



**Cuyahoga County**  
SOLID WASTE DISTRICT

**REQUEST FOR PROPOSALS**

**FOR:**

**CONSULTANT SERVICES FOR SOLID WASTE MANAGEMENT  
PLAN UPDATE**

**OFFERED BY:**

**Cuyahoga County Solid Waste District**

**PROPOSAL DUE DATE: Wednesday, August 16, 2023  
3:00 p.m.**

**PROPOSAL SUBMITTED TO:**

**Cuyahoga County Solid Waste District  
4750 East 131 Street  
Garfield Heights, OH 44105**

**Attn: Jessica Fenos**

## Contents

1.	Purpose, Overview, and General Procedures.....	3
1.1.	Purpose .....	3
1.2.	Bid Overview and Background .....	3
1.3.	Anticipated RFP Timetable.....	3
2.	Question and Answer Period, Communication Prohibition.....	3
2.1.	Question and Answer Period.....	3
2.2.	Communication Prohibition .....	4
3.	Scope of Work.....	4
3.1	General.....	4
3.2	Detailed Requirements.....	4
4.	RFP Requirements and Proposal Submissions .....	5
4.1.	Solution Approach .....	5
4.2.	Implementation Schedule .....	5
4.3.	Company Qualifications .....	5
4.4.	Fee Proposal .....	5
4.5.	Affidavit.....	5
4.6.	Submission Location and Packaging.....	6
5.	Proposal Selection Process.....	6
6.	Further Required Assurances.....	7
Exhibit A	.....	8

## 1. Purpose, Overview, and General Procedures

### 1.1. Purpose

The Cuyahoga County Solid Waste District (“District”) is seeking proposals (each being “RFP”) and intends to award one contract to a qualified consulting firm or consulting team to assist the Cuyahoga County Solid Waste District with preparing an update of the Cuyahoga County Solid Waste District Plan (“Plan”). The Plan will follow Ohio EPA Format 4.1 that meets the requirements of ORC 3734.54. The District’s current plan is written following Ohio EPA Format 4.0. The successful consulting team will undertake all studies, research, and activities necessary to produce the Plan update that will result in approval by local political subdivisions and the Ohio EPA. The District will work collaboratively with the selected consultant(s) to provide information required for the plan update.

### 1.2. Bid Overview and Background

The District’s Mission is to ensure that comprehensive, high-quality solid waste services are available to Cuyahoga County residents and businesses, and to supply environmental education and assistance to the community that will promote cost effective and sustainable materials management and reduce the environmental impact of waste.

The Cuyahoga County Solid Waste District (“District”) is a single-county district, formed on August 29, 1988. The District includes 59 communities – 38 municipalities, 19 villages and 2 townships. It includes all incorporated and unincorporated territory in Cuyahoga County, and a small portion of neighboring Geauga County ( Village of Hunting Valley). The current Plan approved by the Ohio EPA on August 23, 2019, begins with the planning year 2019 and includes a fifteen-year planning period.

### 1.3. Anticipated RFP Timetable

DATE	EVENT/ACTIVITY
July 26, 2023	District releases RFP. Q&A period opens. - RFP becomes active. - Bidders may submit inquiries for RFP clarification.
August 11, 2023	Q&A Period Closes 10:00 a.m. (for inquiries for RFP clarification). - No further inquiries for RFP clarification will be accepted.
August 23, 2023	<b>Deadline for bidders to submit proposals (3:00 p.m.).</b> This is the proposal opening date, beginning of District process of proposal review.
September 2023	Letter of intent to award contract(s) issued. - All bidders notified.
September 2023	Service provision begins.

***\*Note, dates above are anticipated and are subject to change, the District reserves the right to revise this schedule in the best interests of the District.***

## 2. Question and Answer Period, Communication Prohibition

### 2.1. Question and Answer Period

When does the Q & A Period Open?	Once the RFP is released, bidders may submit questions for clarification of the RFP.
How, and to whom, do I submit a question?	Bidders must submit all questions regarding this RFP in writing via email, or US Mail to:  Jessica Fenos, Asst. Director, Cuyahoga County Solid Waste District at <a href="mailto:jfenos@cuyahogacounty.us">jfenos@cuyahogacounty.us</a> , or 4750 East 131 Street, Garfield Heights, Ohio 44105  All questions must be titled "RFP: Plan Update" and also specifically identify the section of the RFP to which the question relates.
Q & A closing date	Bidders will be permitted to submit written questions regarding clarifications of this RFP until August 11, 2023 at 10:00 AM. Questions submitted after this date and time are untimely and will not be answered.
How will my question be answered?	Written questions received by the above deadline will be answered in writing by August 15, 2023 at close of business and provided to: (1) all individuals and businesses that received this RFP and (2) all individuals and businesses that have timely and properly submitted questions.

### 2.2. Communication Prohibition

From the issuance date of this RFP until the date District awards a contract there may be no communications (other than in writing in a manner as described herein) concerning the RFP between any bidder and any employee of the District, or any other individual regardless of their employment status, who is in any way involved in the development of the RFP or the selection of Contractor.

The only exceptions to this prohibition are as follows:

- a. Communications conducted pursuant to Section 2.1, Q&A Period;
- b. For the purpose of conducting necessary business arising from a pre-existing or on-going business relationship with the Board;
- c. As part of any proposer interview process initiated by the District, which the District deems necessary in order to make a final selection;
- d. Bidders may request that the RFP and all posted RFP documents be sent via U.S. mail;
- e. Any Public Records Request made through the District;
- f. Notification of any changes or announcements related to this RFP through the District's bidder notification list; and

- g. A public meeting of the Board of Directors at which the award of a contract, pursuant to this RFP has been placed on the agenda for discussion.

### **3. Scope of Work**

#### **3.1 General**

The District is seeking proposals and intends to award one contract to a qualified consulting firm(s) to assist the District and Solid Waste Policy Committee with preparing an update of the Plan following Ohio EPA Format 4.1 that meets the requirements of ORC 3734.54.

Service for this contract shall begin on or after September 1, 2023. The draft is due to the Ohio EPA by August 23, 2024 and the final version of the Plan is due to the OEPA by November 2025.

#### **3.2 Detailed Requirements**

Bidders shall provide a proposed project approach and preliminary activity schedule to achieve the Plan Update schedule. At a minimum, the Scope of Services should include:

- a. A description of the Tasks necessary to complete Chapters 1-6 of Ohio EPA's Format (version 4.1) including narrative, data, tables, and required appendices including appropriate tables. Assume at least ten meetings will be necessary with District staff, Policy Committee, and the Board of Directors during Plan development.
- b. A description of the Tasks necessary to address Ohio EPA's nonbonding advisory opinion, public hearings, ratification, and Ohio EPA's final review. Assume one (1) public hearing, and at least one meeting with the Ohio EPA to discuss the draft Plan Update. The Contractor is responsible for developing all public notices. The District is responsible for mailing the notices, scheduling the hearings, and locations.

In addition, the Contractor will be required to do the following:

- a. Prepare the necessary copies of the draft Plan Update, in its entirety for the Ohio EPA.
- b. Prepare the necessary copies of the ratified Plan, in its entirety for the Ohio EPA.
- c. Provide the District with digital copies of the complete original of the draft Plan Update and the ratified Plan, including all data for charts and graphs, for the District's records at the completion of the draft and final plan ratification.

### **4. RFP Requirements and Proposal Submissions**

#### **4.1. Solution Approach**

Describe in detail how your company proposes to provide the services requested by the District. In particular, your proposal must specifically address how your company will satisfy each of the requirements outlined in the Scope of Work section of this RFP and address your firm's project understanding, approach, and activity schedule.

#### 4.2. Implementation Schedule

Please provide an implementation schedule that outlines the process of providing the requested services.

#### 4.3. Company Qualifications

Provide information on your company's background and qualifications that address the following:

- a. Name, address, telephone number, and email for a contact person; and
- b. A brief description of your company, as well as how any joint venture or third-party association would be structured; and
- c. A description of three projects similar in size and scope implemented by your company including client contact information and schedule and project summary. Descriptions should be limited to one page for each project.

#### 4.4. Fee Proposal

Please refer to the information contained in the scope of work section in determining your fee structure. Bidder shall list all applicable fees, including but not limited to:

- a. Projected time and labor costs for each work task proposed;
- b. Travel and Administrative costs; and
- c. Provide a total not to exceed price.

#### 4.5. Affidavit

The attached non-collusion affidavit (Exhibit A) must be completed and signed by an authorized agent of your company.

#### 4.6. Submission Location and Packaging

- a. The District requires **one original proposal, and one digital copy** (the digital copy must be submitted on a flash drive).
- b. Proposals must be received in hand no later than **3:00 p.m. on August 23, 2023** at the District's office located at 4750 East 131 Street, Garfield Heights, OH 44105. Faxed submissions will not be accepted. There are no exceptions to this deadline, and proposals received after the deadline are untimely and will be immediately rejected without notice.
- c. Proposals may be submitted via hand delivery, FedEx, UPS, or U.S. Mail.
- d. Proposals must be received in a sealed envelope or box, and bear on its face the name and address of bidder and be plainly marked **"PROPOSAL FOR CONSULTANT SERVICES FOR SOLID WASTE MANAGEMENT PLAN UPDATE."**

- e. The District is not responsible for proposals incorrectly addressed or for proposals delivered to any location other than the address specified on the cover sheet of this RFP. Delivery to the District is the sole responsibility of the bidder.
- f. Submission of a proposal indicates acceptance by the bidder of the conditions contained in this RFP.
- g. It is the responsibility of the bidder to ensure that its proposal is delivered to the proper location by the designated time.
- h. While a bidder has the discretion to formulate its proposal in any manner it chooses, care should be taken to include the requirements contained in this RFP.

## **5. Proposal Selection Process**

- a. Each proposal will be evaluated for responsiveness to the Scope of Work requirements of this RFP. The evaluation criteria will include, but is not necessarily limited to:
  - i. The ability of the bidder to meet the needs of the Cuyahoga County Solid Waste District;
  - ii. The bidder's experience in similar projects in Ohio;
  - iii. Education, technical training, and experience of owners and key personnel, including the employees who would be assigned to perform the services;
  - iv. The bidder's ability and experience running multiple projects simultaneously;
  - v. The bidder's ability to provide services on the timeline proposed;
  - vi. The bidder's list of consultants and sub-consultants used to provide services not performed by the bidder;
  - vii. The bidder's procedures for preparing budget estimates, performing design reviews and value engineering, and communicating with the District;
  - viii. The bidder's cost to perform services requested;
  - ix. The quality of equipment selected by the bidder (as applicable), and
  - x. The bidder's past experience with the District, if any.
- b. The District reserves the right to request to interview Bidders or to request that Bidders make a presentation to explain their proposal and to answer any questions, upon written notification from The District
- c. The District reserves the right to reject any proposal in which the bidder takes exception to the terms and conditions of the RFP; fails to meet the terms and conditions of the RFP, including but not limited to, the standards, specifications, and requirements specific in the RFP; or submits prices that the District considers to be excessive, compared to existing market conditions, or determines it exceeds the available funds of the District.
- d. Proposals and documents submitted with proposals do not become public record until after award of a contract(s).
- e. Any oral communication will be considered unofficial and will not be binding against the District.

- f. Bidders are required to submit a sample agreement/contract with their proposal documents. Regardless of the sample agreement/contract submitted, no term of such agreement shall be mandatory; the District may insist that language be added, removed, or modified in the final agreement/contract. All sample language must adhere to the further assurances requirements as listed in this RFP.

## **6. Further Required Assurances**

The following terms are required to be adhered to throughout the contract period and also during any renewal/extension periods. The terms included in this section, and all terms throughout this RFP will take precedence over any terms included in contractor's terms and conditions. The following terms are non- negotiable. If the selected bidder refuses to abide by these terms, the District may select the next most advantageous bidder.

- a. By submitting the RFP, the bidder agrees that all terms of the RFP shall be included in the eventual agreement and shall govern regardless of the terms of any proposed agreement submitted with the RFP.
- b. Any agreement must state that all parties shall abide by the requirements of the Ohio Public Records Act. Any agreement must state that, in the event that the District becomes liable to a third party for failure to comply with a legal public records request because the District did not release a record relating to the agreement at the request of the contractor, the contractor shall indemnify the District for any amounts that must be paid to the third party for such failure (including penalties and attorney's fees). Any agreement shall be deemed a public record and shall not be confidential.
- c. Dispute resolution between the contractor(s) and the District, in any form, shall not be a requirement of any agreement entered into by the parties.
- d. The District shall not be required to indemnify or hold harmless the contractor(s) for any reason or cause (including attorney's fees) or for any amount of money.
- e. There will be no retainage requirement for the contract(s) awarded.
- f. Liquidated damages: By submitting a proposal, the successful bidder agrees to the liquidated damages clause herein. The District shall have the right to deduct any and all liquidated damages from any funds due or to become due to the contractor at the rate of \$500.00 (five hundred dollars) per day for each calendar day that the contractor does not provide the services as agreed in the contract if the non- performance is caused by any reason other than force majeure. For purposes of this RFP, force majeure means a failure to perform obligations due to events beyond contractor's reasonable control, including, but not limited to, strikes, riots, wars, fire, pandemic, or acts of God.
- g. Successful bidder agrees to indemnify and hold the District harmless for liability of any and all claims, demands, suits, in contract or in tort, actual or threatened, and from damages or payments including, but not limited to, costs and expenses arising out of breach of contract or the acts or omissions of the successful bidder.



- h. Successful bidder shall assume full responsibility for and shall indemnify the District for any damage to or loss of any District property, including buildings, fixtures, furnishings, equipment, supplies, accessories, or part resulting in whole or part from any negligent acts or omissions of the successful bidder or any employee, agent, or representative of the successful bidder.
- i. For the purpose of Chapter 145 of the Ohio Revised Code, if the successful bidder is an entity engaged in business and has five or more employees, any individual employed by the successful bidder who provides personal services to District shall not be considered a public employee.

# EXHIBIT A

## Non-Collusion Affidavit

STATE OF \_\_\_\_\_ )

SS:

COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, being first duly sworn, deposes

(NAME)

and says that he/she is \_\_\_\_\_ for

(POSITION)

\_\_\_\_\_ the party making the fore-

(COMPANY NAME)

going proposal or bid, that such proposal or bid is genuine and not collusive or sham; that said bidder has not colluded, conspired, connived or agreed, directly or indirectly, with any bidder or person, to put in a sham bid or to refrain from bidding, and has not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference, with any person, to fix the bid price of affiant or of any other bidder, or to fix any overhead, profit or cost element of said bid price, or of that of any other bidder, or to secure any advantage against the Cuyahoga County Solid Waste District or any person interested in the proposed contract; and that all statements in said proposal or bid are true.

\_\_\_\_\_  
AFFIANT

Sworn to and subscribed before me, a Notary Public, on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

My commission expires \_\_\_\_\_, \_\_\_\_\_.