

SOUTHWEST CENTRAL REGIONAL SOLID WASTE  
MANAGEMENT DISTRICT

REQUEST FOR PROPOSALS

AND

CONTRACTOR QUALIFICATIONS

FOR

ELECTRONIC WASTE DISPOSAL SERVICES

HOT SPRINGS, ARKANSAS

JANUARY 2024

# TABLE OF CONTENTS

## TABLE OF CONTENTS

### ADVERTISEMENT AND NOTICE

I.	INTRODUCTION .....	4
II.	DEFINITIONS .....	4
III.	INSTRUCTIONS TO RESPONDENTS .....	5
IV.	PROJECT BACKGROUND .....	8
V.	PROJECT GOAL AND OBJECTIVE .....	9
VI.	SCOPE OF SERVICES .....	9
VII.	PROPOSAL REQUIREMENTS / EVALUATION .....	10
A.	Qualifications	
B.	Experience, References	
C.	Availability, Staffing, Capability of Providing / Performing	
D.	Cost	
E.	DBE / WBE Certification	
VIII.	EVALUATION CRITERIA .....	11
IX.	AWARD OF CONTRACT .....	12

# ADVERTISEMENT & NOTICE

## REQUEST FOR PROPOSALS (RFP)

### **ELECTRONIC WASTE DISPOSAL SERVICES**

#### **Southwest Central Regional Solid Waste Management District**

The **Southwest Central Regional Solid Waste Management District** is hereby soliciting sealed proposals to provide **Electronic Waste Disposal Services**. Sealed proposals will be received by the Office of Administrator until 4:30 PM CT, May 14, 2024. Proposals will be received only at the West Central Arkansas Planning and Development District, Inc. at the address shown below.

All proposals must be submitted in accordance with the RFP specifications which may be obtained during normal business hours from :

Courtney Decker  
Southwest Central Regional Solid Waste Management District  
c/o West Central Arkansas Planning and Development District, Inc.  
Post Office Box 6409  
Hot Springs, Arkansas 71902-6409  
(501) 525-7577

Proposals will be evaluated in accordance with the specifications.

The Southwest Central Regional Solid Waste Management District reserves the right to accept part or all of any specific proposal(s). The District further reserves the right to reject all proposals or part or all of any specific proposal, to hold all proposals in force and effect for sixty (60) calendar days after date of opening, to waive any informalities in the proposal(s) and to postpone or cancel the proposal opening date for cause or convenience.

The Southwest Central Regional Solid Waste Management District is an Equal Opportunity / Affirmative Action Employer.

## **I. INTRODUCTION**

The Southwest Central Regional Solid Waste Management District is seeking proposals for Electronic Waste Disposal Services. This includes the collection, transportation and processing of electronic waste as the same is defined in Section 273 of Regulation 23 of the Arkansas Pollution Control and Ecology Commission. This request for Proposals (RFP) contains all the information necessary to prepare and submit a proposal. Prospective proposers are advised to study this RFP completely and follow the instructions exactly.

## **II. DEFINITIONS**

Throughout this request for proposals, the following definitions shall apply:

1. "RFP" means Request for Proposals
2. "District" means the Southwest Central Regional Solid Waste Management District
3. "Administrator" means the West Central Arkansas Planning and Development District, Inc. Administrator for the Southwest Central Regional Solid Waste Management District.
4. "Board of Directors" means the Board of Directors for the Southwest Central Regional Solid Waste Management District.
5. "Proposer" means the individual, firm, partnership, joint venture, or corporation which submits a proposal to the District in response to this RFP.
6. "Contractor" means the proposer chosen by the District to perform the services outlined in the RFP.
7. "Project or Plan" means the Electronic Waste Disposal Services to be provided in accordance with the scope of services / specifications and the contract.

### III. INSTRUCTIONS TO RESPONDENTS

1. All proposals must be received at the West Central Arkansas Planning and Development District, Inc. office, City of Hot Springs, Arkansas, 4:30 PM CT, May 14, 2024 regardless of delivery method.
2. The envelope or container transmitting the proposals must be sealed, labeled and addressed as follows:

Courtney Decker  
Southwest Central Regional Solid Waste Management District  
c/o West Central Arkansas Planning and Development District, Inc.  
Post Office Box 6409  
Hot Springs, Arkansas 71902-6409

**Electronic Waste Disposal Services**  
TO BE OPENED: 4:30 PM CT, May 15, 2024<sup>SEP</sup>

3. **Seven (7) copies** of each proposal must be submitted together with **one unbound original** (for reproduction by the District Staff). Any proposal not submitted in compliance with the instructions contained in this section and / or not containing the information requested by Section VI may be declared “non-responsive” and may not be considered.
4. Any person, firm or corporation able to meet the requirements of this RFP is invited to respond to this RFP. Proposals will be bound by the provisions contained in this RFP, unless an amendment or deviation is formally approved and distributed by the District.
5. This RFP represents in writing to all proposers the most comprehensive and definite statement that the District is able to make as to the requirements, terms, and conditions for this proposal process and performance of the project. Information and understandings, verbal or written, which are not contained either in this RFP or in subsequent written addenda to this RFP, will not be considered in evaluating proposals. Any conditions or expectations on the part of the proposer for performance by the District must be set forth in the proposal. The District is not obligated to consider the proposer’s post submittal terms and conditions.
6. The specifications / scope of work / services listed are to be interpreted as meaning the minimum acceptable by the District.
7. Proposals must include all Federal, State and City taxes, as well as all other fees which might otherwise be applicable, but they (or the applicable tax rate) must be shown separately. Any such levies shall be the responsibility of the contractor.

8. As part of the public negotiation process leading to the selection of a contractor, the District may request additions or modifications to any proposal. It is the present intent of the District not to negotiate substantive portions of an applicant's proposal and to rely on the information submitted in these proposals in awarding a contract.
9. The District reserves the right to award the contract without further discussion on the proposals submitted. The District and its designees also reserve the right to reject and / or accept any and all proposals received or parts thereof. The District retains the right to waive any minor irregularities in any proposal submitted. The District may make such investigations it deems necessary to determine the ability of the proposer to provide / perform as sought by the District and the proposer shall provide relevant information as requested.
10. All proposals will become part of the official file on this matter without obligation to the District. In addition, respondents are hereby advised that proposals, once the district has made its selection, are subject to the Arkansas Freedom of Information Act and, therefore, available for viewing or copying by anyone upon request.
11. This solicitation does not commit the District to pay any costs incurred in preparing and submitting the proposal or to contract for the services specified.
12. Acceptance by the successful proposer of an award from this proposal indicates that the successful candidate is in no way currently indebted to the District, any City within the District, any County within the District or the State of Arkansas. Indebtedness to any of the above shall be basis for non-award and / or cancellation of any award.
13. It is the District's policy to encourage the involvement of Disadvantaged Business Enterprises (minority-owned and women-owned businesses) in contracts awarded. DBE's are particularly invited to submit proposals to perform work outlined in this RFP, either as a prime contractor, subcontractor, or as part of a joint venture. Non-DBE firms are encouraged to arrange subcontracts or joint ventures with DBE's prior to submission of their proposal.
14. ANY QUESTIONS CONCERNING PROPOSAL RESULTS SHOULD BE DIRECTED TO COURTNEY DECKER, ADMINISTRATOR, SOUTHWEST CENTRAL REGIONAL SOLID WASTE MANAGEMENT DISTRICT, HOT SPRINGS, AR, 71901 (501) 525-7577.
15. Requests for clarification of any items, requirements or specifications contained herein must be received by the District, **IN WRITING**, (fax permissible) no later than the close of business on (2 weeks prior to deadline) . Upon receipt of a request for clarification, the District shall respond in writing no later than (1 week prior to deadline) and shall furnish a copy of said response to all prospective respondents who have obtained copies of the "Request for Proposals" at the time the District's response is mailed if the response materially changes the RFP or is deemed significant. The procedure outlined above shall be followed in order to ensure competitive fairness by providing all prospective

respondents with the same information. Except when in the District's best interest, the names of prospective proposers will not be divulged.

16. Proposals must be signed by a corporate officer or individual authorized to commit the submitting firm or individual and shall remain in full force and effect for sixty (60) calendar days following the date of opening. Proposals may be withdrawn prior to opening only. Negligence on the part of the proposer shall not constitute a right to withdraw the proposal after it is opened.
17. Respondents should also be available for oral presentation if such presentations are deemed necessary to determine the most qualified firm. Any such oral presentation will be scheduled at a mutually convenient time.

**Protest procedures.**

Protest of bidding procedures, specifications or bid / contract awards shall be made in accordance with the following procedures. Such protests may only be initiated by an authorized representative of a person, firm or corporation who has a direct economic interest in the particular procurement in question.

A. *Protest Filing.* Any protest must be filed with the Administrator at the address specified in the bid specifications or quotation request for the receipt of bids or quotes. The protest must be in writing and describe in full detail the basis for the protest and the particular bid or quote in controversy. In order to meet the time frames enumerated hereinafter, a protest may be received in person, by U.S. mail, facsimile or electronic means; provided, however, that facsimile or electronic filing shall be followed with documents bearing original signatures as soon as practical thereafter.

B. *Bid specifications (pre-award).* Protest of bid specifications or bidding procedures must be received by the Office of Administrator no later than five (5) business days prior to the scheduled bid opening or quotation closure period. Protests received the day of bid opening or quotation closure will not be considered.

C. *Awards less than \$20,000.* Protest of procurement decisions valued at less than \$20,000 shall be filed by the protestant within five (5) business days of the administrator's award decision. The administrator, in consultation with the district attorney and district chairman, shall have authority, prior to the commencement of an action in a court concerning the controversy, to settle and resolve the protest. If the protest is not resolved by mutual agreement, the administrator shall issue a decision in writing to the protestant within ten (10) business days after receipt of the protest stating the reasons for the action taken.

D. *Awards \$20,000 or greater.* Protest of award recommendations valued at \$20,000 or greater shall be filed by the protestant within five (5) business days of the administrator's recommendation for award and prior to the scheduled consideration by the board of directors. The board of directors shall hear all parties concerned and shall render a decision regarding the protest and the bid / contract award.

E. *Stay of procurement award.* In the event of a timely protest pursuant to this section, the district shall not proceed with the solicitation or procurement until protest is resolved by mutual agreement, the administrator issues a final decision (under \$20,000), the board of directors approves the procurement in controversy (\$20,000 or greater) or court decision is rendered if the controversy is filed in court. Provided, however, that the district may proceed with a procurement in controversy if a written determination is made by the administrator, in consultation with the district attorney, that the items to be purchased are urgently required, the delivery or performance will be unduly delayed by failure to make the award promptly, or failure to make award will otherwise cause undue harm to the district.

F. *Award notification.* Notification of procurement decisions shall be available in the Office of Administrator as soon as such decisions are final. It is the responsibility of all bidders to make inquiry of the administrator regarding procurement decisions for the purpose of rendering protests.

#### **IV. PROJECT BACKGROUND**

The District has identified the need for disposal of certain electronic waste as the same has been defined by the Arkansas Pollution Control and Ecology Commission. The District has facilitated this type of collection on an annual basis and has depended on a third-party vendor for these services since that time. The District holds collection at locations sited within the District each year. The collection sites are determined by the Board and may be subject to change as may be necessary as determined by the Board.

#### **V. PROJECT GOAL AND OBJECTIVE**

The goal and objective of this procurement is to offer Electronic Waste Disposal Services during a one-day event to all citizens of the District, to include residents of all cities and counties of Garland, Hot Spring and Clark.

#### **VI. SCOPE OF SERVICES**

This RFP is intended for the respondents to have the opportunity to offer their best 'package' that will best serve the District. The District will define some criteria that are vital and must be included in what is offered but respondents have latitude in designing what they offer. The District will determine the proposal that offers the best package.

The contract resulting from this RFP will be from the date a contract is executed and will expire at the end of one (1) calendar year. Said contract may be renewed annually for up to two, one-year extensions at the mutual agreement of both parties. Any agreed extensions will be reduced to writing and shall be executed by all parties. The District expects vendors to provide their latest, proven technology at all times.

Proposer must provide the District with services associated with the collection, transportation, reuse opportunities and disposal of electronic waste materials. The following is the minimum acceptable criteria that must be met by the successful proposer:



- a. **COLLECTION LOCATIONS:** Locations will be sited by the District at cities and locations within the District and may include site locations in Clark County, Garland County and/or Hot Spring County, Arkansas. The actual site locations and date of event will be designated at a later date by the District.
- b. **ACCEPTED WASTES:** Materials accepted during the collection event(s) will be those as defined as “consumer electronic items” within Regulation 23 of the Arkansas Pollution Control and Ecology Commission. “Consumer electronic items” means an electronic item or other electronic waste containing an intact or broken cathode ray tube (e.g. television, computer monitor, or other cathode ray tube monitors display device), personal computer or computer component, audio and/or stereo player, videocassette recorder/player, digital videodisk (DVD) recorder/player, video camera, telephone, facsimile or copying machine, cellular telephone, wireless paging device, or video game console. Accepted waste may also include any such device or component that exhibits a characteristic of a hazardous waste including, but not limited to, lead, mercury, cadmium and other hazardous substances having similar characteristics.
- c. **RECYCLING OPPORTUNITIES:** Proposals should include information related to any electronic waste which might otherwise be collected or processed for recycling.
- d. **SUMMARY REPORT:** Successful proposer must provide the District with an event Summary Report detailing the: (a) total weight and/or amount of waste collected, (b) types of materials collected, and (c) total weight of any reuse collected.
- e. **SPILLS:** Successful proposer will be responsible for removing any waste that is spilled on-site and/or on any equipment used during the collection event.

## VII. PROPOSAL REQUIREMENTS / EVALUATION

Proposers must submit proposals which include the categories enumerated hereinafter. Proposals will be evaluated in accordance with the evaluation criteria (Section VII) based solely upon the proposal contents; therefore, respondents should carefully address each of the following proposal content categories.

- A. Qualifications – describe and provide detail of the firm’s qualifications and experience to perform this work. This should include any and all certifications, permits, licenses as may be required by the Arkansas Department of Environmental Quality and the Environmental Protection Agency as well as any and all other applicable local, state, or federal entities related to same, and should further include records or information related to the training of personnel who will perform on behalf of Contractor in any Proposal submitted.
- B. Experience / References – explain in detail the experience of your firm and the personnel that would be working on the District’s account. Provide a list of current or recent past customers with contact name and phone number. Proposals should also include Contractor’s experience in communicating and promoting to the general public and businesses the benefits of collecting and recycling electronic waste, and promotion of collection protocols for public consumption.

- C. Availability, Staffing, Capability of Providing Service – describe staffing levels and equipment and responsiveness to the District’s needs.
- D. Costs and Conditions – proposals should contain specific information related to any and all costs to the District (including its cities or counties therein) or the State of Arkansas of processing or disposing of electronic wastes herein. Proposals should also contain detailed information on the safety, security and protection of privacy of any memory capacity of electronic waste as well as the method of destruction of memory capacity of the electronic waste collected processed or otherwise disposed of. All proposals should include a list of all acceptable waste to be collected and processed as well as a list of unacceptable electronic waste which might otherwise be excluded from collection or disposition. Proposals should include any and all record-keeping policies related to electronic waste collected, processed for recycling, and or otherwise disposed of by Contractor. Proposals should include specific descriptions of Contractor’s current markets for recycled electronics and/or electronic components (including safety, security and privacy protections related to such recycling opportunities), as well as other associated non-electronic materials which might be collected.
- E. DBE / WBE / MBE
- Proposers who are **certified** disadvantaged business enterprises (DBE) or women owned business enterprises (WBE), or minority owned business enterprises (MBE) may qualify for five (5) points as a DBE / WBE / MBE. To claim these points, proposers must include a copy of a current DBE / WBE / MBE certification issued by a governmental agency with their proposal.
- F. Other - Proposers should also submit such additional, relevant material which the Proposer believes will provide additional information regarding Proposer’s operation or qualifications to serve the District. Proposals should include proposed indemnity clauses for inclusion in agreements; and/or proposed insurance coverage in the event Proposer is awarded contract. Proposers shall promptly advise the District of any material change affecting Proposer’s ownership, identification, solvency or good standing which may occur at any point during or after the submission of its proposal. Failure to notify the District of such material changes may result in dismissal of Bid or immediate termination of any agreement.

### VIII. EVALUATION CRITERIA

The District’s purpose in soliciting proposals is to determine and select the best qualified firm with which to negotiate a contract at the best possible price. In order to accomplish this objective, the following evaluation criteria and procedure will be used:

	<u>Criteria</u>	<u>Max. Points</u>
A.	Qualifications	20
B.	Experience, References	15

C.	Availability, Staffing, Capability of Providing Service	25
D.	Cost of Service	30
E.	DBE / WBE / MBE	5
F.	Other	<u>5</u>
	<b>Total Points Possible</b>	100

Proposals will be reviewed by a selection committee using the above criteria. Each reviewer will evaluate the five sections of each proposal *based on the proposal's content*. Reviewers will then assign a point score between zero and the criteria's maximum possible points for each section. Points for each proposal will then be totaled and proposals ranked from the highest to the lowest total point score. The District reserves the right to invite two or more of the highest rated firms to make oral presentations (short list). Firms invited to make oral presentations will be reevaluated using the above criteria based on their oral presentation. The firm selected for a contract will be expected to incorporate, in the contract their assurances, offers or guarantees made in their oral presentation. Negotiations will be conducted initially with the firm adjudged to be the best qualified firm, following the rating and ranking process. If a mutually satisfactory contract cannot be negotiated with the selected firm, the firm will be requested to submit a best and final offer in writing, and, if not approved, negotiations with that firm will be terminated. Negotiations will then be initiated with the subsequently qualified firm, and this procedure will be continued until a mutually satisfactory contract has been negotiated. The objective of negotiations will be to reach an agreement on the plans for the service to be provided and an acceptable cost proposal that outlines the cost for each task and final products.

## IX. AWARD OF CONTRACT

The Board of Directors will review the selection committee's recommendation and make the final decision regarding contract award. Any significant work alterations or additions during the term of the contract shall be renegotiated by the District and the selected respondent. The District reserves the right to request the modification of any and all proposals and / or to reject all proposals. The District will execute an agreement with successful bidder for these services.

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Courtney Decker, Administrator

April 1, 2024