

## REQUEST FOR PROPOSALS

### SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS REQUEST FOR PROPOSALS NO. 21-13 FOR THE SAN GABRIEL VALLEY REGIONAL FOOD RECOVERY PROGRAM

<b>RFP Schedule (all times are in PDT)</b>	
July 20, 2021	Request for Proposals (RFP) Issued
August 4, 2021 at 11:00am	Non-Mandatory Pre-Proposal Virtual Conference
August 6, 2021 at 5:00pm	Written Questions Due
August 19, 2021 at 3:00pm	Proposals Due
August 30, 2021	Virtual Oral Interviews (shortlisted proposers only)
September 6, 2021, Tentative	Notice of Intent to Award Issued
September 16, 2021, Tentative	Contract Approved
September 30, 2021, Tentative	Notice to Proceed

### **SECTION I: INSTRUCTIONS TO PROPOSERS**

#### **Non-Mandatory Pre-Proposal Virtual Conference**

The SGVCOG will hold a Pre-Proposal Teleconference at the date and time listed above. Any prospective Proposer should plan to attend the Pre-Proposal Teleconference as the Teleconference will provide an overview of the RFP, services to be provided, and discuss expected outcomes. Attendance does not guarantee award of any contract.

Questions regarding the RFP will be accepted by the SGVCOG during the Teleconference and the written question time frame. Responses will be posted to PlanetBids.

Proposers will need to contact Carlos Garcia, Contracts Manager, via email at [cgarcia@sgvco.org](mailto:cgarcia@sgvco.org) to register and receive the link to attend. The deadline to register is one hour prior to the conference. Emails received after this deadline may not receive the link to the Teleconference.

#### **Background and Project Description**

The San Gabriel Valley Council of Governments (SGVCOG) is seeking proposals to provide support to San Gabriel Valley cities and assist with their ongoing efforts in preparing for Senate Bill 1383's (Lara, 2016) food recovery components.

SB 1383 serves as a statewide effort to reduce emissions of short-lived climate pollutants and sets the following targets:

1. Reduce statewide disposal of organic waste by 50% by January 1, 2020 and by 75% by January 1, 2025 (based on 2014 levels).
2. Recover at least 20% of currently disposed edible food for human consumption by 2025.

The California Department of Resources Recycling and Recovery (CalRecycle) is responsible for creating regulatory standards for SB 1383. The finalized guidelines, which can be found on <https://www.calrecycle.ca.gov/organics/slcp/>, were previously approved by the Office of Administrative Law. Based on approved guidelines, regulations to meet statewide organics reduction and food recovery requirements will begin to take effect on January 1, 2022. Additionally, regulations may require local jurisdictions to impose penalties for noncompliance on regulated entities starting January 1, 2024.

Stated within Section 18991.1 of the SB 1383 adopted guidelines, cities must implement an edible food recovery program that educates commercial edible food generators, increases commercial edible food generator access to food recovery organizations and food recovery services, monitors commercial edible food generator compliance, and increases edible food recovery capacity if the analysis required by Section 18992.2 of the adopted guidelines indicates that the cities do not have sufficient capacity to meet their edible food recovery needs.

As a result, cities are mandated and directed to complete the following activities:

- **Section 18985.2 of the Adopted SB 1383 Guidelines:** Cities must develop a list of food recovery organizations and food recovery services operating within their jurisdictions and maintain the list on their websites on or before February 1, 2022. The list must be updated annually and includes each food recovery organization and each food recovery service's name, physical address, contact information, collection service area, and the types of food that they accept. Additionally, cities must provide commercial edible food generators, at least on an annual basis, with information about the cities' edible food recovery programs established pursuant to Section 18991.1 of the adopted guidelines, information about the commercial edible food generator requirements specified in Article 10 of the adopted guidelines, information about food recovery organizations and food recovery services operating within their jurisdictions, where a list of those food recovery organizations and food recovery services can be found, and information about actions that commercial edible food generators can take to prevent the creation of food waste.
- **Section 18985.3 of the Adopted SB 1383 Guidelines:** Cities must include all relevant documents supporting its outreach and education compliance with Article 4 of the adopted guidelines in the Implementation Record required by Section 18995.2 of the adopted guidelines, including but not limited to:
  - Copies of the information provided to comply with Article 4 of the adopted guidelines, including flyers, brochures, newsletters, invoice messaging, and website and social media postings.

- The date, and to whom the information was disseminated or direct contact made. If a jurisdiction provides mass distribution through mailings, or bill inserts, it shall provide the date, a copy of the information, and the type and number of accounts receiving the information.
- If the requirements of Article 4 of the adopted guidelines were met solely through the use of electronic media, the record shall include a copy, with dates posted, of social media posts, emails, or other electronic messages.
- If a jurisdiction relies on a designee, as allowed in Section 18981.2 of the adopted guidelines, it shall include a copy of the materials distributed by the designee.
- **Section 18990.2 of the Adopted SB 1383 Guidelines:** Cities cannot implement or enforce an ordinance, policy, or procedure that prohibits the ability of a generator, food recovery organization, or food recovery service to recover edible food that could be recovered for human consumption.
- **Section 18991.2 of the Adopted SB 1383 Guidelines:** Cities must include all documents supporting its compliance with Section 18991.1 of the adopted guidelines in the Implementation Record as required by Section 18995.2 of the adopted guidelines, including at a minimum:
  - A list of commercial edible food generators in their jurisdictions that have a contract or written agreement with food recovery organizations or services pursuant to Section 18991.3(b) of the adopted guidelines.
  - A list of food recovery organizations and food recovery services in their jurisdictions and their edible food recovery capacity.
  - Documentation of the actions that the jurisdictions have taken to increase edible food recovery capacity.
- **Section 18992.2 of the Adopted SB 1383 Guidelines:** If a county identifies that new or expanded capacity is needed to recover the required amount of edible food, cities must submit an implementation schedule to CalRecycle that demonstrates how they will ensure that there is enough new or expanded capacity to recover the required amount of edible food within their jurisdictions by the end of the reporting period set forth in Section 18992.3 of the adopted guidelines. The implementation schedule must include timelines and milestones for planning efforts to access additional new or expanded capacity, including but not limited to obtaining funding for edible food recovery infrastructure, modifying franchise agreements, demonstrating other means of financially supporting the expansion of food recovery capacity, or identifying facilities, operations, and activities inside the county that can be used for additional capacity. Cities that are contacted by the county regarding the lack of edible food recovery capacity must respond to the county's request for information necessary to comply with the requirements within 120 days.
- **Section 18994.1 of the Adopted SB 1383 Guidelines:** Cities must report to CalRecycle on their implementation and compliance with the requirements of the adopted guidelines. By April 1, 2022, cities must submit a copy of ordinances or other enforceable mechanisms

adopted pursuant to the adopted guidelines, reporting items identified in Section 18994.2(b) of the adopted guidelines, and the name, mailing address, phone number, and email address of the designated points-of-contact at the cities responsible for receiving communications regarding SB 1383 compliance. Cities must also provide the name and address of the agent designated by the jurisdictions for the receipt of service of process from CalRecycle for the purposes of enforcement of the SB 1383 regulations if agent is different from the designated points-of-contact.

- **Section 18994.2 of the Adopted SB 1383 Guidelines:** Cities must report the information required to CalRecycle according to the following schedule:

- On or before October 1, 2022, cities must report for the period of January 1, 2022 through June 30, 2022.
- On or before August 1, 2023, and on or before August 1 of each year thereafter, cities must report for the period covering the entire previous calendar year.

Cities must report the following regarding its implementation of the edible food recovery requirements of Article 10 of the adopted guidelines:

- The number of commercial edible food generators located within their jurisdictions.
- The number of food recovery services and organizations located and operating within their jurisdictions that contract with or have written agreements with commercial edible food generators for food recovery.
  - Cities must require food recovery organizations and services that are located within their jurisdictions and contract with or have written agreements with commercial edible food generators pursuant to Section 18991.3(b) of the adopted guidelines to report the amount of edible food in pounds recovered by the service or organization in the previous calendar year to the jurisdictions.
- Cities must report on the total pounds of edible food recovered by food recovery organizations and services pursuant to Subdivision (h)(2)(A) of Section 18994.2 of the adopted guidelines.

Cities, in collaboration with counties, must report on the food recovery capacity regarding the tons estimated to be generated for landfill disposal, the amount of capacity verifiably available to the county and cities within the county, the amount of new capacity needed, and locations identified for new or expanded facilities.

Cities must also report the following regarding their implementation of the compliance, monitoring, and enforcement requirements specified in Articles 14-16 of the adopted guidelines:

- The number of inspections conducted by type for commercial edible food generators and food recovery organizations.

- The number of complaints pursuant to Section 18995.3 of the adopted guidelines that were received and investigated, and the number of Notices of Violation issued based on investigation of those complaints.
  - The number of Notices of Violations issued, categorized by the type of entity subject to the adopted guidelines.
  - The number of penalty orders issued, categorized by the type of entity subject to the adopted guidelines.
  - The number of enforcement actions that were resolved, categorized by the type of regulated entity.
- **Section 18995.1 of the Adopted SB 1383 Guidelines:** Beginning January 1, 2022, cities must conduct inspections of Tier 1 commercial edible food generators and food recovery organizations and services for compliance with the adopted guidelines. Inspections of Tier 2 commercial edible food generators for compliance with the adopted guidelines must begin on January 1, 2024.
  - Beginning January 1, 2022, cities must investigate complaints as required under Section 18995.3 of the adopted guidelines.
  - Beginning January 1, 2022, and until December 31, 2023, cities must provide educational materials describing the applicable requirements of the adopted guidelines in response to violations.
  - Beginning January 1, 2024, cities must enforce the adopted guidelines pursuant to Sections 18995.4 and 18997.2 of the adopted guidelines in response to violations. Details of SB 1383 enforcement procedures can be found in Section 18995.4 of the adopted guidelines.
  - Cities must conduct a sufficient number of inspections of entities to adequately determine overall compliance with the adopted guidelines. Cities may prioritize inspections of entities that they determine are more likely to be out of compliance.

Cities must generate a written or electronic record for each inspection and compliance review conducted pursuant to the adopted guidelines. Each record must include the subject or subjects of the inspection, including the name or account name of each person or entity, the date of the inspection or compliance review, the person(s) who conducted the action, findings regarding SB 1383 compliance, including any Notices of Violation or educational materials issued, and other evidence supporting the findings such as photographs and records. Documentation of all inspections and compliance reviews, as well as all other records of enforcement, must be maintained in the Implementation Record required by Section 18995.2 of the adopted guidelines.

- **Section 18995.2 of the Adopted SB 1383 Guidelines:** Cities must maintain all records required by the adopted guidelines, including both organic waste and food recovery components, in the Implementation Record. Each city must store the Implementation Record in one central location, physical or electronic, that can be readily accessed by CalRecycle. Upon request by CalRecycle, the cities must provide access to the Implementation Record within 10 business days. All records and information must be



included in the Implementation Record within 60 days of the creation of the record or information. All records must be retained by the cities for 5 years.

- **Section 18995.3 of the Adopted SB 1383 Guidelines:** Cities must provide a procedure for the receipt and investigation of written complaints of alleged violations of the SB 1383 regulations. Cities must allow for the submission of anonymous complaints. The procedure must provide that complaints be in writing and include the name and contact information of the complainant (if not anonymous), the identity of the alleged violator (if known), a description of the alleged violation including location(s) and all other relevant facts known to the complainant, any relevant photographic or documentary evidence supporting the allegations, and the identity of witnesses (if known). A jurisdiction must commence an investigation within 90 days of receiving a complaint if a jurisdiction determines that the allegations, if true, would constitute a violation of SB 1383 regulations. The jurisdiction must provide a procedure to notify a complainant of the results of their complaint if the identity and contact information of the complainant are known.

The selected consultant shall implement activities that support participating cities to comply with the aforementioned mandates. The Proposer is strongly recommended to review the SB 1383 guidelines prior to submitting proposal documents. A standard Scope of Work can be found in this RFP.

The project is jointly funded by the Cities of Alhambra, Azusa, Covina, Duarte, El Monte, Glendora, Irwindale, La Cañada Flintridge, Monrovia, Monterey Park, San Marino, South Pasadena, Temple City, and Walnut. Additional cities in the SGVCOG's jurisdiction may elect to participate in the project prior to the issuance of the Notice to Proceed. The Proposer should expect up to 5 additional cities to join this regional endeavor between the proposal submission date and the award of the contract.

This RFP and the Proposer's proposal will become part of the Agreement when said Agreement is fully executed by the Proposer and the SGVCOG. A standard scope of work is included in this RFP. A detailed scope and deliverables will be developed during negotiations with the selected Consultant.

### **Schedule of Work**

Based on mandates set forth by the adopted guidelines, the SGVCOG is seeking a completed project (Tasks 1-4 indicated in the scope of work without the optional add-ons in the Scope of Work) **by January 17, 2022**. The addition of Tasks 5 and 6 may extend the Schedule of Work until August 1, 2024. These additional tasks are envisioned to be annual contracts with annual options to extend through August 1, 2024.

## **Scope of Work\***

### **Task 1 Project Management**

#### **Task 1.1 Kickoff Meeting**

The Consultant shall conduct a kickoff meeting with the SGVCOG and CalRecycle staff. The primary objectives will be to review scope, schedule, project goals, and key issues. The SGVCOG will be responsible for inviting CalRecycle staff to participate in the Kickoff Meeting.

***Deliverables: Meeting notes and materials for kickoff meeting.***

#### **Task 1.2 Project Team Coordination**

Biweekly project team meetings, regular phone and e-mail correspondence, and other communications with the SGVCOG to ensure that the tasks listed in this SOW stay on schedule and within budget.

***Deliverables: Meeting notifications, agendas, and notes.***

#### **Task 1.3 Project Management Update Meetings**

The Consultant shall facilitate approximately 6-8 meetings with the SGVCOG and representatives of participating cities to solicit feedback on draft deliverables.

***Deliverables: Meeting notifications, agendas, notes, and other relevant drafts and documents.***

### **Task 2 Capacity and Compliance Assessments**

#### **Task 2.1 Food Recovery Agencies and Organizations Capacity Assessment**

The Consultant shall assess potential edible food recovery agencies and organizations in and around the participating cities' city limits, identify and evaluate the processing capacity of such agencies and organizations, identify and evaluate whether these agencies and organizations have existing contracts and written agreements with participating cities' commercial edible food waste generators, and provide a detailed report. Additionally, the Consultant shall calculate if additional capacity is needed for participating cities to recover the required amount of edible food, identify the infrastructure needed to operate an edible food recovery program in the San Gabriel Valley, and identify opportunities for participating cities to fund such infrastructure.

***Deliverables: A detailed report containing a list of edible food recovery agencies and organizations in and around the participating cities' city limits to provide for***

*participating cities' edible food waste generators that comply with SB 1383, and an assessment of the requirements associated with the collected edible food or expand collection of edible food. Additionally, the report should include information on the processing capacity of the food recovery agencies and organizations in and around the participating cities' city limits and whether these agencies and organizations have existing contracts and written agreements with the participating cities' commercial edible food waste generators. The report must also include details on whether additional capacity is needed for participating cities to recover the required amount of edible food, the infrastructure needed to operate an edible food recovery program in the San Gabriel Valley and opportunities for participating cities to fund such infrastructure. The report shall be compiled in the form of one regional document, with the information on each participating city formatted by sections.*

Task 2.2 Tier 1 and Tier 2 Edible Food Waste Generators Compliance Assessment  
The Consultant shall identify participating cities' Tier 1 and Tier 2 edible food waste generators and assess the generators for their existing food recovery capacity and their current compliance statuses, including whether or not the generators have existing contracts or written agreements with food recovery services or organizations, with SB 1383's edible food recovery regulations.

*Deliverables: A detailed report providing details on participating cities' Tier 1 and Tier 2 edible food waste generators, their statuses on their participation in edible food donation programs, and their SB 1383 food recovery compliance statuses of such edible food donation programs. The report shall be compiled in the form of one regional document, with the information on each participating city formatted by sections.*

### **Task 3 Public Outreach**

Task 3.1 Develop Outreach and Education Plan  
The Consultant shall develop and propose an outreach and education plan and timeline for participating cities' Tier 1 and Tier 2 edible food waste generators and stakeholder groups and specify plans to incorporate communication, marketing, and outreach/education efforts. Please note that all outreach efforts must be conducted, by law, before February 1, 2022. The plan shall include email notifications to participating cities' Tier 1 and Tier 2 edible food waste generators, social media and website postings, and five (5) regional educational workshops (with recording available). The Consultant shall also create materials for the outreach and education plan based on resources provided by CalRecycle and the Los Angeles County Department of Public Works, including flyers, brochures,



presentations, and website and social media templates. All materials must be provided in traditional Chinese, English, and Spanish.

***Deliverables: Multilingual outreach and education materials and a detailed plan on comprehensive outreach and education efforts for participating cities' Tier 1 and Tier 2 edible food waste generators and stakeholder groups.***

**Task 3.2** Implement Outreach and Education Plan

Upon approval by the SGVCOG, the Consultant shall implement the proposed outreach and education plan. The Consultant shall provide records of all outreach and education efforts, along with copies of the utilized marketing materials, that were conducted. The records shall include the date and to whom the information was disseminated or direct contact made.

***Deliverables: Weekly reports and updates on conducted outreach and education efforts, including emails, presentations, individuals/entities outreached, outcomes/relevant documents, and copies of the utilized marketing materials.***

**Task 4** **Final Report**

**Task 4.1** Final Report Deliverable

The Consultant shall compile a Final Report that includes details on the outreach efforts that were conducted, the assessments that were performed under Task 2, the food recovery needs and operations of participating cities' Tier 1 and Tier 2 waste generators, the food recovery needs and operations of food recovery agencies and organizations in and around the San Gabriel Valley, and recommendations on the necessary steps that participating cities should consider to ensure SB 1383 compliance.

***Deliverables: Final report detailing the outreach efforts that were conducted, the assessments that were performed under Task 2, the food recovery needs and operations of participating cities' Tier 1 and Tier 2 waste generators, the food recovery needs and operations of food recovery agencies and organizations in and around the San Gabriel Valley, and recommendations on the necessary steps that participating cities should consider to ensure SB 1383 compliance.***

**Task 5** **Inspection Program Development (Optional Add-On)\*\***

**Task 5.1** Develop Inspection Schedule and Plan

Based on the information identified in Task 2, the Consultant shall develop a schedule and plan to implement a program, including a mechanism that allows for the submission of anonymous complaints and determining the validity of those

complaints based on Section 18995.3 of the adopted guidelines, to conduct inspections of participating cities' Tier 1 commercial edible food generators and food recovery organizations and services for compliance with the adopted SB 1383 guidelines. Please note that cities must conduct inspections of Tier 1 commercial edible food generators and food recovery organizations and services for compliance beginning January 1, 2022. Inspections of Tier 2 commercial edible food generators for compliance with the adopted guidelines must begin on January 1, 2024. By law, the Consultant does not have authority to issue citations; however, the Consultant shall develop an effective method to quickly and effectively inform participating cities to issue educational materials and/or citations in the event that noncompliance is identified during inspections. Between January 1, 2022 and December 31, 2023, cities must provide educational materials describing the applicable requirements of the adopted guidelines in response to violations. Starting on January 1, 2024, cities must enforce the adopted guidelines pursuant to Sections 18995.4 and 18997.2 of the adopted guidelines in response to violations.

***Deliverable: A report detailing the proposed schedule and plan to implement an inspection program in participating cities, including details of an effective method to quickly and effectively inform participating cities to issue educational materials and/or citations in the event that noncompliance is identified during inspections. The report must be presented to the SGVCOG and participating cities for review before November 29, 2021.***

## **Task 6 Inspection Program Implementation (Optional Add-On)\*\***

### **Task 6.1 Implement Inspection Schedule and Plan**

Upon the approval by the SGVCOG and participating cities, the Consultant shall begin implementing the inspections beginning January 1, 2022. The Consultant shall document the number of inspections conducted by type for commercial edible food generators and food recovery organizations, the number of complaints pursuant to Section 18995.3 of the adopted guidelines that were received and investigated, and the number of Notices of Violations issued (in partnership with participating cities) based on investigation of those complaints. Additionally, the Consultant shall, in partnership with participating cities, document the number of Notices of Violation, penalty orders, and enforcement actions that were resolved, categorized by type of entity subject to the adopted guidelines.

***Deliverable: Documentation of the number of inspections conducted by type for commercial edible food generators and food recovery organizations, the number of complaints pursuant to Section 18995.3 of the adopted guidelines that were received and investigated, and the number of Notices of Violations issued (in partnership with participating cities) based on investigation of those complaints.***

*Additionally, the Consultant shall, in partnership with participating cities, provide documentation of the number of Notices of Violation, penalty orders, and enforcement actions that were resolved, categorized by type of entity subject to the adopted guidelines. Such documents shall be provided on a monthly basis.*

*\*The Scope of Work may be amended after the issuance of the Notice to Proceed to include additional assistance to participating jurisdiction(s) with specific needs, such as identifying food deserts, additional marketing and outreach support, and kitchen/busboy training.*

*\*\*Tasks 5 and 6 may be added to the Scope of Work depending on the interest of each participating city. Please do provide an estimate cost for Tasks 5 and 6 and list out the assumptions that were utilized in developing the pricing. Also, please provide the potential assumptions that could impact the pricing based on the information gathered when completing Tasks 1-4 of the Scope of Work.*

### **Examination of Proposal Documents**

By submitting a proposal, Proposer represents that it has thoroughly examined and become familiar with the work required under this RFP and that it is capable of performing quality work to achieve SGVCOG's objectives. Proposer is prepared to comply with all statutes and regulations applicable to the work to be performed.

### **Addenda**

The SGVCOG reserves the right to revise the RFP documents. Any changes to the requirements of this RFP will be made by written addendum. Any written addenda issued pertaining to this RFP shall be incorporated into the terms and conditions of any resulting Agreement. Addenda will be posted on SGVCOG's online bidding system, Planet Bids, and will be available for downloading. It is the responsibility of Proposers and other interested parties to check the online bidding system regularly during the solicitation period for updated information.

The SGVCOG will not be bound to any modifications to or deviations from the requirements set forth in this RFP as the result of oral instructions. Proposers shall acknowledge receipt of addenda in their proposals. Failure to acknowledge receipt of Addenda may cause the proposal to be deemed non-responsive to this RFP, and be rejected.

### **SGVCOG Contact**

All communication and/or contact with SGVCOG staff regarding this RFP are to be directed to the following:

***Carlos Garcia, Contracts Manager  
San Gabriel Valley Council of Governments  
4900 Rivergrade Road, Suite A120  
Irwindale, California 91706  
Email: [cgarcia@sgvcog.org](mailto:cgarcia@sgvcog.org)***

Commencing on the date of the issuance of this RFP, and continuing until award of the contract or cancellation of this RFP, no proposer, subcontractor, lobbyist or agent hired by the proposer shall have any contact or communications regarding this RFP with SGVCOG staff; member of the Technical Evaluation Committee (TEC) for this RFP; or any contractor on Proposer involved with the procurement, other than the Contracts Manager named above, or unless expressly permitted by this RFP. Contact includes telephone, electronic mail (e-mail) or formal written communication. Any proposer, subcontractor, lobbyist or agent hired by the proposer that engages in such prohibited communications may result in disqualification of the proposer at the sole discretion of SGVCOG.

### **Questions and Requests for Clarifications**

- Examination of Documents
  - Proposers and other interested parties are encouraged to promptly notify the SGVCOG of any apparent errors or inconsistencies in the RFP, inclusive of all attachments, exhibits and appendices. Should a Proposer require clarifications to this RFP, the Proposer shall notify the SGVCOG in writing in accordance with the “Submission of Proposals” section below. Should it be found that the point in question is not clearly and fully set forth in the RFP, the SGVCOG will issue a written addendum clarifying the matter, which will be posted on the SGVCOG’s online bidding system, Planet Bids.
- Submitting Requests
  - All questions regarding this RFP must be submitted in writing via the SGVCOG’s online bidding system, PlanetBids by the date and time listed in the RFP Schedule. No other questions will be received after the deadline. Only written inquiries transmitted online will be considered. All questions and answers, including questions that could not be specifically answered at the Pre-Proposal Conference event will then be posted on the SGVCOG’s online bidding system, Planet Bids.
  - Under no circumstances should prospective Proposers discuss with, or inquire of any SGVCOG Proposers, employees (except for SGVCOG contact as identified in the “SGVCOG Contact” Section), city and county employees or elected officials including the SGVCOG Governing Board and Committee on any matter relating to this solicitation.

### **Submission of Proposals**

Proposer shall submit one (1) PDF format proposal via SGVCOG’s online bidding system on PlanetBids on by the date and time listed in the RFP Schedule.

### **Acceptance of Proposals**

- (1) SGVCOG reserves the right to accept or reject any and all proposals, or any item or part thereof, or to waive any informalities or irregularities in any proposals.

- (2) SGVCOG reserves the right to amend, withdraw, or cancel this RFP at any time without prior notice, and it makes no representations that any contract will be awarded to any Proposer responding to this RFP.
- (3) SGVCOG reserves the right at its sole discretion to modify this RFP should the SGVCOG deem that it is in its best interests to do so.
- (4) Proposals received by SGVCOG are public information and will be made available to any person upon request after the entire proposal evaluation process has been completed.
- (5) Submitted proposals are not to be copyrighted.

### **Pre-Contractual Expenses**

- The SGVCOG shall not, under any circumstances, be liable for any pre-contractual expenses incurred by any Proposer in preparation of its proposals.
- Pre-contractual expenses are defined as expenses incurred by the Proposer in:
  - Preparing its proposal and related information in response to this RFP;
  - Submitting that proposal to SGVCOG;
  - Negotiating with SGVCOG any matter related to this proposal;
  - Cost associated with interviews, meetings, travel or presentations; and
  - Any other expenses incurred by Proposer prior to date of award, if any, of the Agreement, and a formal notice to proceed.

### **Conflict of Interest**

Proposer agrees to avoid organizational conflicts of interest. An organizational conflict of interest means that due to other activities, relationships, or contracts, the Proposer is unable, or potentially unable, to render impartial assistance or advise the SGVCOG; Proposer's objectivity in performing the work identified in the specifications is, or might be, otherwise impaired; or the Proposer has an unfair competitive advantage. Proposer is obligated to fully disclose to SGVCOG in writing of any Conflict of Interest issues as soon as they are known to the Proposer. All disclosures must be disclosed at the time of Proposal submittal.

Proposer agrees to comply with the SGVCOG's Code of Conduct as it relates to Third Party contracts which is hereby referenced and by this reference is incorporated herein. Proposer agrees to include these requirements in all of its subcontracts.

### **Small Business Enterprise Program Participation**

There is no SBE goal that has been developed for this project.

### **Period of Performance**

Performance under a contract awarded pursuant to this RFP is estimated to commence in accordance with the "Schedule of Work" section.



### **Contract Type and Compensation**

- The Proposer's compensation for the work as identified in the Scope of Work, will be on a Lump Sum by task basis.
- Tasks 1-4 as detailed in the Scope of Work will be issued as Task Order 1. Subsequent Task Orders will be issued at a later date for Tasks 5-6 as the SGVCOG discerns the level of interest from participating cities.
- The Task Order issued under Lump Sum should include compensation for all work and deliverables, including travel, equipment and all project-related costs. Even though the method of payment to Proposer will be on a Lump Sum basis, a detailed labor cost breakdown shall be provided identifying hourly rates for each professional and administrative staff person who will be committed to this Project (prime and subconsultants), including fringe and overhead costs. This information will be used to determine the reasonableness of Proposer's estimate and for pre-/post-award audit purposes when appropriate.

### **Taxes**

The Proposer's work activities are subject to applicable state and local taxes. However, the SGVCOG is exempt from the payment of federal excise and transportation taxes.

### **General Terms and Conditions**

- Appendix A contains a copy of the anticipated professional services agreement including the general terms and conditions of an agreement to provide Services for this Project.
- The SGVCOG reserves the right to modify the professional services agreement to the extent that it deems necessary either before or during any negotiations with the selected Proposer.
- The Proposer is expected to review the general terms and conditions and acknowledge their acceptance of Appendix A in the Proposal Cover letter (or their objections to specific parts of Appendix A) as a mechanism to expedite the contract negotiation process.
- The intent of the SGVCOG is to negotiate and enter into agreement with a Proposer for the identified project as soon as possible after the SGVCOG's Governing Board has approved the recommendations of the selection committee as later described in SECTION II "Evaluation Criteria" below.
- To accommodate a possible delay in reaching a contract agreement, all parts of the Proposal and especially the offer of key personnel as described in the RFP shall be valid for one hundred eighty (180) days after submittal of the Proposal.

### **Key Personnel**

It is imperative that the key personnel providing the services have the background, experience, and qualifications to prepare and complete the Project. The SGVCOG reserves the right to approve all key personnel individually for work on the contract. The Proposer must identify all proposed key personnel.

All key personnel shall be named in the proposal. After a contract is signed, the Proposer may not replace key personnel without written agreement of the SGVCOG. The SGVCOG must approve replacement staff before a substitute person is assigned to the Project. The SGVCOG reserves the right to request that the Proposer replace a staff person assigned to the contract should the SGVCOG consider such a replacement to be for the good of the project. Replacement staff would be subject to the SGVCOG written approval prior to assignment to the team.

### **Office Location/Travel**

It is not the intent of the SGVCOG to provide office space for Proposer's personnel at the SGVCOG office. The SGVCOG does not intend to reimburse the Proposer for personnel relocation under a contract on this solicitation. Specialty staff identified in the proposal that are needed for specific assignments on the contract may, with the SGVCOG written approval in advance, be eligible for reimbursement for all reasonable, normal costs associated with travel outside their home office.

### **Evaluation Procedure**

The SGVCOG will form a Technical Evaluation Committee (TEC) to evaluate the received proposals. Proposers should carefully align the proposed staff hours for each task. Each TEC member will evaluate each proposal using a 100-point scale and the evaluation criteria to calculate a score for each consultant, then rank the consultants by the scores. The TEC will convene to discuss their rankings and may shortlist top-ranked proposers for oral interviews. TEC members will be allowed to revise their scores based on the information and clarifications received through discussion with other TEC members, reference checks, and consultant interviews.

### **Award**

At the conclusion of this process, SGVCOG staff will submit the recommendation of the TEC to the Executive Director for approval and award of contract. SGVCOG reserves the right to award this contract to one (1) Proposer, and to award without discussions.

### **Protest Procedures**

The SGVCOG has prepared written protest procedures that are applicable to its solicitations and a copy of the procedures may be obtained by contacting the SGVCOG Contracts Manager identified in this RFP.

### **Notification of Award and Debriefing**

Proposers who submit a proposal in response to this RFP shall be notified via PlanetBids of the contract award. Such notification shall be made no later than the close of business the fifth (5th) business day after the notice of intent to award is issued by the SGVCOG.

Proposers who were not awarded the contract may obtain a debriefing concerning the strengths and weaknesses of their proposal. Unsuccessful Proposers who wish to be debriefed must request

the debriefing in writing or electronic mail. Debriefings will not be scheduled until the contract is fully executed.

**\*End Instructions to Proposers\***

**SECTION II: EVALUATION CRITERIA**

**Proposal Evaluation Criteria (100 Points Total)**

- Technical Proposal (30 Points)
  - Technical experience in performing similar projects.
  - Demonstrated history of working together and cooperation amongst team members, including proposed subconsultants.
  - Demonstrated record of meeting budget and schedule.
  - Financial strength and stability of the firm; strength, stability, experience and technical competence of subcontractors.
- Staffing and Project Organization (30 Points)
  - Qualifications of project team, including the team's relevant past experience in projects of a similar nature.
  - Key personnel's level of involvement in performing related work.
- Work Approach and Cost Effectiveness (40 Points)
  - Depth of how Proposer understands the Project.
  - Thoughtfulness of approach and clear understanding of what is required to develop a Regional Food Recovery Program.
  - Identification of issues/problems likely to be encountered and solutions.
  - Innovative approaches/enhancements to similar projects.
  - The overall cost of the proposal.
  - The cost effectiveness compared to the proposed quality of work and cost efficiencies presented to the SGVCOG.

**SECTION III: SUBMITTAL REQUIREMENTS**

**Proposal Format and Content**

- Format
  - Proposals should be printed with a standard font type no less than 11-point in size, single-space and on 8 1/2" x 11" size paper, no less than 1/2-inch margins. Charts and schedules may be included in 11" x 17" format. Graphics font shall be a minimum of 10 point. Proposals should not include any unnecessarily elaborate or promotional materials. Proposals should not exceed twenty-five (25) pages in length, excluding the cover letter, table of contents, appendices, resumes, or required forms.
  - Hard section break is not required. However, excess pages will not be read and included in the scoring.

- Cover Letter
  - Cover letter shall be limited to two (2) pages maximum and shall be addressed to Carlos Garcia, Contracts Manager, and at a minimum, must contain the following:
    - Identification of person that has authority to negotiate with SGVCOG and to execute on behalf of the Proposer any agreement that may result from such negotiations. Identification shall include SBE status, legal name of company, corporate address and telephone number. Include name, title, address, telephone number and email address of the individual who will be responsible for any negotiations with SGVCOG and any contact person for the Proposer during the period of proposal evaluation.
    - Acknowledgement that the Proposer is obligated by any and all RFP addenda.
    - A statement to the effect that the proposal submitted shall remain valid for a period of not less than one hundred eighty (180) days from the date of submittal.
    - A statement to the effect that the Proposer is committed to meeting or exceeding the established SBE goal.
    - A statement acknowledging acceptance of the terms and conditions contained in Appendix A – Sample Services Agreement or stating objections to specific parts of Appendix A.
    - Signature of a person authorized to bind The Proposer to the terms of the RFP.
    - A signed statement attesting that all information submitted with the proposal is true and correct.
- Technical Proposal
  - Qualifications, Related Experience, and References of the Proposer
    - This section should explain the ability of Proposer to satisfactorily perform the required work as a result of experience in performing work of a similar nature to that identified in the RFP; demonstrated knowledge of the San Gabriel Valley; familiarity with the SB 1383 regulations; and staffing capability and proven record of meeting schedules on similar type projects. In this section, the Proposer should:
      - Provide a profile of the firm, including the types of services offered; the year founded; form of the organization (corporation, partnership, sole proprietorship); number, size and location of offices; and number of employees.
      - Provide a detailed description of the firm’s financial condition, including any bankruptcy, pending litigation, outstanding claims in excess of twenty-five thousand dollars (\$25,000) for or against the firm; planned office closures; or impending mergers and acquisitions.
      - Describe the firm’s experience in performing similar projects.

- Provide as a minimum three (3) references for the projects cited as related experience, and furnish the name, title, address, telephone number, and email address of the person(s) at the client organization who are most knowledgeable about the work performed. Proposer may also supply references from other work not cited in this section as related experience.
- Proposed Staffing and Project Organization
  - This section of the Proposal should establish the method that will be used by the Proposer to organize and provide the services and manage the project. In addition, this section should also identify key personnel to be assigned and their qualifications and experience, availability, and current workload. Proposer should:
    - Provide education, experience, and applicable professional credentials of project staff.
    - Include brief resumes with relevant experience (not more than two [2] pages each) for key staff.
    - Identify key personnel proposed to perform the work in the specified tasks. Include the person's name, current location, and proposed position for this project, current assignment, and level of commitment to that assignment, availability for this assignment and how long each person has been with the Proposer.
    - Include a project organization chart that clearly delineates communication/reporting relationships among the project staff, including subconsultants. The organization chart must include the name, title and Proposer affiliation for all persons listed.
    - Include a statement that key personnel will be available to the extent proposed for the duration of the services and an acknowledgement that no person designated as key personnel shall be removed or replaced without the prior written concurrence of SGVCOG.
- Proposed Work Plan
  - Proposer shall provide a unique and creative narrative that addresses the Scope of Work for this Project and demonstrates that the Proposer understands the San Gabriel Valley Regional Food Recovery Program's objectives.
  - Additionally, the Proposer's Work Plan shall outline the specific activities that would be undertaken in completing the Scope of Work and specify who in the firm would perform them, identify methods that Proposer will use to ensure quality control as well as budget and schedule control for the project, and identify any special issues or problems that are likely to be encountered in a project of this type and how the Proposer would propose to address them.



- The Proposer is encouraged to propose enhancements or procedural or technical innovations to the Scope of Work that do not materially deviate for the objectives.

**Proposal Forms (Refer to Appendix B)**

This section shall include the Forms contained in Appendix B to this RFP. Consultant shall completely fill out and sign, where applicable, the forms contained therein. If a form is not applicable, Proposer shall submit the form, clearly marked as “Not Applicable”. The forms shall not be counted towards the proposal page limit. These forms should be submitted with the Proposal.

**Cost and Price Proposal (Refer to Appendix C)**

Proposer are asked to submit a cost proposal and can be located on PlanetBids in Excel format. Please complete this document according to the instructions contained therein. Should Proposers have any questions on this document, we request that Proposers utilize the Q&A function of this RFP to address any questions or discrepancies. The SGVCOG may make modifications to this Appendix at its sole discretion.