



# Inspection Services Request for Proposals

**Release Date: December 9, 2016**

**Proposals Due: January 23, 2017**

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Alameda County Waste Management Authority  
1537 Webster Street  
Oakland, CA 94612

[www.RecyclingRulesAC.org](http://www.RecyclingRulesAC.org)

## **I. INTRODUCTION**

This Request for Proposals (RFP) is issued by the Alameda County Waste Management Authority (Authority) to seek qualified contractors to supply contract inspectors to conduct inspections under the Mandatory Recycling and Reusable Bag Ordinances in Alameda County, CA. The ideal firm will possess experience and expertise in conducting inspections of commercial and multi-family solid waste accounts and retail establishments.

The Mandatory Recycling Ordinance is implemented under a routine inspection program requiring specially trained inspectors to conduct inspections. Historically, three contract inspectors have been assigned to the project. The Reusable Bag Ordinance, recently expanded, has a complaint-based inspection program which requires an inspector to conduct inspections as needed or scheduled. In addition to enforcement inspections, the Reusable Bag inspector(s) may be required to gather statistical compliance information or distribute informational materials to the regulated community.

### **About the Alameda County Waste Management Authority, or “StopWaste”**

StopWaste is a public agency governed jointly by three Boards, the Alameda County Waste Management Authority, the Alameda County Source Reduction and Recycling Board, and the Energy Council. StopWaste is responsible for reducing the waste stream in Alameda County and supports local governments, businesses, schools and residents through source reduction and recycling, market development, technical assistance, and public education. StopWaste’s jurisdiction covers each of the fourteen cities, two sanitary districts, and remaining unincorporated areas within the County. For more information about StopWaste, go to [www.StopWaste.org](http://www.StopWaste.org).

## **II. ABOUT THE MANDATORY RECYCLING ORDINANCE**

In 2012, the Alameda County Waste Management Authority adopted ACWMA Ordinance 2012-01, the Mandatory Recycling Ordinance (MRO). The MRO was implemented in two phases with Phase 1 effective July 1, 2012. Phase 2 became effective starting in July 1, 2014 in participating jurisdictions. Enforcement began after 6 month introduction and grace periods of each Phase; January 1, 2013 and January 1, 2015, respectively. The MRO prohibits the disposal of readily recyclable (Phase 1) and compostable (Phase 2) materials (“Covered Materials”) and requires property owners to provide recycling and organics collection containers and service to multi-family accounts of 5 or more units and commercial properties. More information about the MRO, including a copy of the ordinance, is available at [www.RecyclingRulesAC.org](http://www.RecyclingRulesAC.org).

Phase 1 of the MRO applied only to commercial accounts with 4 or more cubic yards of solid waste service and multi-family properties with 5 or more units. Phase 2 expanded the requirements to all commercial accounts regardless of size and added compostable food and paper to the list of Covered Materials. Each of the 17 member agencies in Alameda County were given the option to participate in the MRO fully and on-time, delay all or parts of the Ordinance requirements, or opt-out from participation entirely. There are currently about 18,000 commercial accounts and 7,500 multi-family accounts covered by the MRO within the participating jurisdictions.

The Authority conducts a routine inspection program to determine compliance with the MRO. The routine inspection program currently consists of approximately annual inspection of all accounts meeting the inspection criteria or more frequent inspections if the account is out of compliance. The Authority establishes the inspection criteria and put accounts “out for inspection” to be inspected by the contractor.

### III. ABOUT THE REUSABLE BAG ORDINANCE

The Reusable Bag Ordinance (RBO) was adopted by the Authority in 2012. The RBO covered 1,274 retail stores that sold certain food-related products of milk, bread, snack food and soda, as well as liquor stores. In October 2016, the Authority voted to expand the RBO to include all retail establishments and public eating establishments (including but not limited to restaurants, food trucks and vendors), an additional 13,000 covered stores in Alameda County. The RBO prohibits the distribution by retail establishments of single use bags for the removal of merchandise from the premise. It establishes the criteria for defining acceptable reusable bags, requires that merchants charge a minimum of \$0.10 per reusable or paper bag given at point of sale, and requires that charge to be itemized on the receipt. With the adoption of the expanded RBO, the Authority also approved a shift from a routine inspection program to complaint-based enforcement, resulting in somewhat unknown enforcement levels. Enforcement will be supplemented with distribution of informational materials provided by the contract inspectors to businesses in need of additional RBO support.

### IV. DESCRIPTION OF SERVICES REQUIRED

The Authority requires the services of qualified inspectors to conduct inspections of commercial and multi-family properties that are regulated under the Mandatory Recycling and Reusable Bag Ordinances. The prescribed duties of an inspector are as follows:

- A. Acting independently and with minimal supervision, conduct inspections of garbage, recycling and organics containers at commercial and multi-family accounts throughout Alameda County to determine compliance with the Mandatory Recycling Ordinance.
- B. Acting independently and with minimal supervision, conduct inspections of retail and public eating establishments to determine compliance with the Reusable Bag Ordinance.
- C. Using a tablet and software provided by the Authority to record results of each MRO inspection.
- D. Utilize forms and excel spreadsheets provided by the Authority to track and record results of each RBO inspection.
- E. Safely and efficiently drive, or walk if in proximity, from one site to the next following all traffic and safety procedures.
- F. Be able to effectively communicate with regulated parties (representative at accounts) the purpose of the inspection and compliance criteria per instruction from the Authority.
- G. Hand out media, outreach materials and forms as necessary and describe the use/purpose of same to regulated parties.
- H. Must be able to work outside, and lift, pull, maneuver around obstacles to make observations.
- I. Must have eye sight 20/20 vision (corrected).
- J. Must have a valid California Driver's License.

*(See Appendix A for other specific Inspector/Inspection Criteria)*

Compliance with the Mandatory Recycling Ordinance is determined through a routine inspection program; Reusable Bag Ordinance compliance is verified through a complaint-based inspection program. Both inspection programs constitute a government search and therefore must be conducted in a manner to protect the rights and liberties of the people of Alameda County<sup>1</sup> and were designed to meet the standard to protect those rights.

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<sup>1</sup>The Fourth amendment of the constitution of the United States protects citizens against unreasonable search and seizures of either self or property by government officials.

### **Mandatory Recycling Ordinance Inspection Program**

An MRO inspection consists of making a visual inspection of the hauler-serviced garbage, recycling and when applicable, organics container(s) to determine if Covered Materials have been placed in the garbage, if garbage has been placed in the recyclable and/or organics containers and if there are recycling and/or organics containers present. Inspection observations are noted via approximately 20 questions on a customized tablet application and in many cases, photos will also need to be taken with the tablet. Some interaction with the regulated parties is often required to gain access to the container(s) if they are not in an outside public area. If the inspectors interact with business representatives, they are expected to answer basic MRO questions and leave informational materials if needed.

On average, each inspection takes approximately 15 minutes including travel time between inspections. Since inspections typically occur for accounts in the same jurisdiction and collection day, travel time between inspections is approximately 3 to 5 minutes between inspections and does not include initial travel time to get to and from the jurisdiction where the inspections are conducted.

A routine inspection program is one that results in a regulated party being inspected on a regular or consistent basis over a given period of time. Under the MRO program a regulated party is scheduled for inspection at least annually and more frequently if they are out of compliance. While all accounts are subject to inspection, not all accounts are routinely inspected. Some accounts (such as cart-based garbage accounts) are inspected opportunistically when in the proximity of a bin account. There are about 15,600 accounts that are inspected, at present, on a routine basis.

Inspections occur at the location where garbage service is provided and within 24 hours prior to garbage collection. On a regular basis, the Authority will provide lists of regulated parties that are subject to inspection (Eligible Inspections). Eligible inspections are periodically up-loaded to a tablet application and will always be in excess of the capacity of the inspector(s) to complete in any given time period. It is the contractor's responsibility to organize the inspections in such a way as to facilitate the inspection criteria. The eligible inspections can be sorted by city, day of garbage service collection, and location.

### **Reusable Bag Ordinance Inspection Program**

There are approximately 15,000 RBO regulated parties located throughout Alameda County and only a percentage will be inspected. As RBO inspections will be generated by citizen complaints (verses a regular inspection schedule), it is difficult to predict the numbers and locations of inspections. A complaint based inspection program is one that is initiated by a citizen complaint which alleges non-compliance by a regulated party. The Authority receives a complaint via several sources: complaint forms via dedicated website, RBO hotline, and/or email. Staff will conduct initial review of complaint to verify if an on-site inspection is warranted (Eligible Inspection). Eligible RBO Inspections must be completed within 10 business days (14 calendar days) from the date contractor received inspection assignment. RBO inspections consist of on-site visits to regulated store to assess compliance with Ordinance.

Inspections to include, but are not limited to, observing and taking photos of customers' bags as they exit the regulated store, meeting with store/eating establishment management to evaluate compliance, visually inspecting the bags used at point of sale, securing evidence (if complaint was regarding bag type), and obtaining store receipts. Inspection observations are noted on a RBO inspection form during and/or directly after the inspection. Inspection results are then entered electronically on a spreadsheet and submitted within 24 hours of completion of the inspection. Hard copies of inspection forms are submitted at least once a month.

RBO inspections are expected to take approximately 20-30 minutes depending on the amount of interaction required with the regulated party and the amount of travel time needed. We anticipate and

expect that RBO inspections will be conducted in tandem with MRO inspections for efficiency. When an RBO inspection is scheduled, it will have a deadline for completion of approximately 10 business days (2 weeks) which should provide ample opportunity to coordinate the RBO inspection with MRO inspections in the vicinity. A spike of RBO inspections may occur at the onset of the enforcement period – November 1, 2017 for retail stores.

Note: Retail stores and public eating establishment hours of operation are different than most MRO regulated parties, and that MRO inspections occur at the garbage enclosure not always requiring interaction with the business occupant, whereas RBO occur within the regulated party's business establishment requiring interaction with the business occupant. In general, RBO inspections would not occur before 10 a.m. at most regulated parties.

## **V. COST PROPOSAL**

The Authority is seeking proposals from qualified vendors to implement a routine inspection program under the Mandatory Recycling Ordinance and a complaint based inspection program under Reusable Bag Ordinance. For the purpose of the cost proposal, the Authority anticipates the average time needed per MRO inspection to be 15 minutes including travel time to the next inspection and 25 minutes for an RBO inspection (including travel time to the next inspection).

Please provide a fixed cost per inspection and number of part-time or full-time inspectors dedicated to inspections for the following three levels of effort for a twelve month period.

- A. 10,000 inspections conducted
- B. 15,000 inspections conducted
- C. 20,000 inspections conducted

Cost per inspection shall include all transportation, training, uniform, taxes, fees, management expenses and charges under the agreement. No travel expenses will be authorized to be billed directly to the contract.

The term of this agreement will be expected to run from June 1, 2017 to June 30, 2018, with the first month expected to be primarily for training. There is a possibility of two (2) additional one-year contracts in subsequent years. Contractor shall invoice the Authority not more frequently than monthly, in arrears, for work performed on a cost per inspection or hourly rate basis.

## **VI. SUBMITTAL REQUIREMENTS**

Applicants must submit the following information:

- A. **Summary/Overview** – Summary of the Contractor's experience/expertise providing the services sought by this RFP. See IV. Description of Services Required for more information.
- B. **Work Plan and Work Plan Options** – A work plan for the services sought by this RFP including a brief description of the work that would be completed, the individual(s) that will lead the work, timeline and budget. Describe how the project team will fulfill the scope of work.
- C. **Personnel** – Resumes of key personnel. The manager will be a critical member of the inspection team and will need to coordinate closely with the Authority for inspector scheduling and training.
- D. **Cost Proposal** – A cost proposal which includes the following details:

1. Cost per inspection and number of part-time or full-time inspectors dedicated to inspections at the three levels of effort detailed in section V. Cost Proposal.
  2. Total contract cost for first year for each level of effort.
  3. Total contract cost for each year beyond first year for each level of effort if awarded.
    - a) Second year total contract cost.
    - b) Third year total contract cost.
  4. Cost discount, if any, for award of a conditional 2<sup>nd</sup> and 3<sup>rd</sup> year contract.
  5. Wage schedule for inspectors.
  6. Schedule of benefits provided to inspectors.
  7. Unless specified in the submittals, the professional fee schedule will include any costs associated with complying with the insurance requirements and logistical elements of the proposal.
- E. **References** – From recent applicable experience of the key staff, list two relevant projects and the client, contact name, address, and telephone number for each. The two (2) examples should best demonstrate the firm’s expertise in the area of conducting inspection for regulatory or programmatic compliance. Examples may include work previously performed for the Authority.

*Please limit the description of the two projects to one double-sided page per project.*

1. Explain the role the individual or firm played in each project.
2. Describe the key deliverables of the project.
3. Provide a client reference for each project which can provide information on the individual’s or firm’s participation in the project. Please provide the client reference’s name, title, employer, and phone number.

- F. **Insurance** – Signed copy of the attached letter titled, “Required Insurance Policies” (Exhibit 1).

## **VII. APPLICATION DEADLINE AND INSTRUCTIONS**

The deadline for application submittal is **4:00 p.m. Friday, January 23, 2017.**

### **Submittal Instructions**

One (1) original and three (3) copies of the proposal should be mailed or hand delivered to:

Alameda County Waste Management Authority  
 1537 Webster Street  
 Oakland, CA 94612  
 Attention: Brian Mathews

All hard copy provided materials and work samples are to be printed double-sided on 8-1/2” x 11” recycled content paper. Do not submit plastic covers.

### **OR**

Proposals may be emailed in one PDF attachment to [BMathews@StopWaste.org](mailto:BMathews@StopWaste.org) with the subject line clearly marked “**Inspection Services RFP Response**”. Upon submittal, you will receive a confirmation of receipt. If you do not receive this confirmation within 48 hours, please contact Brian Mathews: [BMathews@StopWaste.org](mailto:BMathews@StopWaste.org) or 510-891-6518. It is the firm’s responsibility to ensure that they submit the proposal by the application submittal deadline. Responses to this RFP received after 4:00 p.m. on January 23, 2017 will **not** be accepted. Faxed responses will also **not** be accepted.

**VIII. RFP TIMELINE, SELECTION, AND CONTRACT PROCESS**

Release of RFP .....	December 9, 2016
Optional Pre-Proposal Conference 10:00 a.m. ....	January 6, 2017
<b>Proposals Due</b> .....	January 23, 2017
<i>Proposals are due no later than 4:00 p.m.</i>	
Short List Interviews if needed .....	Week of February 13, 2017
Notification of selected Firm/Individual .....	Week of February 28, 2017
Anticipated Contract Start Date .....	June 1, 2017

**Optional Pre-Proposal Conference**

Proposers may attend an optional pre-proposal conference on Friday, January 6th at 10:00 a.m. to be held at 1537 Webster Street, Oakland. Questions will be addressed at this conference and any available new information will be provided. Questions and answers from the pre-proposal conference will be posted and distributed to parties expressing interest in the RFP. Firms may also contact Brian Mathews at 510-891-6518 or [BMathews@StopWaste.org](mailto:BMathews@StopWaste.org) if they have questions about this RFP or our current inspection programs.

**Selection and Contract Process**

The most qualified firms/individuals will be invited to interview during the week of February 13<sup>th</sup> 2017, if needed. Depending on the responses to this RFP and the short list interviews, the Agency will notify the selected firm for Inspection Services the week of February 28<sup>th</sup>, 2017. The Contractor will enter into a written agreement for services with the Authority once fiscal year budget is approved in May 2017. The anticipated contract start date is June 1, 2017.

**IX. GENERAL CONDITIONS**

The contract for services will be between the selected Contractor and the Authority and a template copy is available in draft upon request. All materials submitted become the property of the Authority, and will not be returned. Funds awarded are public funds and any information submitted or generated is subject to public disclosure requirements. Respondents bear all costs associated with responding to this RFP, and Authority will provide no compensation for these costs.

The Authority reserves the right, at its sole discretion, to waive minor irregularities in submittal requirements, to request modifications of the proposal, to accept or reject any or all proposals received, to award full or partial funding of any request, and/or to cancel all or part of this RFP at any time prior to award.

**For inquiries about this RFP, contact:  
Brian Mathews at (510) 891-6518 or via email at [BMathews@StopWaste.org](mailto:BMathews@StopWaste.org)**

Exhibit 1

**REQUIRED CONTRACT ELEMENTS:**  
**INSURANCE POLICIES AND STATEMENT OF ECONOMIC INTEREST**

RFP for MRO & RBO Inspection Services  
Released December 2016

It is a requirement of the Authority that any individual or firm selected to provide Inspection Services maintain the following minimum insurance during the term of the professional services contract.

The individual or firm selected as a Contractor must obtain the following insurance policies:

- **REQUIRED: Comprehensive general liability insurance**, including personal injury liability, blanket contractual liability, and broad-form property damage liability coverage. The combined single limit for bodily injury and property damage shall be at least \$2,000,000.
- **REQUIRED: Automobile bodily injury and property damage liability insurance** covering owned, non-owned, rented, and hired cars. The combined single limit for bodily injury and property damage shall be not less than \$1,000,000.
- **REQUIRED: Statutory workers' compensation and employer's liability insurance** as required by state law with a limit of at least \$1,000,000 per accident for bodily injury or disease.

In addition, the individual or firm's project manager may be required to submit a Statement of Economic Interest Form (Form 700) as required by the State Fair Political Practices Commission. For a copy of a Form 700, please see the California Fair Political Practices Commission website at <http://www.fppc.ca.gov>.

Please sign the statement below to indicate that you and your firm understand and will comply with the Authority's required insurance policy and will submit a Statement of Economic Interest Form if requested by staff.

*I have reviewed the "Required Contract Elements" information above and certify that my firm has the ability to obtain the REQUIRED insurance policies and submit the Statement of Economic Interest Form. The professional fee schedule submitted includes any costs associated with complying with these insurance requirements unless otherwise noted in the documentation provided as required by this RFQ. I understand that failure to comply with any of these requirements will result in the Authority's refusal to enter into a contract for services with my firm.*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Firm/Team Name: \_\_\_\_\_

## Appendix A – Inspector/Inspection Criteria

### Inspector Qualifications

1. Contractor shall conduct, and inspector candidates shall successfully pass a background and credit check to ascertain a candidate's suitability for the position of inspector. Inspector candidates convicted of felonies or misdemeanors involving crimes of moral turpitude or theft will be excluded from consideration. The inspectors are expected to conduct the majority of their work independently and unsupervised. While conducting Authority business they shall obey all applicable Federal, State and local ordinances. Inspectors must follow all rules, regulations and protocols for conducting a government inspection, and must understand the constitutional protections afforded the regulated community.
2. Inspectors must have excellent communication skills and be able to interact with regulated parties on a regular basis.
3. Inspectors are Authority Representatives, and shall conduct themselves in a professional and business-like manner. Furthermore, as they represent a regulatory agency, any behavior unbecoming of the highest standards of conduct will not be tolerated and will result in immediate termination from the position of inspector. These behaviors include but are not limited to:
  - a. Use of abusive language.
  - b. Acts of violence.
  - c. Abuse under the color of authority.
  - d. Violations of Federal, State or local ordinances.
  - e. Fraud, deception, untruthfulness.
  - f. Misuse of Authority computer equipment or resources.
  - g. Acts inimical to the Authority.
  - h. Negligence whether willful or not.
  - i. Conduct unbecoming an Authority Representative.
4. Inspector uniform shall consist of khaki pants, blue polo shirt and the Authority provided inspector vest. Inspectors shall be neat and presentable during inspection hours and while on the job. Inspectors will wear Authority provided identification, safety vests and will have on their person Authority issued business cards while conducting Authority business. Contractor shall be liable for any misuse, lost, or damaged Authority property, including tablets, that is not a result of normal wear and tear.
5. The Contractor shall provide to inspectors, as a minimum, the following wages and benefits:
  - a. Inspectors shall accrue paid time off at a rate equivalent to at least 1.5 days per month for sick leave and vacation or personal use which may be used in aggregate up to two weeks or as circumstances warrant and as approved by the Contractor, without the loss of position. Inspectors should be allowed time-off for at least the following 4 holidays, Independence Day (July 4<sup>th</sup>), Thanksgiving Day (the 4<sup>th</sup> Thursday of November), Christmas Day (December 25<sup>th</sup>) and New Year's Day (January 1<sup>st</sup>) which shall be in addition to the 1.5 day/month accrual.
  - b. Contractor shall pay inspectors a \$/hour labor wage rate of at least \$20/hour. Contractor is encouraged to compensate multi-lingual fluency and/or more experienced inspectors at higher hourly rates.
  - c. In addition to the \$/hour labor wages rate in b above, the Contractor shall provide health benefits to inspectors consistent with state and federal law, including the Affordable Care Act, as applicable.

- d. The Contractor shall provide separate and reliable transportation for each inspector and will be responsible for providing and maintaining all applicable insurance and vehicle maintenance of said transportation.
  - e. Contractor will be responsible for hiring, supervising (except as noted below) disciplining and terminating employees in addition to all other administrative support and activities including but not limited to; scheduling, recordkeeping, providing uniforms, accounting, payroll, documentation, and other necessary management or administrative support to facilitate inspectors to perform the tasks herein.
6. Authority retains the right to approve, modify, amend, substitute or otherwise alter the list of Contractor employees who will fill the positions of inspector.

#### **Training – Minimum Training Requirements**

1. Each inspector shall undertake and successfully pass the Basic Inspector Academy or a similar Authority-approved inspection training. To qualify for the in 4 day in-class training course the contractor staff (inspectors) must complete the **Course #300: Fundamental Inspector Course – Online Training (FIC)** satisfactorily. Course registration can be found at the following link <http://www.arb.ca.gov/training/courses.php?course=300>. Contractor staff may register for **Course #310: Cal/EPA Basic Inspector Academy** and can be found at <http://www.arb.ca.gov/training/courses.php?course=310>. These courses are offered at no charge to public agency staff, and as such should be at no cost to the Contractor as Authority representatives.
2. The inspector's time required to attend the 4 day course is reimbursable and shall be compensated to the contractor within 30 days of billing after June 1, 2017, however, lodging, meals and transportation are not reimbursable unless or as otherwise provided for in the agreement.
3. The CalEPA Basic Inspector course are expected to be offered in March 21–24, 2017, in Sacramento, April 25-28 in Los Angeles, May 16–19 in Salinas and tentatively June 6–9 in Eureka.
4. Approximately one week of Authority-provided initial training and orientation is expected to be needed in June 2017. In addition to initial training, all inspectors shall on a monthly or every other month basis receive training provided and scheduled by the Authority to implementation the inspection programs. Trainings will be 1-3 hours, and shall not be less than 10 and not more than 30 hours over the 1 year contract period.

#### **Inspection Details**

Contractor shall execute inspections as outlined below. The assumptions on inspection calculations are:

1. Inspections could occur in 52 weeks between July 1, 2017 and June 30, 2018 or 238 inspection days. Inspections would occur within the hours of 5 am and 5 pm, as needed, and at the discretion of the inspector or contractor.
2. The Contractor shall not be liable for conducting inspections for which the Authority has not provided sufficient data or during data disruptions caused by the Authority or other service providers. The contractor will rely on information provided by the Authority as well as the Contractors experience, agency and industry contacts to perform the work.
3. Periodically inspectors will be accompanied on their inspections by an Authority Representative(s). Contactor shall assure that the transportation and insurance arranged for inspectors does not limit this activity.