



SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY

Request for Proposals for Appliance Procurement, Delivery and Recycling

Response Deadline: September 18, 2013

The Southern California Public Power Authority (SCPPA) is hereby soliciting competitive proposals for Appliance Procurement, Delivery and Recycling Services.

INTRODUCTION

SCPPA, a joint powers authority and a public entity organized under the laws of the State of California, was created pursuant to the Government Code of California and a Joint Powers Agreement for the purpose of planning, financing, developing, acquiring, constructing, operating and maintaining projects for the generation or transmission of electric energy including efficient use of energy and load reduction measures which may be part of our member's Integrated Resource Plans.

Membership consists of eleven cities and one irrigation district which supply electric energy within Southern California, including the municipal utilities of the cities of Anaheim, Azusa, Banning, Burbank, Cerritos, Colton, Glendale, Los Angeles, Pasadena, Riverside, and Vernon, and the Imperial Irrigation District (Member Agencies). In addition to these Member Agencies, SCPPA may include other municipal agencies who wish to participate in our projects, with applicable restrictions that may apply and by approval of the Board.

SCPPA is governed by its Board of Directors, which consists of representatives from each of its members. The management of SCPPA is under the direction of an Executive Director who is appointed by the Board. Details may be found at <http://www.scppa.org>.

BACKGROUND

SCPPA aggregates services on behalf of our Members for Energy Efficiency programs in support of the goals of AB 32, AB 2021 and SB 1037. These programs include Low Income Refrigerator Exchange Program (LIREP), Refrigerator Turn-In and Recycling Program (RETIRE), and other Appliance related programs. SCPPA and Members have administered such Programs for more than a decade.

SCPPA has issued this Request for Proposal (RFP) to develop a list of qualified firms capable of providing one or more the Services described below, as Areas of Interest. Proposals submitted in response to this RFP must meet the requirements and specifications presented below.

Areas of Interest

1) Appliance Procurement:

- a. Appliances must be ENERGY STAR® rated. SCPPA requests a cut or specification sheet of such Appliances, which should including the make, model, size, efficiency tier, product color, and features for the following types of appliances:
 - i. Refrigerators
 - ii. Clothes Washers
 - iii. Dish Washers
 - iv. Room Air Conditioners
 - v. Other Appliances that are offered by the Respondent that may or may not be discussed as part of this RFP
- b. List of any appliances that are offered by the Respondent and meet performance standards in excess of the Federal Standards or ENERGY STAR® ratings such as the Super-Efficient Home Appliance initiative (SEHA) criteria by the Consortium for Energy Efficiency (CEE), with specification of the rating criteria that exceeds ENERGY STAR®. This list would include the associated cut or specifications sheets, as defined above, for any and all such appliances exceeding the Federal or ENERGY STAR standards.
- c. Water consumption specifications for applicable appliances should be included in all appliance lists referenced above.

2) Appliance Recycling Services:

The Appliance Recycling Services shall meet the Environmental Protection Agency (EPA) standards for Responsible Appliance Disposal (RAD) as follows:

- a. Collect used refrigerators, freezers, window air conditioning units, dehumidifiers and other Appliances from customer facilities within our member service territories, and implement best practices for the recycling/disposal of these units in compliance with federal, state, and local laws, including; safe disposal of hazardous waste products, and recycling of all recoverable, durable materials, to the extent possible:
 - i. Using environmentally sound methods to remove, process, manage, and recycle or eliminate chlorofluorocarbons (CFC) in refrigerants and foam insulation found in refrigerators to prevent their release into the atmosphere, securing all permits for CFC recycling equipment in accordance with local air-quality regulations and ensuring that operators are certified to perform the recycling activities

- ii. Proper recovery and management of refrigerant: Under Section 608 of the 1990 Clean Air Act Amendments (40 CFR Part 82 Subpart F), no refrigerant may be vented during the disposal of appliances; therefore, refrigerant must be recovered at equipment end-of-life. Refrigerant must be properly recovered (per §82.156), meaning that at least 90% of the refrigerant must be recovered if the compressor is operating, and at least 80% must be recovered otherwise; alternatively, the refrigerant can be evacuated to four inches of mercury vacuum. Refrigerant must either be reclaimed by an EPA-certified reclaimer (per §82.164) for reuse, or destroyed using environmentally acceptable methods in accordance with applicable federal, state, and local environmental regulations.
 - iii. Proper recovery and management of mercury: Mercury waste, such as switches and relays, must be recovered from appliances prior to disposal or shredding, sent to a qualified recovery facility that has appropriate hazardous waste management permits, and managed in accordance with applicable federal, state, and local hazardous waste regulations (e.g., waste must be properly packaged prior to transport). The federal hazardous waste regulations under the Resource Conservation and Recovery Act (RCRA) can be found in Title 40 of the Code of Federal Regulations, Parts 260-279. Respondent shall also meet the State of California regulatory hazardous waste requirements if different from federal requirements.
 - iv. Proper recovery and management of used oil: Any used oil recovered from refrigeration units must be managed in accordance with the federal standards outlined in 40 CFR 279 or the equivalent state regulations. Before recycling and disposal, used oil must be stored in appropriate containers in good condition and with no visible leaks. Per the RCRA used oil rebuttable presumption, refrigerants must be reclaimed from the used oil to the fullest extent possible, and the used oil cannot be mixed with used oil from sources other than refrigeration units; otherwise, the used oil must be classified as a hazardous waste or it must be proven (through testing) that it does not contain significant concentrations of hazardous substances (i.e., >1,000 ppm total halogens).
 - v. Processing of appliances, using environmentally sound methods to safely remove, process, manage and dispose of polychlorinated biphenyls (PCBs). PCBs would most likely be found in a capacitor. If the capacitor does not state “contains no PCBs” or the capacitor (or refrigerator) was manufactured before 1979, assume that the capacitor contains PCBs (see 40 CFR 761.2 (a)(4) for PCB concentration assumptions and 40 CFR 761.3 for definitions). If the capacitor contains PCBs, which are regulated for disposal, and is leaking, then disposal of the capacitor must be in accordance with 40 CFR 761.62(a) or (c). If the capacitor contains PCBs, which are regulated for disposal, and is not leaking, then disposal of the capacitor must be in accordance with 40 CFR 761.60(b)(2). Storage of PCB capacitors, which are regulated for disposal, must be for no more than one year and must be in accordance with 40 CFR 761.65.
 - vi. Proper recovery and destruction of Ozone-Depleting Substances (ODS) foam blowing agent: ODS foam must be removed from appliances and foam blowing agent must be reclaimed or destroyed using environmentally acceptable methods
- b. Provide copies of all Hazardous Waste Manifests and their corresponding Certificates of Disposal and Recycling and or Certificates of Destruction.

- c. Securing all necessary permits and licenses from Federal, State and local agencies for the handling, transportation and storage of all hazardous wastes and materials, and the collection, transportation, processing and recycling of household appliances.
- d. Tracking and reporting program information annually to the EPA including: the number of appliances collected; type and quantity of refrigerants reclaimed/destroyed; type and quantity of foam blowing agent reclaimed/destroyed; weight of metals, plastics, and glass recycled; and quantity of hazardous waste products managed and used oil recovered.

3) Appliance Delivery Services:

Logistical services in support of Appliance Recycling programs, which include inventory services, warehousing, delivery of Appliances and any other program incentives (such as compact fluorescent light bulbs), installation and change out of displaced units.

- a. Warehousing, delivery, installation of new units.
- b. Removal and disabling of displaced and spare Appliances.
- c. Scheduling and confirming appliance delivery/change-out appointments by telephone in a timely manner and other services that may be necessary to affect the delivery, setup and installation of Appliances such as inspection of grounded outlets in conformance to program guidelines. The preferred model shall provide for a full-service telephone center at which customers may schedule pick-ups and recycling. Provisions should also be made to process customer requests for recycling services through the internet.
- d. Screening, hiring bonding and training of an adequate staff to perform these logistical functions.
- e. Provisions for proper and effective operations, including: transportation equipment and fleet services, collection operations, customer services functions, purchasing and billing capabilities, inventory tracking and control and warehousing capabilities, computerized data collection and analysis operations.
- f. Preparing periodic inventory tracking and progress reports to properly monitor the effectiveness of the Appliance Delivery Program services. A web based reporting and tracking system to facilitate requests for deliveries and appliance pick-up is preferred.

Proposal Submission Required Elements

- 1) **Transmittal Letter:** A brief statement of the Contractor's understanding of the work to be done and commitment to perform the work as scheduled including a summary of exceptions taken to the RFP requirements, statement of work, specifications, and reference to any proposed contractual terms and conditions required by the Respondent. An officer authorized to bind must sign the proposal on behalf of the Respondent and must include the following declarations on the Transmittal Letter:

“This proposal is genuine, and not sham or collusive, nor made in the interest or in behalf of any person not herein named; the Respondent has not directly or indirectly induced or solicited any other Respondent to put in a sham bid, or any other person,

firm or corporation to refrain from submitting a proposal; and the Respondent has not in any manner sought by collusion to secure for themselves an advantage over any other Respondent.”

- 2) **Applicant Information:** Provide legal name of Company, firm or individual, Address, E-mail address, Telephone, Name and Title of individuals authorized to represent the Respondent.
- 3) **Proposal:** Provide a description of the proposed project, how it meets the objectives of this RFP, as well as a detailed description addressing all of the Areas of Interest.
- 4) **Fees:** SCPPA is interested in discovering the Respondent’s capabilities and pricing to make an informed decision and proceed to more specific negotiations. Pricing should be made based on good faith estimates of the requirements defined in this RFP. Detail specific examples or estimates of the fees. Describe how the fees will be determined. Prior to contract award, the successful bidder shall supply a detailed breakdown of the applicable overheads and fringe benefit costs that are part of the labor rates and other direct costs associated with the services to be performed. Detail price listings or ranges as applicable:
 - a. For Area of Interest 1
 - i. Per unit, per type of appliance procurement cost.
 - b. For Area of Interest 2
 - i. Per unit, per type of appliance recycling cost.
 - ii. CFC disposal costs; if in addition to appliance recycling cost.
 - iii. Other disposal costs by unit or weight; if in addition to recycling cost.
 - c. For Area of Interest 3
 - ii. Appliance delivery, per unit cost.
 - iii. Appliance warehousing costs.
 - iv. Transportation or mileage fees.
 - d. Other itemized service or unit costs
- 5) **Experience:** Respondent will clearly identify project participants and management team. Subcontracting for certain services to be performed under any contractual Agreement that may be developed from this RFP will be allowed and permitted.
 - a. Describe your firm’s or any subcontractor’s area(s) of expertise and comprehensive services, as related to Appliance Delivery and Recycling Services including but not limited to warehousing, delivery and installation of new Appliances and removal of displaced and spare Appliances from customers’ homes.
 - b. Describe your firm’s or any subcontractor’s experience, operating procedures and services relating to scheduling and confirming appliance delivery and or change–out appointments by telephone and other services that may be necessary to affect the delivery, setup and installation of Appliances.

- c. Describe your firm's or any subcontractor's provisions for proper and effective appliance delivery services and operations, including: transportation equipment and fleet services, collection operations, customer services functions, purchasing and billing capabilities, inventory tracking and control, warehouse facilities and warehousing capabilities, computerized data collection and analysis activities.
- d. Describe any and all order processing system(s) to be used for these services, including the tracking system used to facilitate requests for refrigerator deliveries and appliance pick-up. Provide copies of periodic inventory tracking and progress reports to properly monitor the effectiveness of your appliance delivery services.
- e. List any and all current licenses and permits that are held for appliance delivery services including the license and permit numbers for each as required for this RFP.
- f. List any and all current licenses and permits held for handling, managing, recycling and disposal of hazardous substances and wastes, including the license and permit numbers for each as required for this RFP (e.g., U.S. EPA identification numbers). Provide a summary of the compliance history for the last five years for all the facilities owned by your company and those owned by other entities that your company plans to use.
- g. Describe the approved waste management activities, treatment, storage and disposal capabilities as well as daily capacities for each facility as allowed under the assigned permits.
- h. List current bonding, insurance and liability coverage including the expiration dates as may be required for this RFP.
- i. Provide copies of sample reports to track all wastes and recyclable materials that a recycling program as described in this RFP may require. Provide sample reports that track the weights of materials recycled, and hazardous wastes disposed of by type, and provide sample copies of the corresponding monthly and or annual summary reports.
- j. Specify key employees and describe their qualifications, experience and duties related to this RFP, including the office location(s) where work will be performed. Description should include the organizational details and responsibilities of the certified or licensed workers.
- k. Provide a commitment statement for the retention and use of key employees as proposed, their availability to initiate and sustain the proposal, as well as planned supplement if not available to assure project delivery.
- l. State whether Respondent will use subcontractors to perform services pursuant to the contract. Should the use of subcontractors be offered, the Respondent shall provide the same assurances of competence for the subcontractor, plus the demonstrated ability to manage and supervise the subcontracted work. Subcontractors shall not be allowed to further subcontract with others for work on this program. The provisions of this contract shall apply to all subcontractors in the same manner as to the Respondent.
- m. Respondent shall indicate any and all pending litigation that could affect the viability of Respondent's proposal or financial stability.
- n. Describe whether the Respondent has, within the last three years, rendered any service to SCPPA or to any of SCPPA's members, either as a contractor or subcontractor, either under the current Respondent's name or any other name or organization. If so, please provide details (status as

prime or subcontractor, brief description of the contract, contract start and end dates, the contract administrator name, and total actual contract expenditures).

- o. Provide a client reference listing including:
 - i. Client name and industry
 - ii. Volume and length of engagements
 - iii. Contact reference name, phone number and e-mail address

Proposal Submission Delivery Requirements

There will be no initial Respondent's conference associated with this RFP. Clarification questions may be addressed to: ApplianceRFP@scppa.org

One (1) hard copy of your response, including a Transmittal Letter of authentic offer with wet-ink authority signature, and any supporting documentation should be delivered no later than 5:00pm on Wednesday, September 18, 2013 to:

Southern California Public Power Authority
attn: Appliance Services RFP
1160 Nicole Court
Glendora, CA 91740

One electronic copy of your proposal should also be delivered to the address above, preferably on a CD or USB flash-drive, or alternately e-mailed to ApplianceRFP@scppa.org, by the date and time referenced above.

No contact should be made with the Board of Directors, Committee Members, or SCPPA Participating Members concerning this RFP.

All information received by SCPPA in response to this RFP is subject to the California Public Records Act and all submissions may be subject to review in the event of an Audit.

Proposal Terms and Conditions

- 1) SCPPA desires to enter exclusive negotiations with the Respondent once selected as may be defined through a signed letter of intent and defined term.
- 2) SCPPA shall determine at its sole discretion the value of any and/or all proposals including price and non-price attributes.
- 3) Proposals may be sub-divided or combined with other proposals, at SCPPA's sole discretion.
- 4) SCPPA shall perform an initial screening evaluation to identify and eliminate any proposals that are not responsive to the RFP, do not meet the minimum requirements set forth in the RFP, are clearly

not economically competitive with other proposals, or are submitted by Respondents that lack appropriate creditworthiness, sufficient financial resources, or qualifications to provide dependable and reliable services.

- 5) SCPPA may entertain or eliminate proposals immediately upon receipt or at any future time if not clearly defined in the proposal at the end of the period of offer.
- 6) SCPPA reserves the right, without qualification and in its sole discretion, to accept or reject any or all proposals for any reason without explanation to the Respondent, or to make the award to that Respondent, who, in the opinion of SCPPA, will provide the most value to SCPPA and its customers.
- 7) SCPPA may decline to enter into any potential engagement agreement or contract with any Respondent, terminate negotiations with any Respondent, or to abandon the RFP process in its entirety.
- 8) SCPPA reserves the right to make an award to other than the lowest price offer or the proposal evidencing the greatest technical ability or other measure if SCPPA determines that to do so would result in the greatest value to SCPPA and its members.
- 9) Those Respondents who submit proposals agree to do so without legal recourse against SCPPA, its members, and their directors, officers, employees and agents for rejection of their proposal(s) or for failure to execute or act on their proposal for any reason.
- 10) SCPPA shall not be liable to any Respondent or party in law or equity for any reason whatsoever for any acts or omissions arising out of or in connection with this RFP.
- 11) Respondent shall be liable for all its costs and SCPPA shall not be responsible for any Respondent's costs incurred to prepare, submit, or negotiate its proposal, a contract or for any other activity related thereto.
- 12) SCPPA may require certain performance assurances from Respondents prior to entering into detailed negotiations for a proposed project. Such assurances may potentially include a requirement that Respondents provide some form of performance security.
- 13) Either SCPPA collectively or Member Agencies individually may respond to, or enter into negotiations for a proposal. SCPPA is not responsible or liable for individual Member Agency interactions with the Respondent which are not entirely contained within SCPPA's option or election to engage the Respondent as defined within the Terms and Conditions herein.

Additional Requirements for Proposal

Respondents shall provide evidence of compliance with the following additional requirements:

1) **Consideration of Responses**

Submitted proposals should be prepared simply and economically, without the inclusion of unnecessary promotional materials. Proposals should be submitted on recycled paper that has a minimum of thirty percent (30%) post-consumer recycled content and duplex copied (double-sided pages) where applicable.

2) **Insurance**

The Successful Bidder will be required to maintain sufficient insurance for the type of work being performed. SCPPA or its members may require specific insurance coverage to be established and maintained during the course of work and as a condition of award or continuation of contract.

3) **Taxpayer Identification Number**

The Internal Revenue Service (IRS) required that all Respondents and suppliers of materials and supplies provide a Taxpayer Identification Number (TIN) to the party that pays them. Respondents must submit its authorized TIN. No payments will be made under this Agreement without a valid TIN. (See Appendix A)

4) **Fee Schedule**

The Fee Schedule is to provide a standard format by which the Respondent submits to SCPPA a summary of incurred and estimated costs (and attached supporting information) suitable for detailed review and analysis.

In addition to the specific information required by this form, the Respondent is expected, in good faith, to incorporate in and submit with this form any additional data, supporting schedules, or substantiation reasonably required for the conduct of an appropriate review and analysis in the light of specific facts of this RFP (See Appendix B)

5) **Certification of Compliance with Child Support Obligations**

The Successful Bidder will be required to comply with all reporting requirements and wage earning assignments relative to court ordered child support, in accordance with the City of Los Angeles Ordinance No. 172401. All Respondents are required to complete, sign, and submit the "Certification of Compliance with Child Support Obligations" affidavit (1 page) provided in Appendix C of the RFP.

6) **Non-Discrimination/Equal Employment Practices**

The Respondent shall not discriminate in employment practices against any employee or applicant for employment because of race, religion, national origin, sex, age, or physical handicap. The Respondent shall complete, sign, and submit to SCPPA the "Non-Discrimination and Equal Employment Practices" (2 pages) affidavit provided in Appendix D of this RFP.

7) Equal Benefits Ordinance (EBO)

Respondents shall complete and submit the “Equal Benefits Ordinance Compliance Affidavit” as part of their proposal. Failure to comply with these requirements shall result in the Respondent being deemed nonresponsive (See Appendix E)

8) Contractor Responsibility Program

Respondents shall complete and submit the “Pledge of Compliance with Contractor Responsibility Ordinance” (1 page) and “Responsibility Questionnaire” (9 pages) affidavits. Failure to comply with these requirements may result in the Respondent being deemed nonresponsive (See Appendix F)

9) Living Wage Ordinance

The Successful Bidder will be required to comply with the applicable provisions of the City of Los Angeles Living Wage Ordinance and the City of Los Angeles Service Contract Workers Retention Ordinance. The Living Wage Ordinance (LWO) provisions are found in Section 10.36 of the Los Angeles City Administrative Code and the Service Contract Workers Retention Ordinance (SCWRO) are found in Section 10.37) of the Los Angeles Administrative Code. SCWRO/LW0forms must be completed by the Successful Bidder only (See Appendix G).

10) Municipal Lobbying Ordinance

All Respondents shall complete, sign, and attach the City Ethics Commission’s “CEC Form 50” (1 page) affidavit. The City of Los Angeles Municipal Code Section 48.01 et seq, requires certain individuals and entities to register with the City Ethics Commission and requires public disclosure of certain lobbying activities, including money received and spent. A copy of the City of Los Angeles Municipal Lobbying Ordinance is available for download on the City Ethics Commission’s website at: http://ethics.lacity.org/PDF/laws/law_mlo.pdf. Proposals submitted without a completed “CEC Form 50” affidavit shall be deemed nonresponsive (See Appendix H).

11) Affirmative Action Plan

The Respondent shall have an Affirmative Action Plan on file. The Respondent shall comply with the requirements of the City of Los Angeles and shall complete, sign, and submit to SCPA the affidavit set forth in Appendix M1 of this RFP.

An Affirmative Action Plan shall be in effect and on file for the duration of the contract period.

12) Bidder Campaign Contributions and Fundraising

Respondents shall complete, sign, and attach the City Ethics Commission’s “CEC Form 55” (3 pages) affidavit. The affidavit requires Respondents to identify their principals, their subcontractors performing \$100,000 or more in work on the contract, and the principals of those subcontractors. Respondents shall also notify their principals and subcontractors in writing of the restrictions and include the notice in contracts with subcontractors. Proposals submitted without a completed “CEC Form 55” affidavit shall be deemed nonresponsive. Respondents who fail to comply with the City law may be subject to penalties, termination of contract, and debarment. Additional information regarding these restrictions and requirement may be obtained from the City Ethics Commission at (213) 978-1960 or ethics.lacity.org (See Appendix N).

13) Local Business Preference Program

This contract is subject to the applicable provisions of the Local Business Preference Program (LBPP) Ordinance No. 181910, Division 10, Chapter 1, Article 21 of the Los Angeles Administrative Code, which encourages local businesses to locate and operate in the Los Angeles area.

The City of Los Angeles, Department of Public Works, Bureau of Contract Administration, Office of Contract Compliance (BCA/OCC) is the Designated Administrative Agency (DAA) for the LBPP. The DAA will determine whether a business qualifies as a Local Business, a Provisionally Qualified Local Business, or a Local Subcontractor. The DAA may also audit or monitor contractors and subcontractors for compliance with the provisions of the Ordinance and conduct investigations of claimed violations.

To be eligible for participation in the LBPP, the BCA/OCC requires a prospective Proposer to register and apply for the certification as a Local Business prior to the proposal deadline by submitting an affidavit attesting as such on the Los Angeles Business Assistance Virtual Network (LABAVN) website. An affidavit form is available for download on the LABAVN website. The "Local Business Certification – Affidavit of Eligibility" form is available for download on the LABAVN website at <http://www.labavn.org>. For more information, the Proposer shall e-mail the LABAVN office at ITA.BAVN@lacity.org or call the City of Los Angeles, Bureau of Contract Administration, (BCA/OCC) at (213) 847-2641 or (213) 847-2648.

Proposers that are eligible for a proposal preference in accordance with the LBPP Ordinance shall provide all required information in Appendix O – Local Business Preference Program Documentation of this RFP.

If no information is provided in Appendix O – Local business Preference Program Documentation of this RFP, it will be assumed that the Proposer or any of its subcontractors are not registered as a Local Business on the LABAVN system and the Proposer is not a Provisionally Qualified Local Business.

14) First Source Hiring Program

The First Source Hiring Program (FSHP) grants targeted applicants first access to jobs resulting from LADWP contracts while providing affected contractors prompt and cost-free referrals of qualified applicants. FSHP applies only to non-trade positions and to jobs for which the hiring procedures are not subject to collective bargaining agreements which conflict with the program.

Respondents to this RFP are required to complete, sign and return the FSHP Pledge of Compliance. Proposals submitted without the completed and signed Pledge may be deemed non-responsive and disqualified from further consideration (See Appendix P).

15) Iran Contract

In accordance with California Public Contract Code Section 2200-2208, all Respondents submitting proposals for, entering into, or renewing contracts for goods and services estimated at \$ 1 Million or

more are required to complete, sign, and submit the "Iran Contracting Act of 2010 Compliance Affidavit" (1 page) provided in Appendix Q.

- 16) Respondents shall make a Good Faith Effort to ensure that all available business enterprises, including Women Business Enterprises, (WBEs) and Minority Business Enterprises (MBEs) have an equal opportunity to compete for and participate in the work being requested by the RFP. Efforts to obtain participation of MBEs, WBEs and other business enterprises could reasonably be expected to produce a level of participation by interested subcontractors including 15% MBE and 7% WBE. SCPPA's Supplier Diversity Program is modeled after that of the Los Angeles Department of Water and Power. Further information concerning the Supplier Diversity Program may be obtained from the Purchasing Division of the Los Angeles Department of Water and Power.

- 17) In addition to the City of Los Angeles' contracting provision references in this RFP, the Successful Bidder may be required to comply with additional contract requirements listed in attached "List of Appendices".