Request for Qualifications

City of Killeen, Texas
Sealed statements will be
received for:

FIRM TO CONDUCT A SOLID WASTE REQUEST FOR PROPOSAL RFQ No. 17-06

Sealed Statements will be received until 12:00 p.m. on Monday, December 5, 2016

Return Statements to: City of Killeen
Attn: Purchasing Department
207A W. Avenue D
Killeen, Texas 76541

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NOTICE TO QUALIFIED FIRMS
FIRM TO CONDUCT A SOLID WASTE REQUEST FOR PROPOSAL
RFQ NO. 17-06
CITY OF KILLEEN, TEXAS

The City of Killeen will receive Statements of Qualifications for Firms to Conduct a Solid Waste Services Request for Proposal until December 5, 2016 at 12:00 p.m. Submittals must be addressed to the City of Killeen, Purchasing Division, 207A W. Avenue D, Killeen, Texas 7654l and shall be plainly marked with the name and address of the proposer and "RFQ 17-06, Firm to Conduct a Solid Waste Services RFP". Submittals received after the closing time will be returned unopened.

The City of Killeen is seeking a response from qualified consulting firms to work with the City to create, issue, receive, and evaluate a Request for Proposal leading to a recommendation of a waste disposal company to perform Solid Waste Services.

Questions will be accepted by Randy Jimenez at rjimenez@killeentexas.gov through November 30, 2016 at 3:00 p.m. Complete information regarding this solicitation may be obtained from the City of Killeen website (www.killeentexas.gov), Demand Star (http://www.demandstar.com/), ESBD (http://portal.cpa.state.tx.us), and Ion Wave (https:/killeentx.ionwave.net). It is the proposer's responsibility to obtain and acknowledge all Addenda.

The City of Killeen reserves the right to reject any or all submissions and waive any irregularities.

CITY OF KILLEEN, TEXAS

Randy Jimenez
Purchasing Manager

INTRODUCTION

The City of Killeen is soliciting Statements of Qualifications (RFQ) from firms that are interested and qualified to conduct a Request for Proposal (RFP) leading to a recommendation of a waste disposal company to perform Solid Waste Services for the City.

Statements will be received and publicly acknowledged within the Purchasing officer (located at 207A W. Ave D, Killeen, TX).

The City of Killeen is aware of the time and effort your company expends in preparing and submitting statements to the City. Please advise the City of statement requirements causing your firm difficulty in responding to our RFQ. It is the desire of the City of Killeen to make the process as workable and expedient as possible in order that all responsible vendors will be allowed to compete for the City's business.

All statement responses shall be in writing with one (1) original, five (5) copies and one (1) electronic version (CD Rom or USB Drive) of the statement returned in a sealed envelope bearing the name and address of the respondent. Facsimile and/or email transmittals will not be accepted. Response packages will be accepted until **12:00 P.M. on December 5, 2016** and should be addressed to:

City of Killeen
Attn: Purchasing Department
207 A West Ave D
Killeen, Texas 76541

Specifications

The apparent silence of any specification as to any detail or to the apparent omission of a detailed description concerning any point shall be regarded as meaning that only the best commercial practices are to prevail. All interpretations of these specifications shall be made on the basis of this statement. It is the responsibility of the respondent to ask questions or bring up concerns to the City if any specification seems unclear or is lacking detail in any way.

Questions and Inquiries

Questions and inquiries about this RFQ should be directed via email to rjimenez@killeentexas.gov. Questions should be submitted by 3:00 P.M. on the date specified herein.

Addenda

Any interpretations, corrections, or changes to this RFQ will be made by an addendum. All addenda issued will be posted on our City of Killeen website at: http://www.killeentexas.gov/purchasing. It shall be the responsibility of the Firm to keep track of all addenda issued for this RFQ. All addenda issued will become a part of the RFQ and the Firm shall submit them within their statement to acknowledge receipt.

Communication

The City shall not be responsible for any verbal communication between any employee of the City and any potential firm. Only written requirements and qualifications will be considered.

Reservations

The City reserves the right to accept or reject any or all statements of qualification as a result of this RFQ, to negotiate with all qualified sources, or to cancel, in part or in its entirety, this RFQ if found in the best interest of the City. All statements become the property of the City of Killeen. A respondent taking exception to the specifications, or offering substitutions, shall state these exceptions by an attachment as part of their statement. The absence of such a listing shall indicate that the respondent has not taken exceptions and shall hold the respondent responsible to perform in strict accordance with the specifications in this RFQ if they are awarded the contact.

Reimbursements

There is no express or implied obligation for the City of Killeen to reimburse responding firms for any expenses incurred in preparing statements in response to this RFQ and City of Killeen will not reimburse responding firms for these expenses, nor will City pay any subsequent costs associated with the provision of any additional information or presentation, or to procure a contract for these services.

Certification

Statements must be completed and submitted as required in this document. The certification form must be fully completed.

Receipt of Statements

The submitted statement must be received by the Purchasing Division prior to the time and date specified. The mere fact that the statement was dispatched will not be considered; the respondent must insure that the statement is actually delivered. All statements received after the deadline will be rejected upon a delivery attempt or returned to the firm unopened.

A statement may not be withdrawn or cancelled by the respondent without the permission of the City of Killeen for a period of ninety (90) days following the date designated for the receipt of their statement, and the respondent agrees to this upon submittal of their statement. Statements cannot be altered or amended after the submission deadline. Any interlineations, alterations or erasures made before the opening of the statement(s) shall be initialed guaranteeing their authenticity.

The respondent shall sign and date each statement in the packet that is representative of their firm's offer. The person signing the statement must have the authority to bind their firm in a contract. Statements received which are not signed and dated in this manner, may be rejected.

Protest

Any respondent wishing to file a protest concerning alleged improprieties with this solicitation must submit the protest in written format to the Purchasing Division at the address stated herein within 5 business days after the specified time of the RFQ closing. The formal written protest must identify the name of the respondent contesting the solicitation, the name of the RFQ, the RFQ number, and the specific grounds for the protest with all supporting documentation. A response to the protest will be prepared by the Purchasing Division within 10 business days of receipt of the protest. All determinations made by the City are final.

Disclosure

At the public closing time, there will be no disclosure of contents to competing firms, and all statements will be kept confidential during the negotiation process. Except for trade secrets and confidential information which the respondent identifies as proprietary, all statements will be open for public inspection after the contract award. Any item(s) marked proprietary or that contain a trade secret shall be clearly marked in a separate section of the statement.
One or more of the respondents may be asked to appear and make presentations to the selection committee for the purpose of making a final evaluation and recommendation for contract award. However, the City, may in its sole discretion, award a contract without presentations, based solely on information supplied in the statement responses.

Negotiations

Negotiations may be conducted with responsible respondent(s) who submit statements that are reasonably qualified of being selected. All respondent(s) reasonably qualified of being selected based on criteria set forth in this RFQ may be given an opportunity to make a presentation and/or interview with the selection committee. Following any presentation and/or interviews, firms will be ranked in order of preference and contract negotiations will begin with the top ranked firm. Should negotiations with the highest ranked firm fail to yield a contract, or if the firm is unable to execute said contract, negotiations will be formally ended and then commence with the second highest ranked firm, etc. However, the City may in its sole discretion, award a contract without interviews, based solely on information supplied in the statement responses.

Award of the Contract

Award of the contract shall be made to the responsible respondent, whose statement is determined to be the most advantageous offer resulting from negotiations and taking into consideration other factors set forth in this request for qualifications.

Management Changes

Should there be a change in ownership or management, the contract shall be canceled unless a mutual agreement is reached with the new owner or manager to continue the contract with its present provisions and prices. This contract is nontransferable by either party.

OBJECTIVE

The City of Killeen (City) is seeking a response to the Request for Qualifications (RFQ) from qualified firms to create, issue, receive, and evaluate a Request for Proposal leading to a recommendation of a waste disposal company to perform Solid Waste Services.

BACKGROUND

1. The City serves an area of 55.56 square miles with an estimated population of 144,537.
2. The Solid Waste Division has 93 employees that provide a wide range of services to Killeen residents and commercial customers. The collection division provides residential and commercial collection services to approximately 46,000 residences and 1,723 commercial accounts. The division also provides special collection services including brush, bulky waste and yard waste. The total amount of material recycled annually is approximately 1,600 tons with an additional 4,000 tons of brush diverted from the waste stream. The City also hosts special collection events including household hazardous waste (HHW). The City processes 95,000 tons of solid waste through a transfer station that is hauled to the City of Temple Landfill for disposal. The current transfer station began operation in 2007 and provides a location for citizens and businesses to self-haul waste and recyclables. The FY17 Solid Waste budget is approximately $17 million.
3. More detailed information on the Solid Waste Division can be found on the City's website at www.killeentexas.gov .

SCOPE OF WORK

To accomplish the Request for Proposal, the engagement may include, but not be limited to the following:

1. Craft and write the Request for Proposal.
2. Establish evaluation criteria and evaluation rating system.
3. In conjunction with the Purchasing Division, advertise and publish the RFP following City and State laws and policy.
4. Receive and evaluate proposals.
5. Make a recommendation to City.

SCHEDULE

The City Purchasing Manager, in conjunction with the evaluation committee, has primary responsibility for RFQ coordination. He, or his designee, and the successful proposer shall meet and agree, in writing, on the time frame for completing the services described in the Scope of Work.

The City of Killeen requires comprehensive responses to every section within this RFQ. Conciseness and clarity of content are emphasized and encouraged. Vague and general proposals will be considered non-responsive and will result in disqualification. To facilitate the review of the responses, firms shall follow the described proposal format. The intent of the proposal format requirements is to expedite review and evaluation. It is not the intent to constrain vendors with regard to content, but to assure that the specific requirements set forth in this RFQ are addressed in a uniform manner amenable to review and evaluation. Failure to arrange the proposal as requested may result in disqualification of the proposal. *It is requested that proposals be limited to no more than 30 pages, excluding resumes.* All pages of the proposal must be numbered and the proposal must contain an organized, paginated table of contents corresponding to the sections and pages of the proposal.

A. FIRM QUALIFICATIONS AND EXPERIENCE

1. State the legal status of the firm (partnership, corporation, etc.), size of the firm, size of the firm's staff, number of years in operation and the location of the office from which the work on this engagement is to be performed.
2. If the proposer is a joint venture or consortium, the qualifications of each firm comprising the joint venture or consortium should be separately identified and the firm that is to serve as the principal auditor should be noted, if applicable.
3. Please describe in detail the current and historical experience the proposer and its subcontractors have that would be relevant to this project. Provide descriptions and references for number of RFPs conducted and evaluated to outsource solid waste and the number of RFPs conducted and evaluated to outsource solid waste in the state of Texas that have been conducted within the past five (5) years. References must contain the name, title, organization name, address, phone and email of organizations that may be contacted to verify qualifying experience.

B. PERSONNEL QUALIFICATIONS

1. Please include an organizational chart identifying all key personnel who are to be part of the proposed team. Identify the principal supervisory and management staff, including partners, managers, other supervisors and specialists, who would be assigned to this project. Information should be presented in sufficient detail as to provide the City an indication that the personnel involved can perform the work specified in this RFQ. The City reserves the right to approve or reject each member of the team and to request substitutions. For each person, please provide the following:
   a. Full name;
   b. Employment history;
   c. Education and professional licensing of each person as it relates to this project;
   d. Specific description of what role the individual will have in this project; and
   e. Any additional helpful information to indicate the individual's ability to aid the proposer in successfully performing the work involved in this RFQ.
2. Provide information on the experience of each person in conducting a solid waste outsourcing RFP, including information on relevant continuing professional education for the past three (3) years and membership in professional organizations relevant to the performance of this audit. Indicate how the quality of staff over the term of the agreement will be assured.
3. Identify any existing or potential conflicts of interest relative to the performance of the requirements of this RFQ. Examples would include, but are not limited to, existing business or personal relationships between the proposer, its principal, or any affiliate or

subcontractor, with the City or any other entity or person involved in any way in the project that is the subject of this RFQ.
NOTE – Consultants and firm specialists mentioned in response to this request for qualifications can only be changed with the express written permission of the City, which retains the rights to approve or reject replacements. Other personnel may be changed at the discretion of the proposer provided that replacements have substantially the same or better qualifications or experience.

C. PROJECT APPROACH

1. Project approach to the RFP process to include but not limited to, the crafting of the RFP, methods of evaluating proposals, and approaches to making a recommendation.

D. QUALITY OF RESPONSE

Completeness of the response to this RFQ including submission of all checklist documents.

E. EVALUATION AND SELECTION PROCESS

All proposals will be screened by an evaluation committee and the proposers with the three (3) highest combined scores should expect to be interviewed by the selection committee or City Council, at the proposer's own expense. Any invitation for an oral presentation will be solely for the purpose of clarifying proposals received from each qualifying proposer, and will not represent any decision on the part of the evaluation committee as to the selection of a successful proposer.

The City will evaluate all responses based on the experience, qualifications, project approach, and quality of response. The City reserves the right to negotiate the final fee prior to recommending any firm for a contract.

The City's process is as follows:

1. The evaluation committee shall screen and rate all of the responses that are submitted. Evaluation ratings will be on a 100 point scale and shall be based on the following criteria:
   a. Firm Qualifications and Experience (45 points)
   b. Personnel Qualifications (25 points)
   c. Project Approach (25 points)
   d. Quality of Response (5 points)
2. The evaluation committee shall recommend the most qualified firm to the City Council and request authority to enter into contract negotiations.
3. When services and fees are agreed upon, the selected firm shall be offered a contract subject to City Council approval.
4. Should negotiations be unsuccessful, the City shall enter into negotiations with the next, highest ranked firm. The process shall continue until an agreement is reached with a qualified firm.
5. Prior to the approval of an award, no evaluation committee member shall disclose any information regarding the committee's decision.
6. This RFQ does not commit the City to pay for any direct and/or indirect costs incurred in the preparation and presentation of a response. All finalist(s) shall pay their own costs incurred in preparing for, traveling to and attending interviews.

The City reserves the right to use all pertinent information (also learned from sources other than disclosed in the RFQ process) that might affect the City's judgment as to the appropriateness of an award to the best evaluated proposer. This information may be appended to the proposal evaluation process results.

During the RFQ process, the City is identifying the most qualified firm to provide the services it seeks without discussing cost or fees. After the City has identified the most qualified firm using the criteria listed in the RFQ, the City will begin negotiating with the successful proposer and cost and pricing structure may be discussed at that time.

CERTIFICATION

The undersigned affirms that they are duly authorized to execute a contract, that this RFQ has not been prepared in collusion with any other firm, and that the contents of this RFQ have not been communicated to any other firm prior to the official opening of this RFQ. Additionally, the undersigned affirms that the firm is willing to sign the enclosed Standard Form of Agreement (if applicable).

Signed By: _____ Title:_____

Typed Name: _____ Company Name:_____

Phone No.: _____ Fax No.:_____

Email: _____

Address: _____
P.O. Box or Street City State Zip

Order Address:_____
P.O. Box or Street City State Zip

Remit Address:_____
P.O. Box or Street City State Zip

Federal Tax ID No.: _____

Date: _____

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 **Name of vendor who has a business relationship with local governmental entity.**

2 ☐ **Check this box if you are filing an update to a previously filed questionnaire.** (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 **Name of local government officer about whom the information is being disclosed.**

_____

Name of Officer

4 **Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.**

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes ☐ No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐ Yes ☐ No

5 **Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.**

6 ☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7

_____ _____

Signature of vendor doing business with the governmental entity Date

CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at http://www.statutes.legis.state.tx.us/ Docs/LG/htm/LG.176.htm. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:
(A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
(B) a transaction conducted at a price and subject to terms available to the public; or
(C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):
(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:
***
(2) the vendor:
(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds $2,500 during the 12-month period preceding the date that the officer becomes aware that
(i) a contract between the local governmental entity and vendor has been executed;
or
(ii) the local governmental entity is considering entering into a contract with the vendor;
(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than $100 in the 12-month period preceding the date the officer becomes aware that:
(i) a contract between the local governmental entity and vendor has been executed; or
(ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)
(a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:
(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);
(2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or
(3) has a family relationship with a local government officer of that local governmental entity.
(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:
(1) the date that the vendor:
(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or
(B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or
(2) the date the vendor becomes aware:
(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);
(B) that the vendor has given one or more gifts described by Subsection (a); or
(C) of a family relationship with a local government officer.