

Request for Proposals (RFP)

ZERO WASTE SOLID WASTE MANAGEMENT SYSTEM

The Town of Hurley (“Town”) is seeking proposals pursuant to Section 120-w of the General Municipal Law from a company or collaboration of companies for a public-private partnership to plan, provide technical assistance for grant applications and administer a zero waste solid waste management system (the “ZWS”) to meet the Town’s goal of recovering 90% of the Town’s waste.

SCOPE OF WORK:

PRIMARY WORK PRODUCT: The successful bidder will plan and implement and operate a Zero Waste solid waste management system that will recover 85%-90% of the Town’s waste stream when fully implemented. This is consistent with Ulster County Resolution No. 451 November 19, 2019 “Establishing A Policy That Ulster County Shall Be A Zero Waste Community.” This will require innovation from the successful bidder, commitment from the Town Board and cooperation from all the residents.

1. TASKS

- A. ***Interviews.*** The successful bidder will identify and interview all stakeholders involved with solid waste management. These interviews will include groups and individuals, elected officials, nonprofit organization leaders, property owners, neighborhood representatives, developers, business organizations, event planners, municipal staff, and carting companies. The goal of the interviews is to pinpoint the “low hanging fruit” to help indicate where to start the project.
- B. ***Municipal infrastructure.*** The successful bidder will become familiar with the physical details of the Town transfer station complex and any public property controlled by the Town. The successful bidder must understand the historic usage of these facilities by the surrounding towns. The Town receives waste from surrounding communities which becomes the responsibility of the transfer station to manage in compliance with Resolution 451.
- C. ***Create baseline data and analyst of the existing waste management system.*** The Town municipal staff will provide all historic baseline volume data, site maps, permits, determinations and environmental information as needed by the successful bidder. These documents will produce the data that will be used for the preparation of reports on the effectiveness of the ZWS program.
- D. ***Media coverage.*** The successful bidder will initiate conferences with stake-holders, draft press releases, flyers, and posters to inform the local citizenry about the ZWS planning efforts being undertaken.

- E. **Website.** The successful bidder will provide information for Town website. As officials deem appropriate, the successful bidder will provide materials including text, photographs, maps, renderings, videos and other images for the website. This material will describe the successful bidder’s credentials and explain the project’s importance to the Climate Smart Community.
- F. **Insurance requirements.** The ZWS project will require innovation and on-site work; therefore, the successful bidder will be required to provide a comprehensive insurance policy that covers pollution, product and professional liability.

2. PUBLIC EDUCATION AND TRAINING PROCESS

- a. **Public Workshops** The successful bidder will organize and lead education and training workshops to engage the community. These will present ideas and goals, and implementation strategies. The successful bidder will tailor the workshop to obtain maximum community buy-in so as to produce the best possible participation rate. The workshop format will also take into consideration the recording for the website or other public social media sites such as YouTube.

3. DESIGNING AND IMPLEMENTING A ZERO WASTE SOLID WASTE MANAGEMENT SYSTEM

- b. **Design For the Start-up of ZWS.** The successful bidder will present, during a scheduled Town Board meeting, the planning, design and budget for the implementation of the ZWS. The start-up planning and start-up implementation will be financed by municipal and local funding. The successful bidder will be expected to provide a projected cost per ton for the diversion of waste from the landfill and a start-up breakeven analysis based on the current cost of disposal of \$110 per ton. The successful bidder will provide a carbon reduction analysis based on Seneca Meadows Landfill. The Town expects a project that yields verifiable results which will provide data for grantmaking.
- a. **Climate Smart Community.** The successful bidder must have a working knowledge of NYS Climate Smart Certifications Point System. The successful bidder must provide information, data and copy for the Certified Actions and Pledge Elements of NYS Climate Smart for inclusion in the Hurley Climate Smart Plan and point applications. NYS Climate Smart recognizes that waste management is the foundation of Climate Smart Communities by allocating points for innovative approaches to implementing solutions that can be replicated in other communities. The passage of the Environmental Bond Act of 2022 will be funding Climate Smart Projects for the next 30 years. Hurley has no certification while Kingston and Beacon are Silver with New Paltz and Saugerties Bronze. All funding is awarded on a competitive basis that favors certified communities.

b. **Composting Is The Foundation of Zero Waste.** It is expected that the successful bidder will own or have a contractual relationship with a compost facility that will set the per-ton price for the length of the contract. The compost facility must be permitted or registered by New York State to handle Source Separated Organics including the plant passed resins labelled #7 PLA, and food containing uncoated paper such as pizza boxes. We realize that not all BPI Certified Products are not fully compostable. The Town does not plan to add on-site food waste composting to the Town Transfer Station during start-up. The compost system shall be an efficient odor/vector free transfer system. The successful bidder is expected to focus in on backyard composting of food waste during start-up.

c. **Staff Training.** The successful bidder will provide all training for existing staff including but not limited to transfer station attendants, private contractors operating in the town, highway dept. staff performing spring cleanup and leaf harvest. Training shall include video instruction.

4. IDENTIFY FUNDING:

1. **Funding Identification:** The successful bidder will provide a database of potential local, State, Federal, and private foundations funding sources. Database will include funding details, deadlines, eligibility, match, key people and links to Websites.
2. **Provide Technical Assistance:** The successful bidder will provide technical assistance including project narrations, personnel, budget and timetables necessary for grant making.
3. **Provide Recordkeeping for Grant Administration;** The successful bidder will provide all recordkeeping, progress reports, budget analysis, invoices and timesheets for grant administration. The successful bidder will participate in grant contract development. All funding will flow through the Town budget.

5. OPERATION OF THE ZWS

1. The successful bidder will be responsible for the operation of the ZWS, including operation of the Town Transfer Station.

SUBMITTAL SUMMARY:

Submittals should be provided in 6 identical copies and shall include the following items, along with other material to demonstrate the bidder's expertise and capability:

1. A brief written description of the bidder's approach to the ZWS including facility design, energy balance and efficiency, environmental protection, overall employment and recovery of materials, in the format provided below.
2. A list of comparable projects undertaken by the bidder and/or team members.

3. The expertise of the team assembled by the bidder to carry out the work.
4. A copy of at least one zero waste plan that was implemented and the recovery rate.
5. The length of the proposed contract (not to exceed 25 years) and expected cost or revenue to the Town.
6. A completed Non-Collusion Bidding Certification.

FORMAT FOR SUBMITTALS:

1. **DESCRIPTION OF APPROACH:** Up to two pages describing the successful bidder's approach to implementing the start-up of ZWS. The proposal shall identify all elements of cost which would be charged to the Town, in whatever form, in return for the fulfillment by the bidder of all tasks and responsibilities set forth in this RFP, including but not limited to the cost of planning, design, construction, operation, management and/or maintenance of any facility, and clearly identifying and specifying all elements of revenue which would accrue to the Town from the sale of any material or energy produced from any source.
2. **TEAM EXPERTISE:** A description of general qualifications and the multi-disciplinary nature of the team assembled for this project. The bidder shall provide information relating to the experience of the bidder to carry out the project, including the ability to obtain adequate financing, proposals for project staffing, implementation of work tasks, and carrying out all responsibilities of the ZWS.
3. **ZERO WASTE PROJECT EXPERIENCES:** Describe at least one zero waste solid waste management system project performed by or conducted by the bidder, including:
 1. Provide a Reference name, with current contact information
 2. Describe the nature of public involvement in project
 3. Describe the type of client (clarifying role of private sector client, if any)
 4. Describe whether the plan was created by the bidder as part of the project, or done separately?
 5. Describe the type of project (event, municipality, institution)

EVALUATION OF SUBMITTALS:

In reviewing proposals the Town will consider the following:

- Experience in planning and implementing Zero Waste Systems
- Experience in building community participation rates to support innovative efforts to control solid waste being landfilled
- Strong skills in written, oral and social media communications.
- Experience in evaluating effectiveness of pilot programs.

- Experience in compliance with composting regulations.
- Reliability of the proposed ZWS.
- Cost and/or Revenue to the Town
- Length of contract

Town Board members staff and Climate Smart Committee members will evaluate all submittals to determine which bidders have the experience and qualifications that are most suited for this project. The Town will request personal interviews with the highest-ranked bidders.

PROCESS FOR QUESTIONS AND CLARIFICATIONS:

Any questions or requests for clarification with regard to this RFP should be submitted in writing to:

Melinda McKnight, Supervisor
Town of Hurley
PO Box 569
10 Wamsley Place Hurley,
NY 12443
supervisor@townofhurley.org

Questions or requests for clarifications may be transmitted to the Town by US Mail, courier, e-mail or electronic facsimile.

5. PROPOSAL SUBMISSION

Proposals shall be received at the Town's offices at 10 Wamsley Place, Hurley, NY 12443 no later than August 4, 2023 at 4:00 pm. Proposals received after this time and date may not be accepted and may be rejected as non-responsive.

Confidential, trade secret or proprietary materials as defined by the laws of the State of New York must be clearly marked and identified as such upon submission. Bidders intending to seek an exemption from the Freedom of Information Law must request the exemption in writing at the time of submission, setting forth the reason for the claimed exemption. Any determination on the exemption request will be made in accordance with the Freedom of Information Law in the discretion of the Town.

6. ETHICS, DISCLOSURE OF INTERESTS AND REPRESENTATIONS:

- The Town's Ethics Code is posted on the Town's website.
- Officers and employees are prohibited from entering into certain contracts with the Town pursuant to Article 18 of the General Municipal Law. Except as expressly provided in § 802 of Article 18 of the New York State General Municipal Law, no Town officer or employee shall have an interest in a contract that is prohibited by § 801 of the General Municipal Law. Any contract willfully entered into by or with the Town in which there is an interest prohibited by that section shall be null, void, and wholly unenforceable to the extent provided by § 804 of the General Municipal Law.
- Disclosure of interests: Except as expressly provided in § 802 of Article 18 of the General Municipal Law, any Town officer or employee who has, will have, or later acquires an interest in any actual or proposed contract with the Town, shall publicly disclose the nature and extent of that interest in accordance with § 803 of the General Municipal Law. The Town Clerk shall promptly provide a copy of any such disclosure to the Ethics Board. Town officers or employees are required to recuse themselves pursuant to § 13-5C of the Ethics Code from any matter requiring disclosure under this section.
- Violations: Any Town officer or employee who willfully and knowingly violates § 801 or 803 of the General Municipal Law shall be guilty of a misdemeanor, to the extent provided by § 805 of the General Municipal Law. Any such violation shall also be a violation of the Town's Ethics Code.
- The bidder represents and warrants:
 - (a) That they are financially solvent and that they are experienced in and competent to perform the type of work to be furnished by them and meet all requirements set forth in the contract;
 - (b) That they are familiar with all federal, state, municipal and department laws, ordinances and regulations which may in any way affect the work or those employed therein;
 - (c) That they and their subcontractors have no interest and will not acquire an interest, direct or indirect, that would conflict with the performance of the work under this Contract;
 - (d) That neither they nor any of their owners, officers, partners, directors or shareholders have been the subject of a criminal investigation; and

(e) That the firm has not been terminated by a municipality or public entity for cause in the last five years relating to a failure to comply with Ethics laws or policies, Conflicts of Interest laws or policies, or violation of laws and regulations.

7. Contract Award and Town Reservation of Rights.

Contract Award: The selection of the proposer or proposers and the final scope and contract terms will be subject to approval by the Town Board in their discretion. All proposals become the property of the Town. The Town is not responsible for any costs incurred by a proposer in the preparation of its proposal or for any work performed prior to contract execution. The Town reserves the right to award the contract to other than the proposer presenting the lowest price. The Town may negotiate with one or more proposers. No proposer shall have any rights against the Town arising from such invitation or negotiations. The Town reserves the right to reject any or all proposals or parts of proposals, the right to award a contract in whole or in part, and reserves the right to amend or withdraw this RFP.

TOWN OF HURLEY
10 Wamsley Place
Hurley, NY 12571

NON-COLLUSIVE BIDDING CERTIFICATION

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief:

(1) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;

(2) Unless otherwise required by law, the prices which have been quoted in this bid have not knowingly been disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and

(3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

State of _____

County of _____

Company Name of Bidder: _____

Officer/partner/individual bidder's signature: _____

Print name: _____ Title: _____

Sworn to before me this _____ day of _____, 20____.

Notary Public