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COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE

REFER TO FILE: **BRC-1**

INVITATION FOR BIDS - INFORMATIONAL UPDATE 3 ATHENS/WOODCREST/OLIVITA, FIRESTONE, AND WALNUT PARK GARBAGE DISPOSAL DISTRICTS (BRC0000125)

Thank you for attending our mandatory bidders' conference for Athens/Woodcrest/Olivita, Firestone, and Walnut Park Garbage Disposal Districts (BRC0000125) held on Thursday, February 20, 2020.

The deadline to submit bids has been extended to **Monday, March 23, 2020, at 5:30 p.m.** An addendum will be released in the near future.

All addenda and informational updates will be posted at <http://pw.lacounty.gov/brcd/servicecontracts>. Please check the website frequently for any changes to this solicitation.

QUESTIONS AND ANSWERS TO ATHENS/WOODCREST/OLIVITA, FIRESTONE, AND WALNUT PARK GARBAGE DISPOSAL DISTRICTS

- Question:** We understand that the County expects the contractor to continue logging and reporting contamination after recurring observations to the County. Currently, contamination is rampant within the residential green waste and recycle carts and several loads per week must be reclassified as MSW upon unloading at a transfer station. The average residential green waste truck servicing the GDDs contains 6-10% contamination. How will the County assist the hauler in monitoring, enforcing, and promoting best practices amongst its residential population in conjunction with the efforts led by the hauler? (Exhibit 3A1: Page 5 & 6)

Response: This is to be addressed through a combination of efforts by County and contractor. This contract includes many provisions for public outreach, such as monthly postcards, annual brochures, collection vehicle billboards, and community meeting attendance. County will supplement the effort as necessary with additional mailings and media campaigns. This contract also includes a requirement in this exhibit in Item C3 for contractor to assist with SB 1383 compliance, which will include reviewing materials as they fall into vehicle hoppers and tagging contaminated containers.

2. **Question:** Per the IFB, "Recyclables Container will include wood, dry lumber, and textiles in addition to paper, plastic, and metals." Is the County's intent to have these products placed within the commingled blue container or green waste container given that most facilities and markets do not accept these items within the material stream altogether? (Exhibit 3A1: Page 5)

Response: SB 1383 Section 18984.1(2) specifies the blue container may include wood, dry lumber, and textiles because those items must be diverted from landfills. An addendum will be released in the near future requiring collection of these items under Exhibit 3A3 as part of the Bulky Item/Excess Waste collection program.

3. **Question:** Upon such request to service a homeless encampment, will the County identify and direct material to said high-diversion organic processing facility currently in existence that will also accept individual container loads? In addition, it is highly inefficient to deliver individual container loads to an alternate high diversion facility, is this the County's intent? (Exhibit 3A1: Page 5)

Response: The County will release an addendum in the near future to reclassify containers removed from homeless encampments as public receptacles and therefore, exempt them from SB 1383 requirements.

4. **Question:** The IFB is unclear whether all food waste service requirements are considered to be non-exclusive, i.e. both residential and commercial, can you please clarify? Given the extensive capital requirements necessary to address food waste diversion and management of the source-separated Food Waste stream what is the rationale for this non-exclusivity and is the County willing to reconsider? Given current AB 1826 mandates and SB 1383 mandates that will be enforced starting in 2022, persons contracting with the County will need express assurances that they have an adequate waste stream to support significant capital expenses that will be required in the future to divert organics, including food waste. (Part 1 – Section 1-10 C. Future Exclusions #3 Food Waste)

Response: Food waste collection is non-exclusive and will need to be diverted from landfills at the start of the contract.

5. **Question:** Per the IFB, "Starting within 2 months of Commencement Date, CONTRACTOR is to arrange and coordinate a cleaning of the inside of Customer's Containers if Containers are reused from previous contract." Will the County allow for more time for cleaning services to take place, given the mass quantity of containers currently existing within these jurisdictions? (Part II –

Exhibit 3A1 – Page 8)

Response: The in-home container must be provided to all residential customer prior to the start of service. Customers will need to transfer their food waste from within their homes to the outdoor containers from the start of the contract and therefore, the small containers must be available to them. An amendment will be prepared to address the timing.

6. **Question:** What is the timeline for when all residential customers must receive an in-home food waste collection receptacle? (Exhibit 3A1 – Page 33)

Response: The in-home container must be provided to all residential customer prior to the start of service. An amendment will be prepared to address the timing. Customers will need to transfer their food waste from within their homes to the outdoor containers from the start of the contract and therefore, the small containers must be available to them.

7. **Question:** Will the County enforce regulations requiring commercial customers to enroll in food waste collection services?

Response: With organics diversion being required ahead of the CalRecycle regulations deadline, this time period is intended to be used to educate the customers. SB 1383 regulations require a mechanism for enforcement. County intends to require commercial customers to enroll but the ordinance to penalize for non-compliance is pending by the Board of Supervisors. The initial enforcement will be limited to education/outreach.

8. **Question:** Per the IFB," Director may add or delete materials from the definition upon Notice to CONTRACTOR. Within 14 days of receiving that Notice, CONTRACTOR shall give Director a draft Notice informing Customers of changes in materials. Following COUNTY's approval, CONTRACTOR shall distribute those Notices to Customers and Occupants in the manner that Director requests in accordance with Item L4b of this Exhibit. CONTRACTOR may request an adjustment to the Service Fee under item F of Exhibit 7, Change in Contract Services, including submission of documentation supporting the adjustment, to the Director. COUNTY and CONTRACTOR must agree on the adjustment."

If the County and Contractor must agree on the adjustment, will the Contractor also be allowed to agree to the potential changes in materials prior to the change going into effect? (Exhibit 3A1 – Page 18)

Response: No, in regards to Item F of Exhibit 7, the contractor will not be allowed to agree to changes that do not require a service fee adjustment. For materials that will require a negotiation over the adjustment, the change will not be implemented until there is an agreement.

9. **Question:** Will the County consider reducing this required collection timeline from 3 weeks to 2 weeks? (Exhibit 3A1- Page 19)

Response: No, holiday tree collection is required for 3 weeks to ensure trees may be set out after January 6th allowing the Hispanic community to celebrate Dia de los Reyes and remove their holiday decorations on the weekend afterwards.

10. **Question:** Will the other emergency service fees besides the Palm Frond be adjusted annually as well? (Exhibit 3A2 – Page 46)

Response: Yes. The Schedule of Prices, Form PW-2 requires only one other bid amount for solid waste not in containers. Exhibit 7, A7 specified County Service Fee (Task 2) is eligible for adjustment, which emergency services are part of.

11. **Question:** Will the County provide escort services from the LA County Sheriff's department when the hauler is requested to provide services to an occupied homeless encampment? (Exhibit 3A2 – Page 42)

Response: Yes, under most circumstances and upon request. This is location/situation specific. County has been placing dumpsters along the busy street of Broadway in Rancho Dominguez for over a year and there have been no incidents and the contractor has not indicated any concerns for safety and County staff has been there many times as well without fear. An isolated alley or flood control property may warrant more precaution.

12. **Question:** Will the County require that all waste collected from an occupied homeless encampment be taken to a designated County facility for a fixed period of time in order for those homeless individuals to reclaim items/property that is deemed or claimed to belong to them? Will the hauler be required to collect that waste from the County facility once the timeline has expired and items remain unclaimed? (Exhibit 3A2 – Page 42)

Response: No, the hauler is not required to take to a facility. No, the hauler is not required to collect from a facility.

13. **Question:** For Task 2D - Abandoned Encampments: the form shows an estimated 5 loads per month with a per load rate. Can the County please clarify how the hauler will be compensated for this (what should the hauler assume)? Is each "load" anticipated to consist of approximately 4 cubic yards of collection volume? (Form PW-2.1)

Response: Yes, a load is 4 cubic yards. The price to be bid is for each 4 cubic yards, which would be multiplied by 5 times per month, as stated on Schedule of Prices Form PW-2.1.

14. **Question:** Will the County consider letting the haulers leave larger dumpsters/boxes for the use at parked RV locations? For theft concerns, can the hauler treat parked RV locations like homeless encampments where we are to drop off collection equipment and retrieve it later that afternoon on the same service day? (Exhibit 3A2 – Page 42)

Response: Yes, the County will consider leaving larger dumpsters at parked RV locations when a permit can be obtained by Public Works' Land Development Division. Yes, RV locations can be treated like a homeless encampment. An upcoming addendum will add a definition for people experiencing homelessness, clarifying those in RVs are included.

15. **Question:** Are the unresolved complaints that are being considered for possible reimbursement the same types of complaints that are currently being logged by County staff with an existing "case number" process/procedure and required to be resolved within a 48-timeframe? If not, what types of complaints will qualify under this possible reimbursement process? (Part 1 – Section 6-36)

Response: Yes, logged cases are included but not limited to these. Any customer complaint received by any method would be eligible for reimbursement, as indicated in the existing contract language.

16. **Question:** Is there a cost associated with the County's Trash Monitoring Program smartphone application? If so, what is the cost? Is there a maximum number of applications that a hauler can have made available for their use? (Exhibit 3A2 – Page 35)

Response: The current cost for the license is \$500 per year and must be paid by contractor, as stated in Section 3 A4, Page 16. Currently, payment for licenses must be to County but County is attempting to determine if contractor can pay the company ESRI directly. There is no limit to the number of applications/licenses that a hauler can have.

17. **Question:** Under what circumstances would the Director require MSW to be delivered to a specific facility? The Contractor is investing significant capital in facilities to accommodate this bid, and if the County were to change the delivery requirements, this would cause significant cost and margin loss to the Contractor. (Exhibit 3A1 – Page 15)

Response: County is working on new contract language to clarify this further and hopes to include it in an upcoming addendum.

18. **Question:** The Contractor is investing significant capital in facilities to accommodate this bid, if the County were to change the facility requirements, would there be provisions for compensation and a timeline for these required changes to be implemented? It would seem more appropriate to the Contractor if the facility standards remained fixed during the initial 7-year term of this contract, and if changes in standards were desired by the County, then the County and Contractor could discuss them as a mutual condition upon receiving the potential extensions. (Exhibit 3A1 – Page 3)

Response: Please see response to question 17.

19. **Question:** The Firestone GDD tonnages noted within the IFB attachments are much lower than the actual tonnages reported by the incumbent, will the County consider revising these numbers and redistribute more accurate volumes to all prospective bidders? The actual tonnage collected in Firestone in 2018 was 8,826 tons more than indicated in the IFB. (Attachments)

Response: No, the tonnages will not be changed. The incumbent reported an average of 331 tons per month in 2018 and an average of 575 tons in 2019, but these amounts included both illegal dumping and bulky items. It is believed that the estimate of 200 tons of illegal dumping per month is reasonable. However, since the contractor will be compensated by the price bid per ton, if the actual amount turns out to be 400 tons per month, the payment to contractor will be 400 times the bid price.

Please note, there are no known accurate quantities since bulky items are collected and reported with the illegal dumping. Additionally, this contract does not consider items placed at the set-out site as illegal dumping.

20. **Question:** Is it correct that other solid waste companies may not offer Task 1 services to Customers in the GDD without the express permission of the County and after notice to the Contractor? And specifically, are non-Contract holders (i.e., other solid waste companies) allowed to operate in the GDDs and provide

Additional Customer Services prescribed in Exhibit 3.A.1 and Exhibit 3.A.3 that require a Customer Surcharge? (Section 1 – 7)

Response: No, it is not correct. Section 1, A2 describes contract services (Tasks 1 and 2) as nonexclusive but with the right to make them exclusive. Yes, contractor and non-contract holders are allowed to provide additional services.

21. **Question:** Does the County currently provide reduced rates (rebates) for customers who request smaller containers? If so, what are the estimated number of customers for each GDD service area that are currently receiving rebates for said services? Also, how is the rebate calculated? Is the rebate issued on a per monthly or annual basis? (Exhibit 3A1 – Page 6)

Response: No, there are no current rebates for smaller containers.

If you have any questions concerning the above information, please contact Messrs. David Pang at (626) 458-7167 or Danny Medina at (626) 458-4080, Monday through Thursday, 7 a.m. to 5 p.m.

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Very truly yours,

MARK PESTRELLA
Director of Public Works



for: JOSE M. QUEVEDO
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