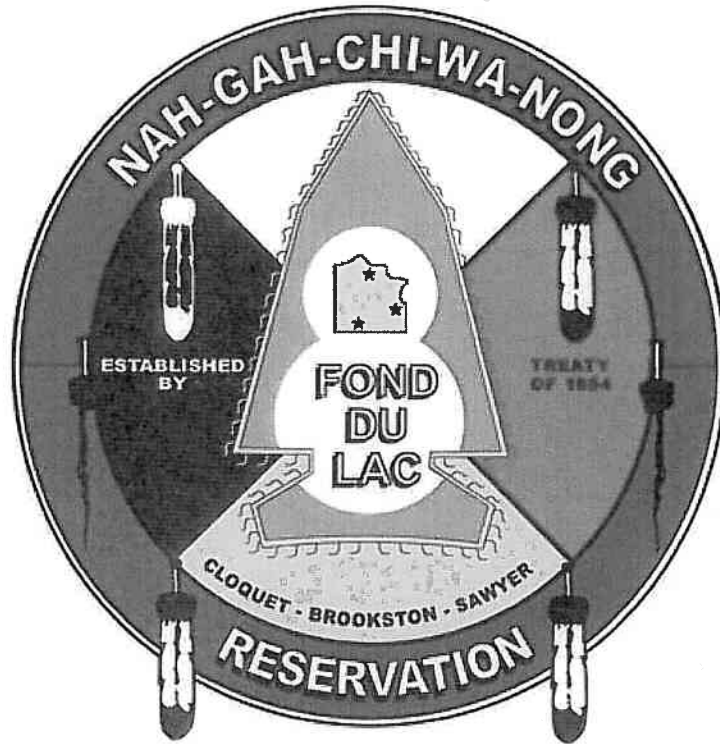


REQUEST FOR PROPOSAL



PERFORMANCE BASED SOLID WASTE AND RECYCLING MANAGEMENT PROGRAM

Date: May 15, 2018

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1. Introduction

The Fond du Lac Band of Lake Superior Chippewa (Fond du Lac) is requesting proposals for waste and recycling services. In addition to traditional hauling, recyclables processing, and disposal services, Fond du Lac is seeking a vendor who will be proactive in helping manage all waste and recyclables in a more cost effective manner. It is intended that the successful bidder will work in partnership with Fond du Lac staff and custodial personnel to meet this goal.

The successful bidder must meet the following objectives:

- 1) Seek continual improvement in Fond du Lac resource use and assist in increasing diversion (reduce, reuse, and recycle/compost);
- 2) Optimize current hauling, garbage disposal, and recycling service to reduce overall waste management system costs;
- 3) Develop a detailed tracking, reporting, and invoicing system.

Fond du Lac has approximately 25 facilities and generates approximately 2000 tons of waste per year. [Appendix A](#) provides more detail on how waste and recyclables are currently handled.

2. Instructions

2.1 Proposal Schedule

The timeline for the selection process is presented below. Complete responses must be received by Friday, June 15, 2018 at 2:30 p.m. No faxed or electronic submissions will be accepted. Upon award of bid, Fond du Lac would plan to start services by September 1, 2018.

	DATE	ACTION
1.	05/15/18	RFP available on website at 12:00 p.m. www.fdlrez.com
2.	06/15/18	Deadline for RFP submission; must be received by 2:30 p.m.
3.	07/20/18	Notification of Bid Selection
4.	09/01/18	Commence waste services with selected bidder

2.2 Instructions for Response to Bid

1. No faxed or electronic submissions of proposals will be accepted. Sealed bids will be accepted through Friday, June 15, 2018 by 2:30 p.m. at the Fond du Lac Tribal Center, 1720 Big Lake Road, Cloquet, MN 55720. Each proposal must be enclosed in a sealed envelope clearly marked with the name and address of the bidder, and title of RFP. Any proposal received after the time and date specified will not be considered.

2. Proposal Responses must consist of two parts:
 - A text proposal addressing all parts of Section 4.0.
 - A financial proposal per Section 5.0.
3. All inquiries about this RFP must be made in written form, via e-mail, to the primary contact person:

Name: Tarissa Henderson Address: tarissahenderson@fdlrez.com

Fond du Lac, at its sole option, will select the proposal which best fulfills the requirements and provides the *best value* to Fond du Lac. The proposals will be evaluated based on the following five criteria (criteria are not in order of ranking or weighting):

- Qualifications (Section 4.4)
- Solid Waste Management Service Requirements (Section 4.5)
- Billing and Reporting (Section 4.6)
- Cost/Financial Benefit (Section 5.0)
- Proposal Presentation (quality and completeness of response)

2.3 Fond du Lac Business License Ordinance

The bidder acknowledges its responsibility to apply for a business license from the Fond du Lac Band of Lake Superior Chippewa as required under the Fond du Lac Business License Ordinance, FDL Ordinance #5/84 (copy provided upon request).

2.4 Reservations and Limitations

1. Fond du Lac may request additional information by suppliers, including a presentation if needed, to clarify elements of their bid proposals. Fond du Lac also reserves the right to make independent investigations as to the qualification of each Bidder, including contacting existing customers or conducting site visits to existing operations.
2. Fond du Lac reserves the right to waive any informality in or to reject any and all bids if it be in the public interest to do so.

3. Scope of Work

3.1. Management of Waste and Recyclables

The successful bidder will manage all waste streams from Fond du Lac facilities listed in Appendix A. This includes all regularly generated solid, non-hazardous waste and recyclables.

Recyclables will include, but are not limited to: baled cardboard, paper products, aluminum, tin, glass, and plastics. Please indicate if you pay for baled recyclables or if you have any other cost-sharing recycling opportunities. Additionally, please indicate if your recycling program is single-stream, dual-stream, or separated.

As it is Fond du Lac's priority to divert waste from landfills and increase recycling, additional commodities accepted for recycling by the bidder should be specified in the proposal.

3.2. Proposed Program Implementation

Fond du Lac proposes the following phased approach to meet the scope of service:

Phase 1 - Program Transition: Phase 1 will begin upon award of contract and continue for 6 months. During that period, the winning bidder will:

- Become familiar with current programs and systems
- Communicate and build relationships with key personnel
- Establish baseline waste and recycling levels and verify the data in Appendix A

Phase 2 - Program Streamlining and Implementation: During Phase 2, it is expected that the successful bidder will reassess service levels and provide recommendations for improving the efficiency of solid waste and recycling management at Fond du Lac facilities.

3.3. Period of Performance

Fond du Lac is looking for a strategic long-term partner and understands that resource efficiency initiatives take time to develop. As such, this contract will be awarded for a minimum period of three years with the option to renew annually for an additional two years at the discretion of Fond du Lac. A 60 day notice for cancellation of service contract must be provided by the contractor should such action be deemed necessary. Specific contract terms will be negotiated after selection of a winning vendor.

3.4. Additional Services

On a periodic basis, the successful bidder may also be asked to provide or coordinate disposal of occasional waste streams such as electronics, fluorescent ballasts, special cleanup, or C&D projects. These services are apart from the base proposal and will be reimbursed by Fond du Lac under separate purchase order. This type of work may be competitively bid at Fond du Lac's discretion. Additional services provided should be specified in the bidders' proposal.

4. Bid Response Requirements

Each bidder response must address the following:

4.1. General Requirements: Program Management Description

- Provide a brief description of your organization and overall solid waste management philosophy.
- Describe how your organization can assist with establishing a performance-based Solid Waste Management Program for Fond du Lac.
- Describe your organizations reporting capabilities.

4.2. Environment, Safety, and Confidentiality Issues

All applicable regulations and Tribal Policies must be complied with in relation to the requested scope of work. Please describe your environmental and safety programs that apply to managing risks associated with waste and recycling.

4.3. Sub-Contracting

It is understood that the primary supplier responding to this request for proposal may not have the capability to undertake all of the tasks outlined. The successful candidate may develop agreements with subcontractors in order to provide and manage the full scope of services

requested by Fond du Lac. The contractor has full responsibility for the coordination of the Subcontractor's work and their compliance with all applicable regulations and ordinances. Identify any subcontractors you intend to use as they must be approved by Fond du Lac.

4.4. Qualifications

List three of your current major customers. Include at least one that is comparable to the scope of Fond du Lac's requirements. Please indicate number of years of service and describe any unique waste diversion programs implemented.

4.5. Service Requirements

Fond du Lac has an existing system for waste and recyclables, but increased waste diversion and recycling are a priority. Bidders should be willing to work with Fond du Lac staff to identify opportunities to meet this goal and minimize waste going to the landfill. Bidders should address their capabilities and willingness to do the following:

- Reduce waste through preventative upstream measures
- Improve upon quantities of materials currently recycled
- Work with Fond du Lac to develop other waste and cost reduction initiatives
- Maintain existing waste service levels for a smooth transition
- Provide full documentation of material removed via a semi-annual report

4.6. Billing and Reports

Tracking solid waste and recycling volumes is an essential component of a solid waste management program and provides one means of measuring the effectiveness of outreach and waste diversion activities.

Monthly Bills - Monthly billing must include the location, container size, number of times serviced and material hauled. Costs for additional services (e.g. one-time roll-offs) must be similarly itemized.

Semi-Annual Reports -The contractor must provide a consolidated semi-annual report summarizing hauls, material volume, and weight of waste and recyclables collected at each Fond du Lac pick-up site.

5. Financial Proposal

It is presumed that the bidder will start the program by providing Fond du Lac with existing levels of service (see Appendix A). After the initial 6-month period, service levels will be examined and revised as needed to operate most effectively and efficiently.

6. FDL TERO: Winning contractor agreeing to abide by tribal conditions spelled out in Appendix B

Appendix A and B.

Table 1 and 2

Please see attached spreadsheet

Appendix A. Table 1: Service Rate Cost Proposal

Please indicate your proposed charge based on the given service rate frequency for each service type. Please include any proposed cost-sharing opportunities for recyclables.

Service Type	Service Rate Frequency	Service Rate Charge/Credit
Compactor/Temporary Roll-off - MSW	Haul + Rate Per/Ton	
Temporary Roll-off – C&D	Haul + Rate Per/Ton	
Municipal Solid Waste - Dumpster	Per Yard/Lift	
Cardboard - Baled	Per Ton	
Cardboard - Dumpster	Per Ton	
Recycling Dumpster/Compactor	Per Yard/Lift	
Recycling Container - Cart	Per Yard/Lift	
Residential Services - MSW	Per Month	
Residential Services - Recycling	Per Month	

Appendix A. Table 2: Existing Sites and Service Levels

Please Complete the following table to provide monthly costs for each site based on given service levels and proposed service fees from Table 1

Site	Address	Commodity*	Dumpster Size	Pick Up Per Week	Service Fee	WLSSD Fee	Container Rental Fee (If Applicable)	Additional Fees (If Applicable- Please Specify)	Monthly Fee Based on Given Service Levels
Fond du Lac Gas & Grocery	1510 Big Lake Rd Cloquet, MN 55720	MSW	1-6yd	2 x Per Week					
Fond du Lac Public Works	1696 Big Lake Rd Cloquet, MN 55720	MSW CB	1-3yd 1-2yd	EOW EOW					
Black Bear Hotel	1785 Hwy 210 Carlton, MN 55718	MSW SSRY	1-8yd 2-96 gal	2 x Per Week 1 x Per Week					
Black Bear Golf Course	1785 Hwy 210 Carlton, MN 55718	MSW	1-6yd	2 x Per Week					
Fond du Luth Casino	129 E Superior St Duluth, MN 55802	MSW SSRY	1-8yd 1-8yd 1-4yd	6 x Per Week 1 x Per Week 2 x Per Week					
FDL Propane	1666 Moorhead Rd Cloquet, MN 55720	MSW	1-4yd	1 x Per Month					
FDL Waste Site	36 University Rd Cloquet, MN 55720	MSW DEMO	4-20yd Covered 4-30yd	3 x Per Week 3 x Per Week					
FDL Tribal Center	1720 Big Lake Rd Cloquet, MN 55720	CB MSW SSRY	2-6yd 1-8yd 4-96gal	1 x Per Week 2 x Per Week 1 x Per Week					
FDL Transit	36 University Rd Cloquet, MN 55720	MSW	1-4yd	1 x Per Week					
FDL Ojibwe School	49 University Rd Cloquet, MN 55720	MSW SSRY CB	1-6yd 1-6yd 1-6yd	2 x Per Week 1 x Per Week 1 x Per Week					
FDL Early Head Start	41 University Rd Cloquet, MN 55720	SSRY MSW	4-95gal 1-6yd	ONC 2 x Per Week					
Head Start	33 University Rd Cloquet, MN 55720	MSW SSRY	1-6yd 6-95gal	2 x Per Week ONC					
FDL Bus Barn	20 University Rd Cloquet, MN 55720	MSW	1-3yd	1 x Per Week					
FDL Food Distribution	100 University Rd Cloquet, MN 55720	MSW CB	1-95gal 1-2yd	1 x Per Week 1 x Per Week					
Min No Aya Win Human Services	927 Trettel Ln Cloquet, MN 55720	MSW CB SSRY	2-8yd 1-6yd 1-4yd 7-95gal	1 x Per Week 1 x Per Week 1 x Per Week ONC					
Center for American Indian Resources	221 W 4 th Street Duluth, MN 55806	MSW SSRY	1-6yd 1-4yd	1 x Per Week 1 x Per Week					

Mino Bimaabizi Waakaa'igan	2020 Bloomington Ave S Minneapolis, MN 55404	MSW SSRY	1-6yd 1-4yd	1 x Per Week 1 x Per Week							
FDL Housing and Law Enforcement	932 Trettel Ln Cloquet, MN 55720	MSW CB	1-2yd 1-2yd	1 x Per Week 1 x Per Week							
Cloquet Elder Complex	1580 Big Lake Rd Cloquet, MN 55720	MSW SSRY	1-4yd 5-96gal	2 x Per Week 1 x Per Week							
Household Pick-up	Various Locations	MSW SSRY	199-64gal 199-64gal	1 x Per Week 1 x Per Week							
Sawyer Elder Complex	1282 Mission Rd Cloquet, MN 55720	MSW SSRY	10-95gal 1-4yd	1 x Per Week 1 x Per Week							
FDL Warehouse	55 Marigold Dr Cloquet, MN 55720	MSW DEMO	1-4yd 1-30yd	1 x Per Week ONC							
MIn No Wji Jii Win	51 Marigold Dr Cloquet, MN 55720	MSW SSRY	1-4yd 2-95gal	1 x Per Week 1 x Per Week							
Tagwii	61 Marigold Dr Cloquet, MN 55720	MSW CB SSRY	1-4yd 1-4yd 2-95gal	1 x Per Week 1 x Per Week 1 x Per Week							
Sawyer Center	3243 Moorhead Rd Cloquet, MN 55720	CB MSW SSRY	1-4yd 1-6yd 2-95gal	1 x Per Week 1 x Per Week 1 x Per Week							
Brookston Center	8200 Belich Rd N Cloquet, MN 55720	MSW CB SSRY	2-2yd 1-2yd 1-95gal	1 x Per Week 1 x Per Week 1 x Per Week							
Supportive Housing	980 Ozhigaw Rd Cloquet, MN 55720	MSW SSRY	2-2yd 4-95gal	1 x Per Week 1 x Per Week							
FDL Assisted Living	1571 Airport Rd Cloquet, MN 55720	CB MSW SSRY	1-2yd 1-1.5yd 1-95gal	1 x Per Week 1 x Per Week 1 x Per Week							
FDL Face Program	49 University Rd Cloquet, MN 55720	MSW SSRY	1-4yd 2-95gal	1 x Per Week 1 x Per Week							
FDL Compound	1 FDL Home St Cloquet, MN 55720	MSW	3-6yd	1 x Per Week							
FDL Veterans Building	1569 Zhimaaganishag Rd Cloquet, MN 55720	MSW SSRY	1-3yd 2-95gal	1 x Per Week 1 x Per Week							

*LEGEND	
EOW	Every Other Week
MSW	Municipal Solid Waste
SSRY	Single Sort Recycle
ONC	On Call Service
CB	Cardboard

Appendix B

FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA
ADDITIONAL REQUIREMENTS/TRIBAL BIDDING CONDITIONS
FOR BOTH ON- AND OFF-RESERVATION PROJECTS

1. APPLICABILITY. These Bidding Conditions apply to all Band projects whether on- or off-reservation (except as otherwise stated herein). A request for bid or advertisement may contain additional requirements above and beyond these Bidding Conditions, in which case those provisions control. In the event of a conflict between these Bidding Conditions and the request for bid or advertisement for a project, these Bidding Conditions control.
2. FOND DU LAC BUSINESS LICENSE ORDINANCE. Bidder acknowledges its responsibility to apply for a business license from the Fond du Lac Band of Lake Superior Chippewa as required under the Fond du Lac Business License Ordinance, FDL Ordinance #5/84 (available at the Band's official website at <http://www.fdlrez.com/government/fdlordinances.htm>). This is required whether a project is conducted on- or off-Reservation (and regardless of any language to the contrary in the Ordinance itself).
3. FOND DU LAC TRIBAL EMPLOYMENT RIGHTS ORDINANCE.
 - a. Bidder shall constitute a "contractor" under the Fond du Lac Tribal Employment Rights Ordinance ("TERO"), FDL Ordinance #12/94 (also available at the Band's official website), and shall abide by its provisions for all on- and off-reservation projects (and regardless of any language to the contrary in the TERO itself). Bidder must submit with its bid a TERO compliance plan, which must be approved by the Fond du Lac Band's TERO Officer.
 - b. Bidder agrees that all workers entitled to preference under TERO shall be employed in accordance with their experience and qualification, but under no circumstance shall TERO hires be paid at a rate less than the journeyman Laborer, Common (General Labor Work) rate (including basic rate plus fringe rate) as provided in the Minnesota Department of Labor and Industry prevailing wage determination for the county in which the project is located (as may be amended). Fringe amount shall be paid directly to TERO hires.
 - c. In addition to such other requirements as may be required under TERO (which may include an additional TERO percentage), bidder will ensure that a minimum of 25% of the total hours worked on the project shall be performed by TERO workers. Furthermore, the Bidder shall ensure that a minimum of 25% of the total overtime hours worked on the project shall be performed by workers entitled to preference under the Tribal Employment Rights Ordinance. In calculating the total hours worked on the project, all work performed on-site must be included, including work performed by supervisors and "core crew."
 - d. Bidder will file certified payroll report forms with all applications for payment that substantiate TERO compliance, including showing all hours worked on the project, percentage of TERO hours, and compliance with all other TERO and project requirements.
 - e. Bidder will pay a TERO fee of 3% (three percent) of the total project cost, as instructed by the Fond du Lac TERO Officer.
4. RIGHT TO WORK (TERO HIRES ONLY).
 - a. Bidder shall comply with Fond du Lac Ordinance #03/07, Prohibiting Compulsory Membership in a Labor Organization as a Condition of Employment on the Fond du Lac Reservation (available at the Band's website) for all on- and off-reservation projects (and regardless of any language to the contrary in the Ordinance itself). TERO hires cannot be required to join a labor organization as a condition of working on the project.
 - b. It shall be bidder's obligation to determine how to comply with requirements of Band law, these Bidding Conditions, other, applicable labor laws, bidder's pre-existing collective bargaining agreements with labor organizations, and other obligations as may apply to bidder in a given jurisdiction. Notwithstanding this, the Band must approve any labor agreements specific to the project.

5. DRUG & ALCOHOL TESTING REQUIREMENTS. Bidder agrees that if it is successful, Bidder and all its subcontractors providing services on the Project shall be responsible for maintaining a drug-free workplace and shall implement the following drug and alcohol testing of all personnel and subcontractors utilized in on-site performance of its Contract. Bidder may propose an alternative plan that is at least as stringent as that set forth here, as reflected in a safety plan or as otherwise permitted in writing by owner.
 - a. Prohibited Substances. Testing shall, at minimum, include the following substances: (1) Alcohol (over .08 percent), (2) Marijuana, (3) Cocaine, (4) Amphetamines, (5) Opiates, (6) Phencyclidine ("PCP"), and (7) Ecstasy.
 - b. Testing Requirements. (1) Pre-Placement: each employee or subcontractor must be tested before commencing on-site performance under this Contract; (2) Reasonable Suspicion: any on-site employee or subcontractor must be tested if there is reasonable suspicion that the employee or subcontractor is under the influence of alcohol or drugs; and (3) Post Accident: any employee or subcontractor who has caused or contributed to an accident at the worksite involving substantial property damage or any personal injury must be tested within 24 hours of the accident. Testing shall be performed through a licensed testing laboratory. Commercial vehicle drivers shall be tested in accordance with applicable DOT regulations.
 - c. Recordkeeping Requirements. Contractor shall maintain records of its compliance with this section for a period of at least two years following completion of the project.
6. FOND DU LAC RESERVATION STATEMENT OF ENROLLMENT AND RESIDENCY STATUS FOR STATE INCOME TAX PURPOSES (ON-RESERVATION PROJECTS ONLY). Eligible Band members are exempt from state income tax for on-reservation work. The successful bidder shall comply with all Band requirements and form submission to ensure exemption (form attached).
7. EXEMPTION FROM SALES AND EXCISE TAXES ON MATERIALS (ON- AND OFF-RESEVATION PROJECTS). The Fond du Lac Band of Lake Superior Chippewa is exempt from Minnesota sales and excise taxes on the purchase of materials used in the performance of on- and off-reservation projects. For on-reservation projects, the successful bidder shall be responsible for completing and providing to the seller a certificate of exemption, Minnesota Revenue Form ST3 (as may be amended). For off-reservation projects, the successful bidder shall be responsible for establishing and maintaining an appropriate purchasing program to preserve the tax exemption.