



REQUEST FOR PROPOSAL

2021-RFP-020

HOUSEHOLD CHEMICAL AND ELECTRONIC WASTE COLLECTION

City of Pittsburgh
City-County Building
Pittsburgh, PA 15219

RELEASE DATE: November 19, 2021

DEADLINE FOR QUESTIONS: December 8, 2021

RESPONSE DEADLINE: December 29, 2021, 4:00 pm

RESPONSES MUST BE SUBMITTED ELECTRONICALLY TO:

<https://secure.procurenow.com/portal/pittsburghpa>

City of Pittsburgh
REQUEST FOR PROPOSAL

Household Chemical and Electronic Waste Collection

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1. INTRODUCTION

1.1. Summary

The City of Pittsburgh's Department of Public Works is seeking proposals for a Household Hazardous Waste (HHW), Hazardous Waste (HW) AND Electronic Waste (EW) Program. The City intends to continue the provision of an affordable program under which City of Pittsburgh residents can properly dispose of and/or recycle their EW and HHW.

Respondents are required to be PA DEP certified to transport, process, and store HHW, HW, and EW.

The awarded contract will be for a one year period with three separate options for one year renewal.

1.2. Background

Status

From 2018 to 2021, the City managed a partnership with a vendor to subsidize a twice-weekly drop-off location for City residents to properly dispose of hard-to-recycle items such as unwanted chemicals around the house (HHW), chemicals from City operations (HW), and TV's and computers (EW) at affordable rates. This program had included coordinating and promoting neighborhood collection events. Other than the City's previous subsidized offerings, options for EW and HHW collection and processing are limited to events by the Pennsylvania Resources Council (PRC).

The City of Pittsburgh seeks qualified bidders to respond to this RFP with a drop-off and/or curbside solution for the recycling of City operations and Resident-generated un-usable EW, HW, HHW and/or recovery/ recycling or reuse of component materials in an environmentally sound and secure manner and compliant with all applicable local, state, federal, and international environmental and safety laws and treaties.

Respondents may propose the use of an existing City-owned, utility-included, rent-free facility utilized by the previous program vendor located at the Bureau of Environmental Services in the Strip District neighborhood of Pittsburgh, PA.

Regulatory and Environmental Need

The City of Pittsburgh is compelled to provide non-landfill options for HHW disposal in order to comply with ACT 101 of PA Commonwealth Law. It is in the best interests of the City and City residents to mitigate the long term environmental legacy of landfill leachate by reducing the amount of reactive and or long term free liquids going into the landfill. The Covered Devices Recycling Act (CDRA) of 2010 offered few solutions or incentives for responsible haulers of municipal waste, of which the City is, by banning televisions, computers and peripherals in January of 2013 that had been previously acceptable to put in the landfill.

As a hauler and generator of many of these materials, the City is interested in continuing a holistic program to manage all the HW and EW generated by its own operations in a way that reflects the security and environmental standards outlined in this document.

1.3. [Contact Information](#)

Dan Tobin

Sourcing Specialist

414 Grant Street

Pittsburgh, PA 15219

Email: daniel.tobin@pittsburghpa.gov

Phone: [\(412\) 255-2458](tel:(412)255-2458)

Department:

Public Works

1.4. [Timeline](#)

The following represents the tentative schedule for this project. Any change in the scheduled dates for the Pre Proposal Conference (if applicable), Deadline for Submission of Written Questions, or Proposal Submission Deadline will be advertised in the form of an addendum to this RFP. The schedule for the evaluation process and other future dates may be adjusted without notice.

RFP Released	November 19, 2021
Pre-Proposal Meeting (Non-Mandatory)	December 20, 2021, 11:00am Department of Public Works - Bureau of Environmental Services Recycling Division 3001 Railroad Street Pittsburgh, PA 15201
Question Submission Deadline	December 8, 2021, 4:00pm
Proposal Submission Deadline	December 29, 2021, 4:00pm
Proposal Review and Supplier Scoring	January 2022
Contract Award	January 2022

2. INSTRUCTIONS TO BIDDERS

2.1. Submittal Requirements

All proposals must be submitted electronically. No proposal shall be accepted in person, by U.S. Mail, by private courier service, via oral or email communication, telephone or fax transmission.

Respondents are required to provide one (1) electronic copy of their proposal in either MS Word or PDF by the submission deadline

2.2. Additional submission considerations:

Late proposals will not be accepted or considered. Respondents should allow enough time to register company on the City's e-Procurement Portal, search the solicitation they wish to respond to and complete the submission process online before the deadline.

The City of Pittsburgh shall not be responsible for proposals delivered to a person or location other than that specified herein.

All submittals, whether selected or rejected, shall become the property of the City of Pittsburgh and will not be returned.

All costs associated with proposal preparation shall be borne by the applicant.

3. SCOPE OF WORK

3.1. Definitions

Electronic Waste (EW) – A product or apparatus that has its primary functions provided by electronic circuitry and components disposed of by either City operations or resident consumers.

Demanufacture – Disassembly and separation of electronic waste into its component parts

Hazardous Waste (HW) – Chemical products such as cleaning solvents, paints, pesticides, disposed of by City operations or small businesses. These wastes may also contain substances that can catch fire, react with other chemicals, explode, or are corrosive or toxic.

Household Hazardous Waste (HHW) – Chemical products such as cleaning solvents, paints, pesticides, disposed of by resident consumers. These wastes may also contain substances that can catch fire, react with other chemicals, explode, or are corrosive or toxic.

Non-Volatile Memory (NVM) - is computer memory from which stored information can be retrieved even when not powered. Examples of non-volatile memory include read-only memory, flash memory, ferroelectric RAM (F-RAM), most types of magnetic computer storage devices (e.g. hard disks, floppy disks, and magnetic tape), optical discs, and early computer storage methods such as paper tape and punched cards.

Processing – Any technology used for the purpose of reducing the volume or bulk municipal waste or any technology used to convert part or all of such waste materials for off-site reuse.

Proper Disposal – The practice of disposing of electronics or hazardous waste residues in a safe and environmentally responsible manner after the processes of demanufacture, salvage, reuse, and recycling have been completed.

Recycling – The collection, separation, recovery, sale or reuse of materials which would otherwise be disposed of or processed as municipal waste or the mechanized separation and treatment of municipal waste and creation/ recovery or usable materials other than a fuel for the operation of energy.

3.2. Regulations

Law, rules and statutes applicable to activities described herein, which are in effect, locally, statewide, nationally and internationally in any and all areas where the Contractor and/ or Subcontractor operates.

3.3. Work Objective

The collection, transportation, demanufacture, salvage, sale, reuse, recycling and/or proper disposal of HW, HHW and EW in a City of Pittsburgh sponsored Residential Drop-off and Pick-up Program open to City operations and residents.

- A. EW is to be handled in accordance with the R2 or E-Stewards standard of the Basel Action Network (preferred).
- B. EW is to be reused, dismantled or otherwise processed so that metals, plastics, glass, and other materials are recycled to the greatest extent.

- C. To obtain documentation to the City identifying number and type of items picked up and certifying where and when each item was processed (for City operations generated EW), OR in the case of HW, volume/ weight of categories of material.
- D. Get the best value for City and its residents in EW, HW and HHW recycling and disposal.
- E. To secure non-volatile media using industry best practices that eliminates the loss of any data that would expose the City or its residents to theft and, specifically in the case of the City, litigation associated with the mishandling of sensitive information.
- F. EW/HHW/HW is to be handled to the best and highest use possible with preference to contractors submitting proposals that work towards or in concert with systems that divert materials for “use as is”, reprogramming/ refurbishing or other unique handling or processing that exceeds regulatory compliance.

3.4. Program Operation

The following tasks (at a minimum) shall be completed by the contractor or subcontractor as part of the HW/HHW/EW Program:

- A. Shall provide all labor and materials to operate a residential drop-off location, at least two days per week which must consist of one weekday and one weekend day throughout the year.
 - 1. May propose additional days for drop-off programming, for approval on a case by case basis.
- B. May propose additional methods of collection, including curbside pick-up.
- C. May propose community collection events
 - 1. Up to nine (9) events may be planned for each contract year.

Contractor must accept all materials listed in **Appendix A** “List of Materials” OR provide reasons as to why proposed material(s) can’t be collected/ processed at this time.

- A. Shall conduct all City Sponsored collections at a PADEP approved and registered temporary/ permanent site. Permitting to be secured by contractor.
- B. Record, report, handle and transport all collected materials in a manner that complies with all applicable regulations.
- C. Unload, weigh and collect fees from participants for all waste materials received from vehicles. Contractor may/ may not require participants to remain in their vehicle at all times during drop-off collection as logistics and safety allows.
- D. Report, invoice and/ or pay City as outlined in section below “Reports”.
- E. Collect and provide addresses and zip codes from all participants to be used to target advertising and/or event based collections throughout the City.

- F. Contractor can use the City provided facility outside scheduled drop-off hours to stage equipment, materials, prepare shipments and or run curbside pickups related to the collection of HHW, HW and EW within the City of Pittsburgh.
- G. Provide a toll free or other telephone number for residential pre-registration/ scheduling that will connect to designated contractor dispatch contact.
- H. Must possess a current PADEP Hazardous Waste Storage, Treatment, or Disposal Permit

The following (at a minimum) shall be provided by the City as part of the HW/HHW/EW Program:

- A. Referrals from residents contacting 311, DPW division and any related Bureau or Department
- B. Advertising about the program on established City resources including: webpage, City channel, Bureau of Environmental Services direct mailer newsletter, City branded social media (such as Facebook, Twitter and Nextdoor) and community meetings.
- C. Space (see Facility)
- D. Assistance in the coordination of community collection events.

3.5. [Facility](#)

The City is looking to receive proposals that take into consideration two methods of approach.

- A. Drop-off site: City provides a Facility with:
 - 1. Loading dock and door
 - 2. Vendor entrance
 - 3. Heated warehouse space
 - 4. Lighting/ Electricity
 - 5. Secure area for supplies/ equipment
 - 6. Restroom access
 - 7. Designated parking spot for one box truck and/ one Contractor car and/ or truck

3.6. [Program Costs](#)

Pricing for all materials (Appendix A “List of Materials” will be submitted per unit/ per pound for Residential or City generated. For pickups at Residential or City of Pittsburgh locations, a base pickup fee can be added. Pricing should be negative to indicate a cost and positive to indicate payment. See below for example (doesn't include full list of Materials). Bidding participants should also show costs that would be charged to residents for various payment types (i.e. credit cards). Bidding participants should also note if they do not accept certain payment types.

Item Description	U/M	City Price	Residential Price
TV's- CRTs	Pounds (Lbs)	(\$0.65)	(\$0.65)
Cell Phones	Pounds (Lbs)	\$0.10	\$0.10
Desktop, Laptop or Servers	Pounds (Lbs)	\$0.00	\$0.00
Base fee for Curbside/Dockside Pickup	Each (ea)	(\$100.00)	(\$100.00)
Labor hour for time on site beyond 1/2 hr	Each (ea)	(\$35.00)	(\$35.00)
Pain, Latex	Pounds (Lbs)	(\$0.18)	(\$0.18)
Cooking Oil	Pounds (Lbs)	(\$0.05)	(\$0.05)
Asbestos	N/A		

3.7. [Invoicing](#)

Contractor will be responsible for the collection of all fees under any final contract and providing either a rebate or a charge to the City within 10 days of the end of the month.

3.8. [Reports](#)

The Contractor shall submit reports in Excel or Access format to the City within 10 business days of the end of each quarter. Report shall include a breakdown of HHW, HW and EW by material, weight and generator category (City, Residential or Small Business). The report must be clearly titled (Company name, contact information, dates of report period). The Contractor will provide, upon a request by the City, information sorted according to the City request, which may include: description of items, number and type of items picked up, date picked up, and certifying where and when each item was processed, invoice specific detail or summary detail, by item name, by the user name (the department customer placing the order), by City Department, and date of order. Reports will be submitted to Recycling Supervisor and/or other City designees as needed to verify invoice rebate or charges and update data for City zero waste and environmental achievements.

3.9. [Security of Non-Volatile Media](#)

The Contractor will be required to secure all NVM, IF requested by a resident, small business and/or the City. The manner of destruction may include: Physical destruction of the device(s) (e.g., CDs, DVDs, tapes, diskettes) on which the restricted data files were stored OR secure erasure of storage media

followed by reformatting. Please include specification of equipment proposed to shred NVM and/ or procedure for secure erasure. In a scenario in which the City chooses to retain the process of securing NVM, the proposed process would only be used on NVM requested to be destroyed by residents and small business. Please include a strategy for maintaining chain of custody between various City offices and vendor's shredding/ erasure site.

3.10. [Safety](#)

The contractor will be required to review safety planning and provide guidance to City as to necessary safety upgrades to facility to operate in a manner that meets industry safety and environmental standards for facilities of this type.

3.11. [Certification](#)

The responsible stewardship of unwanted HW, HHW and EW is very important to the City. In regards to the handling of electronic waste, there are many possible abuses associated with the industry that include:

- A. Export to irresponsible markets adding to the global dumping of e-waste
- B. Prison recycling
- C. Incineration of e-waste
- D. Abuse and/ or poor conditions for recycling workers

These practices run complementary to the City's P4 approach to development which includes:

- A. People
- B. Planet
- C. Place
- D. Performance

While the industry has two different standards for the handling of electronic waste; 1) e-Stewards Standard for Responsible Recycling and Reuse of Electronic Equipment® and 2) Responsible Recycling (R2) Practices, the City prefers the former and would like proposals to include reference to existing e-Stewards certification or movement towards that certification and include the attainment of e-Steward certification of in the timetable to implementation of proposal.

3.12. [Timetable to Implementation](#)

Please include your best estimate towards implementation. All reasonable timelines will be considered.

4. PROPOSAL FORMAT REQUIREMENTS

4.1. Response Format

All submitted responses shall follow the formatting below, and all proposals will need to be provided electronically through the City's e-Procurement Portal. Each numbered section is to be uploaded as a separate file. If hard copies of submissions are required, each numbered section shall be a removable tab. Document pages shall be 8-1/2 inches by 11 inches in size or folded to such a size.

Response to Scope

Firm's Qualifications, Experience and References

Describe the firm and provide a statement of the firm's qualifications for providing the scope of services. Identify the services which would be completed by your firm's staff and those that would be provided by sub-consultants, if any. Identify any sub-consultants you proposed to utilize to supplement your firm's staff.

Provide a summary of the firm's experience in providing these or similar services. Provide a minimum of three references for related projects, including dates, contact person, phone number, email, and a brief description of the project or scope of work.

Qualifications of Team

Provide a brief summary of the qualifications and experience of each team member assigned to this project, including length of service with the firm and resume/bio, and the qualifications /experience of any sub-consultant staff on your project team.

Project Approach and Plan

Provide a detailed discussion of your firm's approach to the successful completion of the scope of services outlined in this RFP. Include thorough discussions of methodologies you believe are essential to accomplishing this project or completing the scope of services. Include a proposed work schedule to accomplish all of the required tasks within the desired timeline. Identify the staff roles who would be assigned to each major task, including sub-consultants.

If additional hard copies are requested under Submittal Requirements, the proposal should be bound or contained in a loose leaf binder. Document pages shall be 8-1/2 inches by 11 inches in size or folded to such a size. Use section dividers, tabbed in accordance with this Section as specified below. All proposals will need to be provided electronically so the following format will apply for the electronic submittal through the Beacon website.

Cost Proposal

Provide a total cost proposal for all services to be delivered, and a breakdown of costs delineated by major phase and/or deliverable as described in your project plan. Include a schedule of hourly rates for all proposed staff and the amount of time each person will be devoted to this project. Define any reimbursable expenses (e.g., travel) requested to be paid by the City. Note: If travel expenses are

included, the rate assumptions generally should not exceed the United States General Services Administration (GSA) rates for Pittsburgh.

PLEASE NOTE: The City does not agree to late fees, penalties, interest, attorney's fees or other contingent liability. In no event shall the City be liable for special, indirect, incidental, reliance, lost profits or other business interest damages.

Demonstration of Good Faith Effort

Include statements of assurance regarding the following requirements detailed in the Equal Opportunity section of this solicitation:

- A. Solicit certified MBE/WBE/Veteran-Owned companies for various service categories where opportunities exist to subcontract within their company's business model.
- B. Complete MWDBEVOSB Commitment Form to document good faith effort. Please provide scope of services to be delivered by each subcontractor. If a subcontractor is not chosen, a justification is required describing why services could not be rendered by a sub-contractor.
- C. Provide email documentation of solicitation correspondence with MBE/WBE/Veteran-Owned companies.

Failure to include all of the elements specified may be cause for rejection. Additional information may be provided, but should be succinct and relevant to the goals of this RFP. Excessive information will not be considered favorably.

5. EVALUATION PHASES

Selection Procedure

Your Proposal will be evaluated by a Proposal Committee comprised of the Director or other supervisor of the Using Department, one or more members of the Director’s staff, at least one member of the Office of Management & Budget and any other department representatives as deemed necessary.

Submittals will be reviewed for responsiveness, and responsive submittals will further be screened by a selection committee in accordance with the criteria listed below. The firm(s) submitting the highest rated proposal may be invited for interviews.

No.	Evaluation Criteria	Scoring Method	Weight (Points)
1.	<p>Firm’s Qualifications, Experience and References</p> <p>Vendor response demonstrated that the firm has the experience and capabilities to successfully perform the scope of services, including providing references for clients of similar size and scope, and the qualifications of staff or sub-consultant staff on your project team.</p>	Points Based	25 <i>(25% of Total)</i>
2.	<p>Project Approach and Plan</p> <p>Vendor response demonstrated a firm understanding of the scope of services, the response included thorough and complete responses to the items outlined in the Section 4, and the vendor has the appropriate expertise, procedures, and methods in place to perform the scope of services.</p>	Points Based	40 <i>(40% of Total)</i>
3.	<p>Cost Proposal</p> <p>Vendor response provided a total cost proposal for all services to be delivered, a breakdown of costs delineated by rates for labor and prices for Appendix A - List of Materials</p>	Points Based	25 <i>(25% of Total)</i>
4.	<p>MWDBE/VOSB Good Faith Effort</p> <p>Vendor response was detailed and demonstrated clear Good Faith Effort to obtain MWDBE & VOSB Participation.</p>	Points Based	10 <i>(10% of Total)</i>

6. EQUAL OPPORTUNITY REVIEW COMMISSION TERMS

6.1. MWE/DBE

The City of Pittsburgh is committed to the ideal of providing all citizens an equal opportunity to participate in City and its Authorities' contracting opportunities. It is therefore the City's goal to encourage increased participation of women and minority groups in all City contracts. The City requires that all respondents demonstrate good faith efforts to obtain the participation of Minority-Owned Business Enterprises (MBE's) and Women-Owned Business Enterprises (WBE's) in work to be performed under City contracts. The levels of MBE and WBE participation will be monitored by the City of Pittsburgh's Equal Opportunity Review Commission (EORC). In order to ensure that there are opportunities for historically disadvantaged minority groups and women to participate on Covered Contracts, and consistent with the City's current equal employment opportunity practice and goals, the EORC will review contracts to include an evaluation of a developer/contractors employment of minority groups and women, encourage goals of eighteen (18) percent and seven (7) percent respectively.

6.2. Veteran-Owned Small Business

It is also the City's goal to encourage participation by veteran-owned small businesses in all contracts. The City of Pittsburgh shall have an annual goal of not less than five (5) percent participation by veteran-owned small businesses in all contracts. The participation goal shall apply to the overall dollar amount expended with respect to the contracts. The City requires that all respondents demonstrate good faith efforts to obtain the participation of veteran-owned small business in work to be performed under City contracts. The levels of veteran-owned participation will be monitored by the City of Pittsburgh's EORC.

6.3. Good Faith Commitment

In order to demonstrate good faith commitment to these goals, all respondents are required to complete and submit with their bids the attached MBE/WBE/Veteran-Owned Solicitation and Commitment Form (which details the efforts made by the respondents to obtain such participation). Failure to submit a properly completed form along with documentation of Good Faith Commitment may result in rejection of the bid. Participants are encouraged to contact the Equal Opportunity Review Commission at 412-255-8804 to assist further. For further information, including definitions and additional requirements, please see Chapter 177A (Sections 177A.01 et. seq.) of the City Code and Section 161.40 of the City Code.

7. AWARD AND CONTRACT

7.1. Award

After the City has received all Proposals and conducted its initial Evaluation, described above, the Proposal Committee may invite one or more Respondents to a follow-up interview to further discuss their Proposal(s).

The Proposal Committee may decide to accept the Proposal of one or more Respondents. It may decide to reject all proposals. Once a Proposal is accepted, the contract negotiation process will commence. This RFP and your response to it, in the form of your entire Proposal, will become part of the Contract. If a real or apparent conflict should arise between this RFP/Proposal and other language contained in the final Contract, the language of the final Contract shall control.

7.2. Contracting Process

Successful Respondents will be required to enter into a Contract with the City of Pittsburgh, contingent upon the approval of City Council. This Contract will be directed and managed by the issuing department and the Office of Management & Budget.

Work cannot commence on the Scope of the RFP until it a contract is fully executed. The City cannot process invoices nor approve payments until this Contract has been fully executed by the Respondent and all required City signatories, including the issuing department, the Law Department, and the City Controller.

City laws and policies mandate the incorporation of various custom terms and conditions into all City contracts. For this reason the City will not sign any standard contract proffered by the respondent.

An agreement shall not be binding or valid with the City unless and until it is fully executed by authorized representatives of the City and of the Proposer. Once the Contract is fully executed the City will notify Respondent in writing and give the order to proceed.

8. GENERAL TERMS & CONDITIONS

8.1. Examination of Proposal Documents

- A. The submission of a proposal shall be deemed a representation and certification by the Respondent that they:
1. Have carefully read and fully understand the information that was provided by the City to serve as the basis for submission of the proposal.
 2. Have the capability to successfully undertake and complete the responsibilities and obligations of the proposal being submitted.
 3. Represent that all information contained in the proposal is true and correct.
 4. Did not, in any way, collude; conspire to agree, directly or indirectly, with any person, firm, corporation or other proposer in regard to the amount, terms or conditions of this proposal.
 5. Acknowledge that the City has the right to make any inquiry it deems appropriate to substantiate or supplement information supplied by a proposer, and proposer hereby grants the City permission to make these inquiries, and to provide any and all related documentation in a timely manner.
- B. No request for modification of the proposal shall be considered after its submission on the grounds that the proposer was not fully informed to any fact or condition.

8.2. RFP Term

Respondent's proposal shall remain firm and effective, subject to the City's review and approval, for a period of one hundred twenty (120) days from the closing date for the receipt of proposals.

The City may enter into negotiations with one or more Respondents during the one hundred twenty (120) day period during which all proposals will stay effective. The purpose of such negotiations will be to address questions and identify issues as the parties move towards the execution of a final contract or contracts.

8.3. RFP Communications

Unauthorized contact regarding this RFP with employees or officials of the City of Pittsburgh other than the RFP Coordinator named in the header section of this solicitation may result in disqualification from this procurement process.

Neither Respondent(s) nor any person acting on Respondent(s)'s behalf shall attempt to influence the outcome of the award by the offer, presentation or promise of gratuities, favors, or anything of value to any appointed or elected official or employee of the City of Pittsburgh, their families or staff members. All inquiries regarding the solicitation are to be directed to the designated RFP Coordinator. Outside of pertinent RFP questions directed to the City of Pittsburgh as specified above, any other attempts to contact any City of Pittsburgh personnel regarding this RFP, without prior approval by the RFP Coordinator will be considered grounds for dismissal and immediate disqualification from the RFP

process. This includes, but is not limited to, all verbal, voice, text, e-mail, and social media (e.g. – LinkedIn) contact.

Please note the following:

- A. The City shall not be responsible for nor bound by any oral instructions, interpretations or explanations issued by the City or its representatives.
- B. Each proposer shall assume the risk of the method of dispatching any communication or proposal. •The RFP Coordinator must receive all written comments, including questions and requests for clarification, no later than the Deadline for Submission Questions listed in the tentative project schedule.
- C. The City reserves the right to determine, at its sole discretion, the appropriate and adequate responses to written comments, questions, and requests for clarification. The City’s official responses and other official communications pursuant to this RFP shall constitute an addendum of this RFP.
- D. The City will publish all official responses and communications pursuant to this RFP to the City of Pittsburgh procurement website. It is the responsibility of each proposer to check the site and incorporate all addenda into their response.
- E. All addenda for this RFP will be distributed via the City of Pittsburgh procurement website at procurement.pittsburghpa.gov/beacon/opportunities
- F. Only the City’s official, written responses and communications shall be considered binding with regard to this RFP.

8.4. Addenda/Clarifications

Should discrepancies or omissions be found in this RFP or should there be a need to clarify this RFP, questions or comments regarding this RFP must be put in writing and received by the RFP Coordinator within the Question and Answer tab.

8.5. Withdrawal of Proposals

A proposer may withdraw its proposal at any time before the expiration of the time for submission of proposals as provided in this RFP by delivering a written request for withdrawal signed by, or on behalf of, the proposer.

8.6. Public Record

Respondent, by submittal of a proposal, acknowledges that all proposals may be considered public information in accordance with the Commonwealth of Pennsylvania Right to Know laws. Subject to award of this RFP, all or part of any submittal may be released to any person or firm who may request it. Therefore, proposers shall specify in their proposal response if any portion of their submittal should be treated as proprietary and not releasable as public information. Proposers should be aware that all such requests may be subject to legal review and challenge.

Any information considered proprietary should be indicated as such or not included in the response.

8.7. [Non-Conforming Proposal](#)

A proposal shall be prepared and submitted in accordance with the provisions of these RFP in instructions and specifications. Any alteration, omission, addition, variance, or limitation of, from or to a proposal may be sufficient grounds for non-acceptance of the proposal, at the sole discretion of the City.

8.8. [Disqualification](#)

Factors such as, but not limited to, any of the following may be considered just cause to disqualify a proposal without further consideration:

- A. Evidence of collusion, directly or indirectly, among proposers in regard to the amount, terms or conditions of this proposal;
- B. Any attempt to improperly influence any member of the evaluation team;
- C. Existence of any lawsuit, unresolved contractual claim, or dispute between the proposer and the City; •Evidence of incorrect information submitted as part of the proposal;
- D. Evidence of proposer's inability to successfully complete the responsibilities and obligation of the proposal; and
- E. Proposer's default under any previous agreement with the City, which results in termination of the agreement.

8.9. [Restrictions on Gifts & Activities](#)

The City of Pittsburgh Ethics Code and Chapter 198 of the City Code (Code of Conduct) was established to promote public confidence in the proper operation of our local government. These resources outline the requirements for disclosure of interests and restricted activities as related to public procurement processes. Proposers are responsible to determine the applicability of these requirements to their activities and to comply with its requirements.

8.10. [Rights of the City of Pittsburgh](#)

This RFP does not commit the City to enter into a contract, nor does it obligate the City to pay for any costs incurred in preparation and submission of proposals or in anticipation of a contract.

The City reserves the right to:

- A. Reject any and all proposals;
- B. Issue subsequent Requests for Proposals;
- C. Cancel this RFP with or without issuing another RFP;
- D. Remedy technical errors in the Request for Proposals process;
- E. Approve or disapprove the use of particular sub-consultants;

- F. Make an award without further discussion of the submittal with the proposer (therefore, the proposal should be submitted initially on the most favorable terms that the firm or individual might propose);
- G. Meet with select proposers at any time to gather additional information;
- H. Make adjustments to the scope of services at any time if deemed by the Office of Management and Budget to be in the best interest of the City;
- I. Accept other than the lowest offer.
- J. Waive any informality, defect, non-responsiveness, or deviation from this RFP that is not material to the Respondent's proposal;
- K. Reject the proposal of any Respondent who, in the City's sole judgment, has been delinquent or unfaithful in the performance of any contract with the City;
- L. Reject the proposal of any Respondent who, in the City's sole judgment, is financially or technically incapable of performing in accordance with this RFP;
- M. Negotiate with any, all, or none of the Offerors and to enter into an agreement with another Offeror in the event that the originally selected finalist defaults or fails to execute an agreement with the City.
- N. Award a contract to the firm(s) that presents the best qualifications and whose proposal best accomplishes the desired results; and/or
- O. Enter into an agreement with another proposer in the event the originally selected proposer defaults or fails to execute an agreement with the City.
- P. Require a performance bond and/or other "failure to deliver" agreement by the awardee at time of contracting.

9. MISCELLANEOUS REQUIREMENTS

9.1. Acknowledgements

- A. **Conflict of Interest** - By submission of a proposal to this solicitation, Respondent agrees that it presently has no interest and shall not have any interest, direct or indirect, which would conflict in any manner with the performance of the services required under this RFP.
- B. **Code of Ethics** - By submission of a proposal to this solicitation, Respondent agrees to abide by the Code of Ethics of The City of Pittsburgh. The full Ethics Handbook can be found [here: http://pittsburghpa.gov/humanresources/files/policies/10_Ethics_Handbook.pdf](http://pittsburghpa.gov/humanresources/files/policies/10_Ethics_Handbook.pdf)
- C. **Fair Trade Certification** - By responding to this solicitation, the Respondent certifies that no attempt has been made, or will be made, by the Respondent to induce any other person or firm to submit or not to submit a submission for the purpose of restricting competition.
- D. **Non-Disclosure** - By responding to this solicitation, the Respondent acknowledges they may be required to sign a Non-Disclosure Agreement during the contracting process if they are the successful respondent.
- E. **Debarment** - This solicitation is also subject to Section 161.22 of the City of Pittsburgh Code related to debarment from bidding on and participating in City contracts.
- F. **Financial Interest** - No proposal shall be accepted from, or contract awarded to, any individual or firm in which any City employee, director, or official has a direct or indirect financial interest in violation of applicable City and State ethics rules. Entities that are legally related to each other or to a common entity which seek to submit separate and competing proposals must disclose the nature of their relatedness.
- G. **Full Fee Disclosure** - Pursuant to Section 161.36 of the Pittsburgh City Code, a Respondent must include a disclosure of any finder's fees, fee splitting, firm affiliation or relationship with any broker-dealer, payments to consultants, lobbyists, or commissioned representatives or other contractual arrangements of the firm that could present a real or perceived conflict of interest.
- H.

10. VENDOR QUESTIONNAIRE

10.1. [Response to Scope Proposal](#)

Please upload your Response to Scope detailed in [Proposal Format Requirements](#)

10.2. [Cost Proposal*](#)

Please upload Cost Proposal detailed in [Proposal Format Requirements](#)

*Response required

10.3. [Good Faith Effort*](#)

Please upload the MWDBEVOSB commitment form. [#Equal Opportunity Review Commission Terms](#)

- [MWDBEVOSB Commitment Forms.pdf](#)

*Response required

10.4. [Do you agree with the City's Terms and Conditions?*](#)

Yes

No

*Response required

10.5. [Vendor Contact Sheet*](#)

Please download the Vendor Contact Sheet, complete, and upload.

- [Vendor Contact Sheet.pdf](#)

*Response required

10.6. [Vender Registration Form*](#)

Please download the Vender Registration Form, complete, and upload.

- [Vendor Registration Form.pdf](#)

*Response required

10.7. [W-9*](#)

Please download the W-9, complete, and upload.

- [W9.pdf](#)

*Response required

10.8. [Statement of Affiliation*](#)

Please download the Statement of Affiliation, complete, and upload.

- [Statement of Affiliations.pdf](#)

*Response required

10.9. [Authorized signer*](#)

Provide the name, title, & email address of the authorized signer for your company (for details on who is considered an authorized signer, please look at our terms & conditions section)

*Response required