (RFP) solicitation process.

To achieve maximum payloads and be more cost-effective, waste to be landfilled will first be compacted at the Metro South Station, then loaded into containers and transported to Gilliam County. Compaction at Metro South Station is required by the Waste Transport Services Contract.

It is proposed that a single compaction system be purchased and installed during the current calendar year and that a second compaction system be purchased and installed in 1990 to provide redundancy. This is required because equipment failure may shut down operations entirely.

The Solid Waste Department staff sent a draft RFP to potential vendors and then responded to the vendors comments in a report dated April 11, 1989.

The Solid Waste Committee held a public hearing on April 11, 1989. One individual testified. A representative of Shredding Systems, Inc., a potential vendor, indicated that he was generally satisfied with staff's responses to vendor comments, but recommended revisions to the evaluation criteria weighting.

Major Issues: The major issues discussed by the Committee were the evaluation criteria weighting and the technical specifications for the compactor. The Committee wants to be certain that the criteria weighting is fair and appropriate and that more than one vendor can meet the technical specifications. Staff stated that at least two vendors have equipment that can meet the technical specifications. The Committee supported the staff's recommended evaluation criteria weighting and technical specifications.

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