

# BID SPECIFICATIONS AND MUNICIPAL CONTRACTS

PROP CONFERENCE 2022  
THURSDAY JULY 28<sup>th</sup>, 2022

***Contracting Trends: Higher Pricing  
Going Forward***

***Equipment***

***Share Holder Returns Enhanced Technology***

***Supply Chain Disruptions Contamination***

***Inflation and Cost Adjustments***

***Covid - Higher Residential Volumes***

***Actual vs. Index Pricing Labor Challenges***

***Fuel***

# BIDDING PROCESS OVERVIEW

A-Develop Specifications

B-Mandatory Pre-Bid meeting

C-Written Questions and Answers

# BIDDING PROCESS(CONTINUED)

D-Submit bids

E-Review bids

F-Award Contract

I recommend that you include a draft contract with the specifications

# BID DEVELOPMENT

A-Staff input

D-Elected officials

C-Legal review

D-Citizens/Advisory groups

# BIDDING TIMELINE

A-Develop Specifications (30-60 days out)

B-Specifications released (20-30 days out)

C- Mandatory pre-Bid meeting (15-20 days out)

# BIDDING TIMELINE (CONTINUED)

D-Written questions received (10 day)

E-Written responses provided (10 days)

F-Bidders develop bids (20-25 days)

# BIDDING TIMELINE (CONTINUED)

G-Bids due (25-30 days)

H-Contract Award (30 days)



# CONTRACTING PRINCIPLES

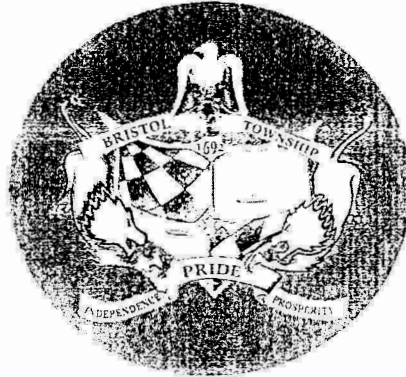
A-Clear, concise and comprehensive.

B-Environmentally sound.

C-Commercially possible.

D-Reasonable (shared risks and rewards)

# HELPFUL DOCUMENTS



BID SPECIFICATIONS FOR RESIDENTIAL SOLID WASTE AND RECYCLING COLLECTION AND  
DISPOSAL AND YARD WASTE COLLECTION AND COMPOSTING

BRISTOL TOWNSHIP, BUCKS COUNTY

Bid Questions must be received by	October 19, 2018	Bristol Township Municipal Building
Pre-Bid Conference	October 26, 2018	Municipal Building Auditorium
Bids Due	November 2, 2018	Municipal Building
Bids Opened	November 2, 2018	Municipal Building

William J. McCauley, III, Township Manager  
Bristol Township  
2501 Bath Road  
Bristol, PA 19007

October 5, 2018

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## SECTION 1.0: INSTRUCTIONS TO BIDDERS

### 1.01 Scope of Services

The work to be performed shall consist of the Municipal Collection in the Township of Bristol, Bucks County of Solid Waste Collection and Disposal, Recycling Collection, Yard Waste Collection and Composting and Bulk Collection. The total number of residential dwellings requiring the services specified is estimated to be 16,500.

Table A: 2014-2017 Household Waste (tons)

Service Year	Trash	Yard Waste	Net Trash	Recycling
2014	16,802	3,031	19,833	4,268
2015	16,792	2,761	19,553	4,735
2016	17,160	2,841	20,000	4,963
2017	17,339	2,993	20,333	4,902

### 1.02 Background and Current Service Provisions

On January 1, 2014, Bristol Township implemented a new five-year fully automated trash and recycling program with its current contractor, Waste Management. The service level changed in 2014 from twice a week manual collection to once-weekly automated curbside solid waste collection and disposal, once weekly bulk waste collection; once-weekly automated recycling curbside collection and delivery, once-weekly yard waste and composting from April 15 through December 15 with two pickups in January (for Christmas Trees), by equipment and personnel. The current contractor also pays solid waste disposal costs and yard waste processing costs. Collection service is Monday through Friday. The current service contract limits the amount of trash, since trash must be placed inside the Township-approved waste carts, however, there is no limit to the amount of recycling a resident may throw out.

As part of the program, the contractor, Waste Management purchased and distributed new 96-gallon trash and 64-gallon recycling carts to all residential customers in Bristol Township at no charge to the customer. Through a DEP Implementation grant, Bristol Township contributed \$100,640 toward the total cost of purchasing the 64-gallon recycling containers and Waste Management provided recycling and trash receptacles in excess of the Township's contribution of \$100,640 to all residential customers in Bristol Township. The containers are the property of Bristol Township and the containers have a ten-year warranty. The containers have large wheels and a handle and are compatible with the collection arm on an automated collection truck. Carts must be placed in the street at least three feet apart with the wheels toward the curb and the arrows on the lid pointing toward the street. They must also be at least four feet from any obstacles including cars, trees, mailboxes and utility poles.

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Exhibit D  
NON-COLLUSION-AFFIDAVIT

STATE OF \_\_\_\_\_ )

SS:

COUNTY OF \_\_\_\_\_ )

I, \_\_\_\_\_, being duly sworn, depose and say that I am  
(Affiant)

\_\_\_\_\_  
(sole owner, a partner, president, secretary, etc.)

of \_\_\_\_\_  
(Bidder's name)

the party making the foregoing bid; that such bid is genuine and not collusive or sham; that said bidder has not colluded, conspired, connived, or agreed directly or indirectly, with any bidder or person, to put in a sham bid, or that such other person shall refrain from bidding, and has not in any manner, directly or indirectly, sought by agreement of collusion or communication of conference with any person, to fix the bid price of affiant or other bidder, or to fix overhead, profit or cost element of said bid price, or of that any other bidder, or to secure any advantage against Bristol Township or any person interested in the proposed contract; and that all statements contained in such bid are true; and further that such bidder has not directly or indirectly submitted this bid, or the contents thereof, or divulged information or data relative thereto to any association of or to any member or agent thereof.

\_\_\_\_\_  
(Affiant)

Sworn and subscribed to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
(Notary Public)

(Seal)

My commission expires \_\_\_\_\_

AFFIDAVIT OF NON-COLLUSION

(This Affidavit is part of the Proposal)

State of Pennsylvania

§

County of \_\_\_\_\_

BEING first duly sworn, deposes and says that he/she is

\_\_\_\_\_  
(Sole Owner, a Partner, President, Secretary, etc.)

OF \_\_\_\_\_

the party making the foregoing proposal or bid; that such bid is genuine and not collusive or a sham; that said bidder has not colluded, conspired, connived or agreed, directly or indirectly, with any bidder or person to put in a sham bid, or that such other person shall refrain from bidding, and has not in any manner, directly or indirectly sought by agreement or collusion, or communication or conference with any person, to fix the bid price of affiant or any other bidder, or to fix any overhead, profit or cost element of said bid price, or of that of any other bidder, or to secure any advantage against the Borough of Royersford or any person interested in the proposed contract; and that all statements contained in said proposal or bid are true; and further, that such bidder has not, directly or indirectly, submitted this bid, or the contents thereof, or divulged information or data relative thereto to any association or to any member or agent thereof.

\_\_\_\_\_  
(Affiant)

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Notary Public

My Commission Expires:

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AFFIRMATIVE ACTION AFFIDAVIT

I, \_\_\_\_\_, being duly sworn, deposes and says that I reside at \_\_\_\_\_ and that I am the (title) \_\_\_\_\_ of \_\_\_\_\_ in such capacity and/or on behalf of \_\_\_\_\_

It is hereby affirmed and agreed as follows:

1. \_\_\_\_\_ (Name of bidder) will not discriminate against an employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status or sex

2. \_\_\_\_\_ (Name of bidder) will take affirmative action to ensure that all applicants are recruited and employed and that employees are treated during employment without regard to their age, race, creed, color, national origin, ancestry, marital status or sex. Such action shall include, but shall not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

3. \_\_\_\_\_ (Name of bidder) will in all solicitations or advertisements for employees placed by or on behalf of \_\_\_\_\_ state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status or sex.

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Name of Company)

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_

My Commission Expires: \_\_\_\_\_ (Notary Public in and for the County)

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**EXHIBIT "C" BIDDERS AFFIDAVIT**

I, \_\_\_\_\_ being duly sworn, depose that I reside at  
\_\_\_\_\_  
\_\_\_\_\_ and that I am the  
\_\_\_\_\_ of \_\_\_\_\_  
(Title) (Name of Bidder)

I am duly authorized to sign the bid and that the bid is the true offer of the bidder, that the seal attached thereto is the seal of the bidder, and that each, every and all the declarations and statements contained in the bid and any and all affidavits, questionnaires and documents submitted pursuant to the proposal for bids are true and accurate to the best of my knowledge and belief.

\_\_\_\_\_  
(Affiant) Subscribed

and sworn before me

This \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
(Notary Public)

My commission expires:

SEAL.

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Exhibit E  
BIDDER'S QUESTIONNAIRE

Each bidder shall provide the following information as an integral part of his or its bid; and failure to answer all questions will render such bid as irregular and non-responsive.

1. How many years' experience in the collection of municipal solid waste has your organization (bidder and/or bidder's parent subsidiary or affiliated corporations) had?

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2. List the municipalities you or your organization are now providing collection services for, the number of units serviced in each municipality and the names of the responsible municipal official in each to whom you report:

Municipality	Number of Units Serviced	Report to
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3. Indicate the local telephone number for your office which will be available to receive service calls from both the residents of the township and township officials.

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4. What equipment do you intend to obtain and use for the performance of the service contract? (Attach separate sheet with year, make and body size.) See Attached

5. Have you or your organization, or any partners or officers thereof, failed to complete a municipal collection contract or defaulted under any such contract? If so, where?

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6. Is your company associated with any other companies directly and/or indirectly?  
(yes \_\_\_\_\_ no \_\_\_\_\_) if so, give details.

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7. Did you or your organization, or any partners or officers thereof, when the lowest bidder on a municipal collection contract withdraw your bid, his or its bid? If so, for what reason?

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8. Did you or your organization, or any partners or officers thereof, when the lowest bidder on a municipal collection contract, attempt to sell such bid? If so, for what reason?

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9. Have you or your organization, or any partners or officers thereof been a party to any law suits or legal actions, whether for a civil or criminal nature, arising out of or involving bid contracts or the performance thereof? If so, give details and disposition of the matter.

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10. Are there any unsatisfied judgments recorded against you, your organization or any partners or officers thereof? If so, give details, including the name and address of each judgment creditor; and the amount of each judgment.

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Dated: \_\_\_\_\_

Bidder: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

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by the Township.

### **1.18. Disqualification of Bidders**

Although not intended to be an exhaustive list of causes for disqualification, any one or more of the following causes, among others, may be considered sufficient for the disqualification of the bidder and rejection of its bid in the Township's discretion:

1. Evidence of collusion among bidders;
2. Lack of competency as revealed either by financial statements, experience or equipment statements as submitted, or other factors;
3. Lack of responsibility as shown by past work, judged from the standpoint of workmanship; and/or
4. Default on a previous municipal contract for failure to perform.
5. Negative experience with the bidder by Whitemarsh Township under a prior contract.

### **1.19. Legal Requirements**

In performing the contract, the successful bidder is responsible to comply with, and shall comply with, all applicable Federal, State, and local laws, ordinances, and regulations. Before submitting a bid, each bidder shall become familiar with Federal, State, and local laws, ordinances, rules, and regulations that may in any manner affect the bidder's ability to perform, or cost the performance of, the contract.

### **1.20 Term of Contract**

The contract awarded hereunder shall be for five (5) consecutive years commencing January 1, 2023. The contract awarded hereunder shall include an option for the Township, in its sole and exclusive discretion, to extend the contract for up to an additional two (2) one-year terms. In the event that Township extends the contract for an additional one-year term, Township shall retain the right to extend the contract for a second one-year term, as set forth under this section.

The Township shall provide the successful bidder ninety (90) days' notice prior to the completion of the initial term of the contract of its intention to extend the contract for an additional period or periods. If no notice is provided to successful bidder of the Township's intent to extend the contract, the contract shall expire at the conclusion of the existing term.

At any time prior to the expiration of the original term of the contract or prior to the expiration of any extended term of the contract, the Township may, in its sole discretion, solicit new bids for Residential Solid Waste, Single Stream Recycling, and Yard Waste collection, transportation, and disposal that will commence at the end of the original contract or at the end of any extended term of the contract. Any such solicitation and receipt of bids shall not be deemed a waiver by the Township of its right to timely exercise the option to extend the contract for an additional period(s).

### **1.21 Bid**

Each bidder shall submit his or her bid for collection, transportation, and disposal of Residential Solid Waste, Single Stream Recycling, and Yard Waste electronically on PennBid.

### **1.22 Conditions, Exclusion, or Changes to the Bid Conditions or Specifications**

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### 2.15 Ownership

Title to all municipal solid waste shall pass to the successful bidder when placed in the successful bidder's collection vehicle, removed by the successful bidder from a container, or removed by the successful bidder from the resident's premises, whichever last occurs.

### 2.16 Collection and Disposal of Appliances Containing Freon and Bulk Items

Bidder should submit a separate sheet, detailing costs and terms for the collection and disposal of appliances containing Freon, which are not defined as included within the scope of bulk waste and should not be included in the bid price submitted for any Prime Bid or Alternate Bid. No specific form of proposal is required. Bidders must, however, identify any terms, conditions, or costs proposed to be associated with collection of appliances containing Freon during the contract period.

The successful bidder shall provide bulk item pickup on the second collection day of the week, with a limit of one item per household per week.

### 2.17 Yard Waste and Grass Clippings Collection and Disposal

Yard Waste shall be collected weekly for disposal during the term of the contract, utilizing the same type of bags described in this section. Grass clippings and yard waste shall be placed loosely into cans, or bagged in "kraft bags" or other bio-degradable paper bags.

### 2.18 Notification of Residents

The successful bidder will be responsible for notifying each and every Residential Unit in the Township of the schedule, method and any rules or regulations pertaining to the collection of Residential Solid Waste, Single Stream Recycling, and Yard Waste. The mailing of an information pamphlet to each and every residence in the Township will make the required notification. The pamphlet will be printed on heavy duty paper suitable for retention by the homeowner. The pamphlet will include:

- The pickup schedules for each area of the Township;
- Exact definition of waste categories;
- Required/allowable containers;
- Procedures/cost for non-standard pickup, etc.

The cost for the printing and mailing of the pamphlets will be borne entirely by the successful bidder. Notification of residents under this Section shall be made to all Residential Units on an annual basis for the duration of the Contract.

### 2.19 Contract Administrator/Meet and Discuss

At the Township's request, the successful bidder will agree to appoint a Contract administrator who will meet on a monthly basis with the Assistant Township Manager or designee. The purpose of the meeting will be to discuss, review and rectify complaints from the preceding month. The Township will keep a detailed record of all complaints that are made by residents