

**Review, Evaluation, and Revision of the Fats, Oil, and Grease (FOG) Control
Program**

Estimated Cost - \$400,000.00

RQPE1400003 - Verification of Availability

July 29, 2014

Find attached the “**Scopes of Work/Background**” and “**Minimum Qualifications**” for an upcoming **Request for Proposals (RFP)**. Please review to determine if you would be able to **satisfy the requirements** (as applicable), and **interested in responding**; if so, please check the appropriate areas below and respond to this email confirming the same. Please pay “**CLOSE**” attention to the various sections and the “**SPECIAL/MINIMUM**” requirements for each, and confirm your **ability** and **availability** to satisfy “**ALL**” sections/scopes.

Please be diligent in your review of the information and respond accordingly, based on your ability to meet **ALL** the applicable requirements.

Are you able to satisfy the requirements of the attached documents (RFP)?

YES NO

Do you have prior experience consistent with the requirements of this (RFP)?

YES NO

Background

On May 21, 2013, the Board of County Commissioners approved Resolution No. R-393-13 which authorized the execution of the Consent Decree (Case 1:12-cv-24400-FAM) between Miami-Dade County, the United States of America, the State of Florida, and the Florida Department of Environmental Protection in order to comply with the Federal Clean Water Act, in addition to other federal and state laws, regulations, and permits, with the goal of eliminating sanitary sewer overflows and prohibited bypasses (*refer to **Attachment A** for copy of Consent Decree*).

*Miami-Dade County, hereinafter referred to as the “County,” as represented by the Miami-Dade Department of Regulatory and Economic Resources (RER) Division of Environmental Resources Management (DERM), is soliciting proposals for the to review, evaluation and revision of the existing grease trap ordinance, Ordinance 94-132 codified in Chapter 24 of the Miami-Dade County Code (94-132 is included as **Attachment B**), and the Fats, Oil and Grease (FOG) Control Program (existing DERM FOG Program summary is included as **Attachment C**). The Scope of Services described herein is intended to comply with this requirement, specifically Paragraph 19(a) of the Consent Decree.*

2.2 Preferred Qualifications

The preferred qualification requirements for this Solicitation are that the Proposer and/or Project Manager or key support staff should have:

- a) Performed a FOG Characterization Study for a publicly owned utility, County, or Municipal Government.

- b) Developed FOG Control Ordinance for a publicly owned utility, County, or Municipal Government.
- c) Reviewed, evaluated and developed FOG Control Device specifications and design standards for a publicly owned utility, County, or Municipal Government.
- d) Experience deploying permanent automatic gauging and logging instruments for FOG Control Devices.
- e) Reviewed FOG use/reuse technologies for a publicly owned utility, County, or Municipal Government.

Are you able to satisfy the “Preferred Qualifications” as listed above?

YES NO

Do you have prior experience consistent the above (a through e)?

YES NO

Required Services and Deliverables

The required services and deliverables for this Solicitation include reviewing, evaluating, and revising the existing grease trap ordinance (Ordinance 94-132 codified in Chapter 24 of the Miami-Dade County Code) and the Fats, Oil and Grease (FOG) Control Program in accordance with Paragraph 19 (a) of the Consent Decree, excluding the following tasks:

- Paragraph 19 (a)(i) FOG Characterization Study
- Paragraph 19 (a)(iii) Specification of Accepted FOG Control Devices
- Paragraph 19 (a)(iv) Establishment of Standards for the Design and Construction of FOG Control Devices
- Paragraph 19 (a) v) Establishment of FOG Control Device Management and O & M Standards/Best Management Practices

The tasks noted above are part of “Project 1,” which was awarded to Woolpert, Inc. under Equitable Distribution Program work order EDP-PE-S-DE-002-DERM on March 2, 2014, and are not included as part of the Scope of Services for this Solicitation (refer to Attachment D for Project 1 scope of work). However, the awarded Proposer shall incorporate the work product from Project 1 (EDP-PE-S-DE-002-DERM), as approved by the County’s Project Manager, into the final deliverables noted in Section 2.3.3.

Are you able to satisfy the “Required Services and Deliverables” as listed above?

YES NO

2.3.1 Project Meetings

The awarded Proposer (Project 2) shall participate in an in-person project kick-off (planning) meeting with the County and consultant working on *Project 1*. The meeting will be scheduled by the County Project Manager and held in the Overtown Transit Village Building located at 701 NW 1 Court, Miami, Florida, 33132. The project planning meeting shall take place with County staff and consultant working on *Project 1* no later than seven (7) days after the first (1st) Notice to Proceed (NTP) is issued. Monthly progress meetings for Projects 1 and 2 shall be attended by the awarded Proposer’s Program Manager or designated staff. Progress meetings shall be held at same location. Additional meetings may be requested by the County’s Project Manager as deemed necessary.

2.3.2 Project Tasks

Tasks included in this scope of services are summarized below.

A. Incorporate Project 1 Tasks into Project 2

Incorporate the findings, recommendations and conclusions of the following Project 1 Tasks, produced under work order EDP-PE-S-DE-002-DERM, in the work product and report required under this scope of services (i.e., Project 2), where applicable:

1. FOG characterization study. The FOG characterization study will be completed by July 23, 2014.
2. Specifications for FOG Control Devices. The Specifications for FOG Control Devices will be completed by September 26, 2014.
3. Standards for the Design and Construction of FOG Control Devices, including Standards for Capacity and Accessibility, Site Map, Design Documents, and As-Built Drawings. The Design and Construction Standards for FOG Control Devices will be completed by September 26, 2014.
4. FOG Control Device Management, Operations, and Maintenance Standards or Best Management Practices. The FOG control device management, operations and maintenance standards, or best management practices, will be completed by August 4, 2014.

B. Consent Decree Paragraph 19(a)(ii) - Legal Authority for FOG Program

1. Draft legal framework/outline for the implementation of Consent Decree Paragraph 19(a)(ii) which includes code changes (e.g., definitions, pretreatment, operating permits, waste haulers, compliance/enforcement, etc.)
2. Draft a new FOG Ordinance to revise Chapter 24, Code of Miami-Dade County, to fully implement Consent Decree Paragraph 19(a)(ii)
3. The Draft ordinance shall provide that all new multifamily developments (and substantial improvements), including condominiums/apartments, require separate plumbing/FOG control devices to prevent/minimize FOG discharge to public sewers. The awarded Proposer shall define multifamily developments subject to this requirement based on a cost analysis that includes the additional cost of construction of separate plumbing systems and cost savings associated with reduced discharge of FOG to the building drain and building sewer, public sewer system and wastewater treatment plants.
4. The Draft ordinance shall provide that multi-family residential units found to be discharging FOG in excess of applicable standards in Chapter 24, Code of Miami-Dade County, to public sewers in basins with FOG related issues (e.g., excess maintenance, Sanitary Sewer Overflows (SSOs), etc.) shall implement a program to control FOG. The awarded Proposer shall define multi-family developments subject to this requirement based on a cost analysis that includes the additional cost of establishing and maintaining a program to control FOG and the cost savings associated with reduced discharge of FOG to the building drain and building sewer, public sewer system and wastewater treatment plants.
5. Develop an Ordinance roll-out/Implementation plan and schedule using the latest edition of Microsoft Project, included with master schedule, and schedule for FOG Ordinance approval within six (6) months of Environmental Protection Agency's (EPA) approval (note: provide four (4) weeks for the County Attorney's Office (CAO) review/approval prior to submittal to EPA).

C. Consent Decree Paragraph 19(a)(vi) - Construction Inspection Protocols

1. Comprehensive review of existing construction inspection and re-inspection protocols (scheduling, tracking, notifications, inspection report forms, record keeping requirements, and fees) in unincorporated Miami-

Dade County (Permitting & Inspection Center) and no less than three (3) municipalities.

2. Recommended construction inspection and re-inspection protocols (scheduling, tracking, notifications, inspection report forms, record keeping requirements, and fees) that address each type or type groups and approved control device specifications.
3. Training program for building department staff that includes written training manuals and presentations that address each type or type groups and approved control device specifications.
4. Construction Inspection roll-out/Implementation plan and schedule using the latest edition of Microsoft Project, included with master schedule.

Are you able to satisfy the “Project Task” (A – C), as listed above?

YES NO

D. Consent Decree Paragraph 19(a)(vii) - Compliance Inspection Protocols

1. Comprehensive review of existing compliance inspection and re-inspection protocols including, but not limited to, inspection frequency, scheduling, tracking, notifications, inspection report forms and checklist, system performance evaluation, calculations and measurements, record keeping requirements, sampling and fees.
2. Recommended compliance inspection and re-inspection protocols, including, but not limited to, inspection frequency, scheduling, tracking, notifications, inspection report forms and checklist, system performance evaluation, calculations and measurements, record keeping requirements, sampling and fees, that address each type or type groups and approved control device specifications. Recommendations shall address both manual monitoring and automated gauging and logging systems (e.g., in-tank gauging and wireless reporting equipment/protocols).
3. Staffing level assessment and recommendations based on 2013 and 2019 Grease Discharge Operating (GDO) permits centered on historical GDO permits and population projections.
4. Training program for compliance inspection staff that includes written training manuals and presentations that address each type or type groups and approved control device specifications.
5. Documentation shall provide formats, samples, and forms for all noted practices. Sampling procedures and frequencies shall be provided. A method for calculating the maximum interval between pump outs shall be provided based on the size and design of the FOG control device and the type and size of the facility. A minimum frequency of inspections to insure compliance with all County Code requirements shall be determined and provided. A program for tracking inspections to assure all facilities are properly monitored shall be provided. The level of required staffing for this program shall be determined.)
6. Compliance Inspection roll-out/Implementation plan and schedule using Microsoft Project, latest edition (included with master schedule).

E. Consent Decree Paragraph 19(a)(viii) - FOG Disposal Manifest System

1. Comprehensive review of existing manifest protocols for generators, waste haulers, and disposal facilities, including evaluating if the protocols provide a closed-loop tracking process.
2. List of existing facilities that are permitted to receive FOG, including how each stores, handles, processes, disposes and manifests FOG and byproducts/waste.
3. Recommended FOG disposal manifest protocols, including forms, tracking, notifications, record keeping requirements and reporting

content, formats (e.g., paper, electronic and online) and frequencies, to establish a closed loop process to track non-comingled FOG (i.e., FOG and septage shall not be comingled) from point of generation to the final point of disposal (e.g., WASD, Broward County, private rendering facility, etc.). The manifest system shall also capture the pre-pumpout levels (of FOG, water and bottom contents/sludge) and post-pumpout levels for all systems not utilizing automated reporting systems capable of gauging/logging and transmitting FOG, water and bottom content/sludge levels electronically to County.

4. The roles and responsibilities of each entity involved, including but not limited to, generators, haulers and collection, storage, handling and disposal facilities located within and outside of Miami-Dade County.
5. Incentives (e.g., reduced fees, inspections, reporting, etc.) for automated reporting equipment/processes (e.g., in-tank gauging and wireless reporting equipment/protocols).
6. The manifest system shall provide for a single-data-entry process, where data entry by Department staff will be minimal, and shall include passive quality assurance and active quality control protocols.
7. Implementation schedule that provides for immediate (i.e., after EPA approval) implementation of a FOG disposal manifest system and future milestones and details for development, testing and roll-out of an online process.
8. Framework/process and scope of work for the development of an online FOG disposal manifest computer application. This shall include close coordination and meetings with Miami-Dade County's Information Technology Department (MDC-ITD), generators, haulers and disposal facilities. The intent of the program is to automate the closed-loop process of reporting and tracking FOG from point of generation to the final point of disposal (e.g., WASD, Broward County, private rendering facility, biofuel production facility, etc.) and shall include passive quality assurance and active quality control protocols. Functions, operation, and support for this program as well as hardware requirements shall be identified and documented.
9. Draft Ordinance that amends Chapter 24, Code of Miami-Dade County, to establish the requirement that FOG and septage not to be comingled.
10. Training program for all users of the manifest system (department staff, generators, haulers and collection, storage, handling and disposal facilities (located in and outside of MDC)) that includes written training manuals (Microsoft Word file(s)) and presentations (Microsoft PowerPoint). Staffing levels for maintaining this program shall be determined.
11. A program shall be described for sampling the content of each truckload of product upon delivery to the disposal location, and tracking the results within the manifest system.)

F. Consent Decree Paragraph 19(a)(ix) - Enforcement Program.

1. Comprehensive review of existing enforcement (e.g., field notices, warning notices, Notice of Violation (NOV), CAO coordination, etc.), protocols including existing code (e.g., Chapter 24), referral process, forms and checklist, performance measures, case development and tracking, notifications, inspection/re-inspection requirements, and record keeping requirements.
2. Recommend enforcement protocol (e.g., field notices, warning notices, NOV, CAO coordination, etc.), including referral process, forms and checklist, performance measures, case development and tracking, notifications, inspection/re-inspection requirements, and record keeping requirements.

3. Staffing level assessment and recommendations based on current and future workload projections.
4. Training program for enforcement staff that includes written training manuals (Microsoft Word file(s)) and presentations (Microsoft PowerPoint) that address each type or type groups and approved control device specifications.

G. Consent Decree Paragraph 19(a)(x) - Compliance Assistance Program

1. Training program with clear goals, objectives and initiatives and performance indicators (i.e., how to determine and evaluate if assistance program is effective). This shall include how often, which employees and how many employees shall receive training.
2. Content for training (and refresher training) programs for FOG generators, haulers and disposal facilities (excluding delivery system) to assist each group to comply with applicable regulations and best management practices. The content shall be readily deliverable in live group settings (meeting, workshop, etc.) and online.
3. Framework/process and scope of work for the development of an online FOG training delivery system (excluding content). This shall include close coordination and meetings with MDC-ITD, generators, haulers and disposal facilities. Functions, operation, and support for this program as well as software and hardware requirements shall be identified and documented.
4. Recommendations for establishing training requirements as optional or mandatory (e.g., linked to DERM permits and included as a specific permit condition).
5. Outreach program to make FOG generators, haulers and disposal facilities aware that assistance is available.
6. Staffing, cost and funding mechanism(s) for assistance program.
7. Schedule for the assistance program development and roll-out, including timeframes and milestones for content development, content delivery systems, testing and roll-out process.

Are you able to satisfy the “Project Task” (D – G), as listed above?

YES NO

H. Consent Decree Paragraph 19(a)(xi) - Public Education Program

1. Comprehensive literature review and interviews of no less than five (5) existing FOG programs. For each, the awarded Proposer is to identify the effective and ineffective components of the programs, such as, but not limited to, shifting public practices, reducing FOG related SSOs and reducing maintenance effort/cost
2. Description of key public target audience groups, including clear goals, objectives and initiatives for each group and performance indicators (i.e., how to determine and evaluate if education/outreach is effective).
3. Content for public education/outreach program for each target audience in English, Spanish and Creole. Content shall address regular, seasonal (e.g., holidays and holiday yellow grease drop-off centers) and piggy-back (e.g., adopt-a-tree) education opportunities. The content shall be readily deliverable in live and online group settings.
4. Framework/process and scope of work for the development of an online FOG Public Education delivery system (excluding content). This shall include close coordination and meetings with MDC-ITD, County outreach section/department, utilities and target audience leaders. Functions, operation, and support for this program as well as software and hardware requirements shall be identified and documented.

5. Staffing, cost and funding mechanism(s) for education program.
6. Schedule for the education program development and roll-out, including timeframes and milestones for content development, content delivery systems, testing and roll-out process and continuation of program into the future.
7. Determine the staffing and annual budget for the program.

I. Consent Decree Paragraph 19(a)(xii) - Staffing and Equipment Requirements

1. Summarize staffing and equipment requirements for each program item/component identified in scope of services tasks A - L in this Solicitation.
2. A description of the complete staff as Full Time Equivalent (FTE) to carry out all requirements of the FOG control program, including supervisory, technical, training and legal support. Staffing shall be based on the assumption that all personnel shall be working only on the FOG program. Where staffing level depends on the number of facilities, the ratio of staff members to facilities shall be provided. Training and competency requirements for all functions shall be described.
3. A description of all equipment required (e.g., office, field, etc.) to carry out all requirements of the FOG control program based on proposed staffing FTEs.
4. An estimated annual cost, based on current County pay scales and benefits, for complete staffing and equipment. Initial staffing levels shall be based on the current number of permitted facilities.
5. Permit fee detailed analysis to support the FOG control program, including breakdown by permit type (e.g., high-risk facilities).

J. Consent Decree Paragraph 19(a)(xiii) - List of Current Commercial Establishment FOG Generators

1. Establishment of FOG generator categories based on FOG generation process and estimated (range) of FOG generated daily. Include information, data, tables, and graphs used to establish categories.
2. Expand current list of GDO facilities to include information on category and FOG generated (based on category).
3. GIS layer (color coordinated) of current GDO permitted facilities, including category, generating processes and quantities of FOG generated daily (based on category) and blank field for "actual" estimated quantities. There are approximately 6,500 permitted FOG sources in the County captured in GIS. DERM will provide existing GIS layer to consultant.
4. Framework/process and scope of work for the development of a computer application to maintain the FOG generator list and associated GIS layer(s). This shall include passive quality assurance and active quality control protocols. Functions, operation, and support for this program as well as hardware requirements shall be identified and documented. This shall include close coordination and meetings with MDC-ITD.

K. Consent Decree Paragraph 19(a)(xiv) - Performance Indicators

1. Comprehensive review of performance indicators and benchmarks for existing FOG program.
2. List and supporting documentation of recommended indicators and benchmarks, including how to implement/use indicators. This listing shall include parameters and/or reports from FOG databases and other sources that show the effectiveness of the program including, but not limited to, simple tabulated format, graphs, etc.

3. Staffing and equipment requirements for monitoring and automated reporting of performance indicators where data mining/querying is performed by an independent group.
 4. Indicators to be considered shall include, but not be limited to, amount of FOG transported and diverted (e.g., biofuel), number of facilities reporting automatically/electronically, number of enforcements cases open/closed, inspections per permitted facility, and grease-related overflows and blockages, and public knowledge of the FOG program.
- L. Consent Decree Paragraph 19(a)(xv) - FOG Program Annual Review, Evaluation, and Revision
1. Develop a process for reviewing, evaluating and revising the FOG Program annually. This shall include, but not limited to, composition of a review group and an annual guideline review containing forms, statement of objectives, and deliverables to be used for evaluating the Program.
 2. A list of verifiable benchmarks and minimum requirements shall be created. The review shall include determining if any changes to the County Code are required to improve FOG control in the County. If necessary, recommended changes shall be provided. The review shall be required to evaluate possible uses for recovered FOG, to determine when these uses may provide a revenue source to offset the costs of recovery and treatment, and what changes in the program might enhance these revenues.

Are you able to satisfy the “Project Task” (H – L), as listed above?

YES _ **NO** _

2.3.3 Project Deliverables

The FOG Program deliverables shall be formatted as a report including photos, figures, tables, graphs, GIS layers (color coordinated), etc. to better illustrate findings, analysis, recommendations, etc. The report shall be prepared with the general format outlined below:

- i. Cover Page
- ii. Signature Page (to be provided by DERM)
- iii. Executive Summary
- iv. Table of Contents

Section 1 Introduction

Section 2 Existing FOG Program (content to be provided by DERM/Consultant for Project 1)

Section 3 FOG Characterization Study (content to be provided by DERM/Consultant for Project 1)

Section 4 Legal authority and Proposed Ordinances

Section 5 FOG Control Devices (content to be provided by DERM/Consultant for Project 1)

Section 6 FOG Manifest System

Section 7 Outreach and Education

Section 8 Inspections, Compliance and Enforcement

Section 9 Staffing and Equipment Requirements

Section 10 Performance Indicators

Section 11 Program Annual Review, Evaluation and Revision

Definitions & Acronyms

Figures & Graphs

Photos

Appendices
Attachments
Electronic Copy

The final Report format/layout may change at the discretion of the County Project Manager.

All revisions required by the EPA shall be made by the Contractor at the Contractor's cost and submitted to DERM no less than two (2) weeks prior to the date the submittal is due to EPA.

Will you be able to satisfy the above listed?

YES NO

2.3.4 Project Timelines

The final report, including the FOG Ordinance(s), shall be submitted by the County (D ERM) to EPA on, or before, eighteen (18) months after the lodging of the Consent Decree. This date is currently understood to be June 6, 2015. All Project 2 deliverables shall be provided to DERM no later than March 6, 2015 by the awarded Proposer. Progress submittals shall be provided to DERM as required to meet the final deadline, considering a minimum of 2 week reviews by DERM for each submittal. The preferred Substantial Completion Dates (SCDs) are listed below. However, it shall be the awarded Proposer's responsibility to provide DERM a complete submittal no later than March 6, 2015.

SCD	Task
November 3, 2014	<ul style="list-style-type: none"> • Consent Decree Paragraph 19(a)(vi) - Construction Inspection Protocols • Consent Decree Paragraph 19(a)(ix) - Enforcement Program. • Consent Decree Paragraph 19(a)(xiii) - List of Current Commercial Establishment FOG Generators
December 1, 2014	<ul style="list-style-type: none"> • Consent Decree Paragraph 19(a)(x) - Compliance Assistance Program • Consent Decree Paragraph 19(a)(vii) - Compliance Inspection Protocols • Consent Decree Paragraph 19(a)(xi) - Public Education Program • Consent Decree Paragraph 19(a)(xiv) - Performance Indicators
February 9, 2015	<ul style="list-style-type: none"> • Consent Decree Paragraph 19(a)(viii) - FOG Disposal Manifest System • Consent Decree Paragraph 19(a)(ii) - Legal Authority for FOG Program • Consent Decree Paragraph 19(a)(ix) - FOG Program Annual Review, Evaluation and Revision. • Consent Decree Paragraph 19(a)(xiii) - Staffing and Equipment Requirements

All re-submittals to EPA shall be completed by the awarded Proposer and submitted to DERM no less than two (2) weeks prior to the date the submittal is due to EPA.

I am “NOT” interested in this solicitation.

Name of Firm: _____ SBE Exp. Date: _____

Owner’s Name: _____ Signature: _____

Please respond by **4:00pm, Thursday July 31, 2014.**

Any questions, feel free to contact me at the number below.

(Respond to the “**Verification**” whether you are interested or not (choosing “**Yes**” or “**No**”), as this helps SBD in the determination of measures).

Vivian O. Walters, Jr.

Contract Development Specialist II
Regulatory and Economic Resources Department
Small Business Development Division
111 NW 1st Street #19 Floor, Miami, Fl 33128
walterv@miamidade.gov

☎ Office (305) 375-3138 | 📠 Fax (305) 375-3160

"Delivering Excellence Every Day"

**Review, Evaluation, and Revision of the Fats, Oil, and Grease (FOG) Control
Program**

Estimated Cost - \$400,000.00

RQPE1400003 - Verification of Availability

July 29, 2014

Please complete the following "Reference Requirements":

Project Title:

Client Name

Contact No.:

Scope Description:

Project Title:

Client Name

Contact No.:

Scope Description:

Project Title:

Client Name

Contact No.:

Scope Description:

1.0 PROJECT OVERVIEW AND GENERAL TERMS AND CONDITIONS

1.1 Introduction

On May 21, 2013, the Board of County Commissioners approved Resolution No. R-393-13 which authorized the execution of the Consent Decree (Case 1:12-cv-24400-FAM) between Miami-Dade County, the United States of America, the State of Florida, and the Florida Department of Environmental Protection in order to comply with the Federal Clean Water Act, in addition to other federal and state laws, regulations, and permits, with the goal of eliminating sanitary sewer overflows and prohibited bypasses (*refer to **Attachment A** for copy of Consent Decree*).

*Miami-Dade County, hereinafter referred to as the "County," as represented by the Miami-Dade Department of Regulatory and Economic Resources (RER) Division of Environmental Resources Management (DERM), is soliciting proposals for the to review, evaluation and revision of the existing grease trap ordinance, Ordinance 94-132 codified in Chapter 24 of the Miami-Dade County Code (94-132 is included as **Attachment B**), and the Fats, Oil and Grease (FOG) Control Program (existing DERM FOG Program summary is included as **Attachment C**). The Scope of Services described herein is intended to comply with this requirement, specifically Paragraph 19(a) of the Consent Decree.*

The County anticipates awarding a contract for one (1) year, with a one (1) year option to renew, at the County's sole discretion.

The anticipated schedule for this Solicitation is as follows:

Solicitation Issued:

Pre-Proposal Conference:

See front cover for date, time, and place. Attendance is recommended but not mandatory. If you need a sign language interpreter or materials in accessible format for this event, please call the ADA Coordinator at (305) 375-2013 or email hjwrig@miamidade.gov at least five days in advance.

Deadline for Receipt of Questions:

July 28, 2014

Proposal Due Date:

See front cover for date and time.

Evaluation Process:

August 2014

Projected Award Date:

September 2014

1.2 Definitions

The following words and expressions used in this Solicitation shall be construed as follows, except when it is clear from the context that another meaning is intended:

1. The word "Contractor" to mean the Proposer that receives any award of a contract from the County as a result of this Solicitation, also to be known as "the prime Contractor".
2. The word "County" to mean Miami-Dade County, a political subdivision of the State of Florida.
3. The word "Proposer" to mean the person, firm, entity or organization, as stated on the Solicitation Submittal Form, submitting a response to this Solicitation.
4. The words "Scope of Services" to mean Section 2.0 of this Solicitation, which details the work to be performed by the Contractor.
5. The word "Solicitation" to mean this Request for Proposals (RFP) or Request for Qualifications (RFQ) document, and all associated addenda and attachments.
6. The word "Subcontractor" to mean any person, firm, entity or organization, other than the employees of the Contractor, who contracts with the Contractor to furnish labor, or labor and materials, in connection with the Services to the County, whether directly or indirectly, on behalf of the Contractor.
7. The words "Work", "Services", "Program", or "Project" to mean all matters and things that will be required to be done by the Contractor in accordance with the Scope of Services and the terms and conditions of this Solicitation.

1.3 General Proposal Information

The County may, at its sole and absolute discretion, reject any and all or parts of any or all responses; accept parts of any and all responses; further negotiate project scope and fees; postpone or cancel at any time this Solicitation process; or waive any irregularities in this Solicitation or in the responses received as a result of this process. A proposal shall be the Proposer's firm commitment to provide the goods and services solicited in the manner requested in the Solicitation and described in the proposal. In the event that a Proposer wishes to take an exception to any of the terms of this Solicitation, the Proposer shall clearly indicate the exception in its proposal. No exception shall be taken where the Solicitation specifically states that exceptions may not be taken. Further, no

exception shall be allowed that, in the County's sole discretion, constitutes a material deviation from the requirements of the Solicitation. Proposals taking such exceptions may, in the County's sole discretion, be deemed nonresponsive. The County reserves the right to request and evaluate additional information from any respondent regarding respondent's responsibility after the submission deadline as the County deems necessary.

Proposals shall be irrevocable until contract award unless the proposal is withdrawn. A proposal may be withdrawn in writing only, addressed to the County contact person for this Solicitation, prior to the proposal due date or upon the expiration of 180 calendar days after the opening of proposals.

Proposers are hereby notified that all information submitted as part of, or in support of proposals will be available for public inspection after opening of proposals, in compliance with Chapter 119, Florida Statutes, popularly known as the "Public Record Law". The Proposer shall not submit any information in response to this Solicitation which the Proposer considers to be a trade secret, proprietary or confidential. The submission of any information to the County in connection with this Solicitation shall be deemed conclusively to be a waiver of any trade secret or other protection, which would otherwise be available to Proposer. In the event that the Proposer submits information to the County in violation of this restriction, either inadvertently or intentionally, and clearly identifies that information in the proposal as protected or confidential, the County may, in its sole discretion, either (a) communicate with the Proposer in writing in an effort to obtain the Proposer's written withdrawal of the confidentiality restriction or (b) endeavor to redact and return that information to the Proposer as quickly as possible, and if appropriate, evaluate the balance of the proposal. Under no circumstances shall the County request the withdrawal of the confidentiality restriction if such communication would in the County's sole discretion give to such Proposer a competitive advantage over other proposers. The redaction or return of information pursuant to this clause may render a proposal non-responsive.

Any Proposer who, at the time of proposal submission, is involved in an ongoing bankruptcy as a debtor, or in a reorganization, liquidation, or dissolution proceeding, or if a trustee or receiver has been appointed over all or a substantial portion of the property of the Proposer under federal bankruptcy law or any state insolvency law, may be found non-responsive. To request a copy of any ordinance, resolution and/or administrative order cited in this Solicitation, the Proposer must contact the Clerk of the Board at (305) 375-5126.

1.4 **Cone of Silence**

Pursuant to Section 2-11.1(t) of the Miami-Dade County Code, as amended, a "Cone of Silence" is imposed upon each RFP or RFQ after advertisement and terminates at the time a written recommendation is issued. The Cone of Silence prohibits any communication regarding RFPs or RFQs between, among others:

- potential Proposers, service providers, lobbyists or consultants **and** the County's professional staff including, but not limited to, the County Mayor and the County Mayor's staff, County Commissioners or their respective staffs;
- the County Commissioners or their respective staffs **and** the County's professional staff including, but not limited to, the County Mayor and the County Mayor's staff; or
- potential Proposers, service providers, lobbyists or consultants, any member of the County's professional staff, the Mayor, County Commissioners or their respective staffs **and** any member of the respective selection committee.

The provisions do not apply to, among other communications:

- oral communications with the staff of the Vendor Assistance Unit, the responsible Procurement Agent or Contracting Officer, provided the communication is limited strictly to matters of process or procedure already contained in the solicitation document;
- oral communications at pre-proposal conferences, oral presentations before selection committees, contract negotiations during any duly noticed public meeting, public presentations made to the Board of County Commissioners during any duly noticed public meeting; or
- communications in writing at any time with any county employees, official or member of the Board of County Commissioners unless specifically prohibited by the applicable RFP or RFQ documents.

When the Cone of Silence is in effect, all potential vendors, service providers, bidders, lobbyists and consultants shall file a copy of any written correspondence concerning the particular RFP or RFQ with the Clerk of the Board, which shall be made available to any person upon request. The County shall respond in writing (if County deems a response necessary) and file a copy with the Clerk of the Board,

which shall be made available to any person upon request. Written communications may be in the form of e-mail, with a copy to the Clerk of the Board at clerkbcc@miamidade.gov.

All requirements of the Cone of Silence policies are applicable to this Solicitation and must be adhered to. Any and all written communications regarding the Solicitation are to be submitted only to the Procurement Contracting Officer with a copy to the Clerk of the Board. Proposers are hereby notified that direct communication written or otherwise, to Selection Committee members or the Selection Committee as a whole are expressly prohibited. Any oral communications with Selection Committee members other than as provided in Section 2-11.1 of the Miami-Dade County Code are prohibited. The Cone of Silence shall not apply to oral communications at pre-proposal conferences, oral presentations before selection committees, contract negotiations during any duly noticed public meeting, public presentations made to the Board of County Commissioners during any duly noticed public meeting or communications in writing at any time with any county employee, official or member of the Board of County Commissioners unless specifically prohibited by the applicable RFP, RFQ or bid documents. The Proposer shall file a copy of any written communication with the Clerk of the Board. The Clerk of the Board shall make copies available to any person upon request.

1.5 Public Entity Crimes

Pursuant to Paragraph 2(a) of Section 287.133, Florida Statutes, a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a proposal for a contract to provide any goods or services to a public entity; may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work; may not submit proposals on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and, may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 for Category Two for a period of thirty-six (36) months from the date of being placed on the convicted vendor list.

1.6 Lobbyist Contingency Fees

- a) In accordance with Section 2-11.1(s) of the Code of Miami-Dade County, after May, 16, 2003, no person may, in whole or in part, pay, give or agree to pay or give a contingency fee to another person. No person may, in whole or in part, receive or agree to receive a contingency fee.
- b) A contingency fee is a fee, bonus, commission or non-monetary benefit as compensation which is dependent on or in any way contingent upon the passage, defeat, or modification of: 1) any ordinance, resolution, action or decision of the County Commission; 2) any action, decision or recommendation of the County Mayor or any County board or committee; or 3) any action, decision or recommendation of any County personnel during the time period of the entire decision-making process regarding such action, decision or recommendation which foreseeably will be heard or reviewed by the County Commission or a County board or committee.

1.7 Collusion

In accordance with Section 2-8.1.1 of the Code of Miami-Dade County, where two (2) or more related parties, as defined herein, each submit a proposal for any contract, such proposals shall be presumed to be collusive. The foregoing presumption may be rebutted by the presentation of evidence as to the extent of ownership, control and management of such related parties in preparation and submittal of such proposals. Related parties shall mean Proposer or the principals thereof which have a direct or indirect ownership interest in another Proposer for the same contract or in which a parent company or the principals thereof of one Proposer have a direct or indirect ownership interest in another Proposer for the same contract. Proposals found to be collusive shall be rejected. Proposers who have been found to have engaged in collusion may be considered non-responsible, and may be suspended or debarred, and any contract resulting from collusive bidding may be terminated for default.

1.8 Expedited Purchasing Program

Pursuant to Ordinance 07-49, the County has created a pilot program for expedited purchasing, subject to terms and conditions as outlined in Section 2-8.1.6 of the Code of Miami-Dade County. The program shall be referred to as the Expedited Purchasing Program (EPP). Due to the expedited nature of County projects issued under the EPP, participating vendors should anticipate a shortened solicitation timeline for responding. Technical, professional and legal staff may be used to determine best value as set forth in the solicitation documents without the need to utilize the formal Selection Committee process established by the County. The County Mayor's or designee's written recommendation to award a contract under the EPP shall be sufficient to commence the bid protest period and terminate the Cone of Silence. Any legislation contrary to the provisions of the EPP shall be deemed suspended or amended as necessary to give effect to the intent of this ordinance during its effective term.

1.9 Contract Measures

This Solicitation includes contract measures for Miami-Dade County Certified Small Business Enterprises (SBE's) pursuant to Section 2-8.1.1.1.1 of the Code of Miami-Dade County as follows:

Set-aside:

This Solicitation is set-aside for SBE's.

Subcontractor Goal:

_____% SBE subcontractor goal is applicable. The purpose of a subcontractor goal is to have portions of the work under the prime contract performed by available subcontractors that are certified SBEs for contract values totaling not less than the percentage of the prime contract value set out in this Solicitation. Subcontractor goals may be applied to a contract when estimates made prior to solicitation advertisement identify the quality; quantity and type of opportunities in the contract and SBEs are available to afford effective competition in providing a percentage of these identified services. Proposers shall submit a completed Schedule of Intent Affidavit (Form SBD 504) at the time of proposal identifying all SBEs to be utilized to meet the subcontractor goal. The Schedule of Intent Affidavit shall specify the scope of work and commodity code the SBE will perform. The Schedule of Intent Affidavit constitutes a written representation by the Proposer that to the best of the Proposer's knowledge the SBEs listed are available and have agreed to perform as specified, or that the Proposer will demonstrate unavailability. The Schedule of Intent form can be found at <http://www.miamidade.gov/business/library/forms/sbe-soi.pdf>.

The participating SBE firms (or joint ventures) must have a valid Miami-Dade County SBE certification by the proposal submittal deadline of this Solicitation, as well as, meet all other requirements. Additional information regarding Miami-Dade County's Small Business Enterprise Program, including new amendments to the program, is available on the Small Business Development's website <http://www.miamidade.gov/business/business-certification-programs-SBE.asp>.

(If Selection Factor use Section 4.4 and delete above section.)

2.0 SCOPE OF SERVICES

2.1 Background

On May 21, 2013, the Board of County Commissioners approved Resolution No. R-393-13 which authorized the execution of the Consent Decree (Case 1:12-cv-24400-FAM) between Miami-Dade County, the United States of America, the State of Florida, and the Florida Department of Environmental Protection in order to comply with the Federal Clean Water Act, in addition to other federal and state laws, regulations, and permits, with the goal of eliminating sanitary sewer overflows and prohibited bypasses (refer to **Attachment A** for copy of Consent Decree).

*Miami-Dade County, hereinafter referred to as the "County," as represented by the Miami-Dade Department of Regulatory and Economic Resources (RER) Division of Environmental Resources Management (DERM), is soliciting proposals for the to review, evaluation and revision of the existing grease trap ordinance, Ordinance 94-132 codified in Chapter 24 of the Miami-Dade County Code (94-132 is included as **Attachment B**), and the Fats, Oil and Grease (FOG) Control Program (existing DERM FOG Program summary is included as **Attachment C**). The Scope of Services described herein is intended to comply with this requirement, specifically Paragraph 19(a) of the Consent Decree.*

2.2 Preferred Qualifications

The preferred qualification requirements for this Solicitation are that the Proposer and/or Project Manager or key support staff should have:

- a) Performed a FOG Characterization Study for a publicly owned utility, County, or Municipal Government.
- b) Developed FOG Control Ordinance for a publicly owned utility, County, or Municipal Government.
- c) Reviewed, evaluated and developed FOG Control Device specifications and design standards for a publicly owned utility, County, or Municipal Government.
- d) Experience deploying permanent automatic gauging and logging instruments for FOG Control Devices.
- e) Reviewed FOG use/reuse technologies for a publicly owned utility, County, or Municipal Government.

2.3 Required Services and Deliverables

The required services and deliverables for this Solicitation include reviewing, evaluating, and revising the existing grease trap ordinance (Ordinance 94-132 codified in Chapter 24 of the Miami-Dade County Code) and the Fats, Oil and Grease (FOG) Control Program in accordance with Paragraph 19 (a) of the Consent Decree, excluding the following tasks:

- Paragraph 19 (a)(i) FOG Characterization Study
- Paragraph 19 (a)(iii) Specification of Accepted FOG Control Devices
- Paragraph 19 (a)(iv) Establishment of Standards for the Design and Construction of FOG Control Devices
- Paragraph 19 (a) v) Establishment of FOG Control Device Management and O & M Standards/Best Management Practices

The tasks noted above are part of "Project 1," which was awarded to Woolpert, Inc. under Equitable Distribution Program work order EDP-PE-S-DE-002-DERM on March 2, 2014, and are not included as part of the Scope of Services for this Solicitation (refer to Attachment D for Project 1 scope of work). However, the awarded Proposer shall incorporate the work product from Project 1 (EDP-PE-S-DE-002-DERM), as approved by the County's Project Manager, into the final deliverables noted in Section 2.3.3.

2.3.1 Project Meetings

The awarded Proposer (Project 2) shall participate in an in-person project kick-off (planning) meeting with the County and consultant working on *Project 1*. The meeting will be scheduled by the County Project Manager and held in the Overtown Transit Village Building located at 701 NW 1 Court, Miami, Florida, 33132. The project planning meeting shall take place with County staff and consultant working on *Project 1* no later than seven (7) days after the first (1st) Notice to Proceed (NTP) is issued. Monthly progress meetings for Projects 1 and 2 shall be attended by the awarded Proposer's Program Manager or designated staff. Progress meetings shall be held at same location. Additional meetings may be requested by the County's Project Manager as deemed necessary.

2.3.2 Project Tasks

Tasks included in this scope of services are summarized below.

A. Incorporate Project 1 Tasks into Project 2

Incorporate the findings, recommendations and conclusions of the following Project 1 Tasks, produced under work order EDP-PE-S-DE-002-DERM, in the work product and report required under this scope of services (i.e., Project 2), where applicable:

1. FOG characterization study. The FOG characterization study will be completed by July 23, 2014.
2. Specifications for FOG Control Devices. The Specifications for FOG Control Devices will be completed by September 26, 2014.
3. Standards for the Design and Construction of FOG Control Devices, including Standards for Capacity and Accessibility, Site Map, Design Documents, and As-Built Drawings. The Design and Construction Standards for FOG Control Devices will be completed by September 26, 2014.
4. FOG Control Device Management, Operations, and Maintenance Standards or Best Management Practices. The FOG control device management, operations and maintenance standards, or best management practices, will be completed by August 4, 2014.

B. Consent Decree Paragraph 19(a)(ii) - Legal Authority for FOG Program

1. Draft legal framework/outline for the implementation of Consent Decree Paragraph 19(a)(ii) which includes code changes (e.g., definitions, pretreatment, operating permits, waste haulers, compliance/enforcement, etc.)
2. Draft a new FOG Ordinance to revise Chapter 24, Code of Miami-Dade County, to fully implement Consent Decree Paragraph 19(a)(ii)
3. The Draft ordinance shall provide that all new multifamily developments (and substantial improvements), including condominiums/apartments, require separate plumbing/FOG control devices to prevent/minimize FOG discharge to public sewers. The awarded Proposer shall define multifamily developments subject to this requirement based on a cost analysis that includes the additional cost of construction of separate plumbing systems and cost savings associated with reduced discharge of FOG to the building drain and building sewer, public sewer system and wastewater treatment plants.

4. The Draft ordinance shall provide that multi-family residential units found to be discharging FOG in excess of applicable standards in Chapter 24, Code of Miami-Dade County, to public sewers in basins with FOG related issues (e.g., excess maintenance, Sanitary Sewer Overflows (SSOs), etc.) shall implement a program to control FOG. The awarded Proposer shall define multi-family developments subject to this requirement based on a cost analysis that includes the additional cost of establishing and maintaining a program to control FOG and the cost savings associated with reduced discharge of FOG to the building drain and building sewer, public sewer system and wastewater treatment plants.
 5. Develop an Ordinance roll-out/Implementation plan and schedule using the latest edition of Microsoft Project, included with master schedule, and schedule for FOG Ordinance approval within six (6) months of Environmental Protection Agency's (EPA) approval (note: provide four (4) weeks for the County Attorney's Office (CAO) review/approval prior to submittal to EPA).
- C. Consent Decree Paragraph 19(a)(vi) - Construction Inspection Protocols
1. Comprehensive review of existing construction inspection and re-inspection protocols (scheduling, tracking, notifications, inspection report forms, record keeping requirements, and fees) in unincorporated Miami-Dade County (Permitting & Inspection Center) and no less than three (3) municipalities.
 2. Recommended construction inspection and re-inspection protocols (scheduling, tracking, notifications, inspection report forms, record keeping requirements, and fees) that address each type or type groups and approved control device specifications.
 3. Training program for building department staff that includes written training manuals and presentations that address each type or type groups and approved control device specifications.
 4. Construction Inspection roll-out/Implementation plan and schedule using the latest edition of Microsoft Project, included with master schedule.
- D. Consent Decree Paragraph 19(a)(vii) - Compliance Inspection Protocols
1. Comprehensive review of existing compliance inspection and re-inspection protocols including, but not limited to, inspection frequency, scheduling, tracking, notifications, inspection report forms and checklist, system performance evaluation, calculations and measurements, record keeping requirements, sampling and fees.
 2. Recommended compliance inspection and re-inspection protocols, including, but not limited to, inspection frequency, scheduling, tracking, notifications, inspection report forms and checklist, system performance evaluation, calculations and measurements, record keeping requirements, sampling and fees, that address each type or type groups and approved control device specifications. Recommendations shall address both manual monitoring and automated gauging and logging systems (e.g., in-tank gauging and wireless reporting equipment/protocols).
 3. Staffing level assessment and recommendations based on 2013 and 2019 Grease Discharge Operating (GDO) permits centered on historical GDO permits and population projections.
 4. Training program for compliance inspection staff that includes written training manuals and presentations that address each type or type groups and approved control device specifications.
 5. Documentation shall provide formats, samples, and forms for all noted practices. Sampling procedures and frequencies shall be provided. A method for calculating the maximum interval between pump outs shall be provided based on the size and design of the FOG control device and the type and size of the facility. A minimum frequency of inspections to insure compliance with all County Code requirements shall be determined and provided. A program for tracking inspections to assure all facilities are properly monitored shall be provided. The level of required staffing for this program shall be determined.)
 6. Compliance Inspection roll-out/Implementation plan and schedule using Microsoft Project, latest edition (included with master schedule).
- E. Consent Decree Paragraph 19(a)(viii) - FOG Disposal Manifest System
1. Comprehensive review of existing manifest protocols for generators, waste haulers, and disposal facilities, including evaluating if the protocols provide a closed-loop tracking process.
 2. List of existing facilities that are permitted to receive FOG, including how each stores, handles, processes, disposes and manifests FOG and byproducts/waste.
 3. Recommended FOG disposal manifest protocols, including forms, tracking, notifications, record keeping requirements and reporting content, formats (e.g., paper, electronic and online) and frequencies, to

- establish a closed loop process to track non-comingled FOG (i.e., FOG and septage shall not be comingled) from point of generation to the final point of disposal (e.g., WASD, Broward County, private rendering facility, etc.). The manifest system shall also capture the pre-pumpout levels (of FOG, water and bottom contents/sludge) and post-pumpout levels for all systems not utilizing automated reporting systems capable of gauging/logging and transmitting FOG, water and bottom content/sludge levels electronically to County.
4. The roles and responsibilities of each entity involved, including but not limited to, generators, haulers and collection, storage, handling and disposal facilities located within and outside of Miami-Dade County.
 5. Incentives (e.g., reduced fees, inspections, reporting, etc.) for automated reporting equipment/processes (e.g., in-tank gauging and wireless reporting equipment/protocols).
 6. The manifest system shall provide for a single-data-entry process, where data entry by Department staff will be minimal, and shall include passive quality assurance and active quality control protocols.
 7. Implementation schedule that provides for immediate (i.e., after EPA approval) implementation of a FOG disposal manifest system and future milestones and details for development, testing and roll-out of an online process.
 8. Framework/process and scope of work for the development of an online FOG disposal manifest computer application. This shall include close coordination and meetings with Miami-Dade County's Information Technology Department (MDC-ITD), generators, haulers and disposal facilities. The intent of the program is to automate the closed-loop process of reporting and tracking FOG from point of generation to the final point of disposal (e.g., WASD, Broward County, private rendering facility, biofuel production facility, etc.) and shall include passive quality assurance and active quality control protocols. Functions, operation, and support for this program as well as hardware requirements shall be identified and documented.
 9. Draft Ordinance that amends Chapter 24, Code of Miami-Dade County, to establish the requirement that FOG and septage not to be comingled.
 10. Training program for all users of the manifest system (department staff, generators, haulers and collection, storage, handling and disposal facilities (located in and outside of MDC)) that includes written training manuals (Microsoft Word file(s)) and presentations (Microsoft PowerPoint). Staffing levels for maintaining this program shall be determined.
 11. A program shall be described for sampling the content of each truckload of product upon delivery to the disposal location, and tracking the results within the manifest system.)
- F. Consent Decree Paragraph 19(a)(ix) - Enforcement Program.
1. Comprehensive review of existing enforcement (e.g., field notices, warning notices, Notice of Violation (NOV), CAO coordination, etc.), protocols including existing code (e.g., Chapter 24), referral process, forms and checklist, performance measures, case development and tracking, notifications, inspection/re-inspection requirements, and record keeping requirements.
 2. Recommend enforcement protocol (e.g., field notices, warning notices, NOV, CAO coordination, etc.), including referral process, forms and checklist, performance measures, case development and tracking, notifications, inspection/re-inspection requirements, and record keeping requirements.
 3. Staffing level assessment and recommendations based on current and future workload projections.
 4. Training program for enforcement staff that includes written training manuals (Microsoft Word file(s)) and presentations (Microsoft PowerPoint) that address each type or type groups and approved control device specifications.
- G. Consent Decree Paragraph 19(a)(x) - Compliance Assistance Program
1. Training program with clear goals, objectives and initiatives and performance indicators (i.e., how to determine and evaluate if assistance program is effective). This shall include how often, which employees and how many employees shall receive training.
 2. Content for training (and refresher training) programs for FOG generators, haulers and disposal facilities (excluding delivery system) to assist each group to comply with applicable regulations and best management practices. The content shall be readily deliverable in live group settings (meeting, workshop, etc.) and online.
 3. Framework/process and scope of work for the development of an online FOG training delivery system (excluding content). This shall include close coordination and meetings with MDC-ITD, generators, haulers and disposal facilities. Functions, operation, and support for this program as well as software and hardware requirements shall be identified and documented.

4. Recommendations for establishing training requirements as optional or mandatory (e.g., linked to DERM permits and included as a specific permit condition).
 5. Outreach program to make FOG generators, haulers and disposal facilities aware that assistance is available.
 6. Staffing, cost and funding mechanism(s) for assistance program.
 7. Schedule for the assistance program development and roll-out, including timeframes and milestones for content development, content delivery systems, testing and roll-out process.
- H. Consent Decree Paragraph 19(a)(xi) - Public Education Program
1. Comprehensive literature review and interviews of no less than five (5) existing FOG programs. For each, the awarded Proposer is to identify the effective and ineffective components of the programs, such as, but not limited to, shifting public practices, reducing FOG related SSOs and reducing maintenance effort/cost
 2. Description of key public target audience groups, including clear goals, objectives and initiatives for each group and performance indicators (i.e., how to determine and evaluate if education/outreach is effective).
 3. Content for public education/outreach program for each target audience in English, Spanish and Creole. Content shall address regular, seasonal (e.g., holidays and holiday yellow grease drop-off centers) and piggy-back (e.g., adopt-a-tree) education opportunities. The content shall be readily deliverable in live and online group settings.
 4. Framework/process and scope of work for the development of an online FOG Public Education delivery system (excluding content). This shall include close coordination and meetings with MDC-ITD, County outreach section/department, utilities and target audience leaders. Functions, operation, and support for this program as well as software and hardware requirements shall be identified and documented.
 5. Staffing, cost and funding mechanism(s) for education program.
 6. Schedule for the education program development and roll-out, including timeframes and milestones for content development, content delivery systems, testing and roll-out process and continuation of program into the future.
 7. Determine the staffing and annual budget for the program.
- I. Consent Decree Paragraph 19(a)(xii) - Staffing and Equipment Requirements
1. Summarize staffing and equipment requirements for each program item/component identified in scope of services tasks A - L in this Solicitation.
 2. A description of the complete staff as Full Time Equivalent (FTE) to carry out all requirements of the FOG control program, including supervisory, technical, training and legal support. Staffing shall be based on the assumption that all personnel shall be working only on the FOG program. Where staffing level depends on the number of facilities, the ratio of staff members to facilities shall be provided. Training and competency requirements for all functions shall be described.
 3. A description of all equipment required (e.g., office, field, etc.) to carry out all requirements of the FOG control program based on proposed staffing FTEs.
 4. An estimated annual cost, based on current County pay scales and benefits, for complete staffing and equipment. Initial staffing levels shall be based on the current number of permitted facilities.
 5. Permit fee detailed analysis to support the FOG control program, including breakdown by permit type (e.g., high-risk facilities).
- J. Consent Decree Paragraph 19(a)(xiii) - List of Current Commercial Establishment FOG Generators
1. Establishment of FOG generator categories based on FOG generation process and estimated (range) of FOG generated daily. Include information, data, tables, and graphs used to establish categories.
 2. Expand current list of GDO facilities to include information on category and FOG generated (based on category).
 3. GIS layer (color coordinated) of current GDO permitted facilities, including category, generating processes and quantities of FOG generated daily (based on category) and blank field for "actual" estimated quantities. There are approximately 6,500 permitted FOG sources in the County captured in GIS. DERM will provide existing GIS layer to consultant.
 4. Framework/process and scope of work for the development of a computer application to maintain the FOG generator list and associated GIS layer(s). This shall include passive quality assurance and active quality

control protocols. Functions, operation, and support for this program as well as hardware requirements shall be identified and documented. This shall include close coordination and meetings with MDC-ITD.

K. Consent Decree Paragraph 19(a)(xiv) - Performance Indicators

1. Comprehensive review of performance indicators and benchmarks for existing FOG program.
2. List and supporting documentation of recommended indicators and benchmarks, including how to implement/use indicators. This listing shall include parameters and/or reports from FOG databases and other sources that show the effectiveness of the program including, but not limited to, simple tabulated format, graphs, etc.
3. Staffing and equipment requirements for monitoring and automated reporting of performance indicators where data mining/querying is performed by an independent group.
4. Indicators to be considered shall include, but not be limited to, amount of FOG transported and diverted (e.g., biofuel), number of facilities reporting automatically/electronically, number of enforcements cases open/closed, inspections per permitted facility, and grease-related overflows and blockages, and public knowledge of the FOG program.

L. Consent Decree Paragraph 19(a)(xv) - FOG Program Annual Review, Evaluation, and Revision

1. Develop a process for reviewing, evaluating and revising the FOG Program annually. This shall include, but not limited to, composition of a review group and an annual guideline review containing forms, statement of objectives, and deliverables to be used for evaluating the Program.
2. A list of verifiable benchmarks and minimum requirements shall be created. The review shall include determining if any changes to the County Code are required to improve FOG control in the County. If necessary, recommended changes shall be provided. The review shall be required to evaluate possible uses for recovered FOG, to determine when these uses may provide a revenue source to offset the costs of recovery and treatment, and what changes in the program might enhance these revenues.

2.3.3 Project Deliverables

The FOG Program deliverables shall be formatted as a report including photos, figures, tables, graphs, GIS layers (color coordinated), etc. to better illustrate findings, analysis, recommendations, etc. The report shall be prepared with the general format outlined below:

- i. Cover Page
- ii. Signature Page (to be provided by DERM)
- iii. Executive Summary
- iv. Table of Contents

Section 1 Introduction

Section 2 Existing FOG Program (content to be provided by DERM/Consultant for Project 1)

Section 3 FOG Characterization Study (content to be provided by DERM/Consultant for Project 1)

Section 4 Legal authority and Proposed Ordinances

Section 5 FOG Control Devices (content to be provided by DERM/Consultant for Project 1)

Section 6 FOG Manifest System

Section 7 Outreach and Education

Section 8 Inspections, Compliance and Enforcement

Section 9 Staffing and Equipment Requirements

Section 10 Performance Indicators

Section 11 Program Annual Review, Evaluation and Revision

Definitions & Acronyms

Figures & Graphs

Photos

Appendices

Attachments

Electronic Copy

The final Report format/layout may change at the discretion of the County Project Manager.

All revisions required by the EPA shall be made by the Contractor at the Contractor's cost and submitted to DERM no less than two (2) weeks prior to the date the submittal is due to EPA.

2.3.4 **Project Timelines**

The final report, including the FOG Ordinance(s), shall be submitted by the County (D ERM) to EPA on, or before, eighteen (18) months after the lodging of the Consent Decree. This date is currently understood to be June 6, 2015. All Project 2 deliverables shall be provided to DERM no later than March 6, 2015 by the awarded Proposer. Progress submittals shall be provided to DERM as required to meet the final deadline, considering a minimum of 2 week reviews by DERM for each submittal. The preferred Substantial Completion Dates (SCDs) are listed below. However, it shall be the awarded Proposer's responsibility to provide DERM a complete submittal no later than March 6, 2015.

SCD	Task
November 3, 2014	<ul style="list-style-type: none"> • Consent Decree Paragraph 19(a)(vi) - Construction Inspection Protocols • Consent Decree Paragraph 19(a)(ix) - Enforcement Program. • Consent Decree Paragraph 19(a)(xiii) – List of Current Commercial Establishment FOG Generators
December 1, 2014	<ul style="list-style-type: none"> • Consent Decree Paragraph 19(a)(x) - Compliance Assistance Program • Consent Decree Paragraph 19(a)(vii) - Compliance Inspection Protocols • Consent Decree Paragraph 19(a)(xi) - Public Education Program • Consent Decree Paragraph 19(a)(xiv) – Performance Indicators
February 9, 2015	<ul style="list-style-type: none"> • Consent Decree Paragraph 19(a)(viii) - FOG Disposal Manifest System • Consent Decree Paragraph 19(a)(ii) - Legal Authority for FOG Program • Consent Decree Paragraph 19(a)(ix) – FOG Program Annual Review, Evaluation and Revision. • Consent Decree Paragraph 19(a)(xiii) – Staffing and Equipment Requirements

All re-submittals to EPA shall be completed by the awarded Proposer and submitted to DERM no less than two (2) weeks prior to the date the submittal is due to EPA.

2.4 **Payment Schedule**

Monthly payments shall be made to the Contractor for services rendered on a percent complete basis, as approved by the County's Project Manager, utilizing the final negotiated Pricing Form. Payment of up to eighty-five percent (85%) will be made in accordance with final negotiated Pricing Form and Article 9 of the Contract, Method and Times of Payment. The remaining balance, fifteen percent (15%) of the contract amount, for services rendered will be paid upon completion, defined as the completion of all assigned tasks and the acceptance of the Final Report by EPA.

3.0 RESPONSE REQUIREMENTS

3.1 **Submittal Requirements**

In response to this Solicitation, Proposer should **complete and return the entire Proposal Submission Package**. Proposers should carefully follow the format and instructions outlined therein. All documents and information must be fully completed and signed as required and submitted in the manner described.

The proposal shall be written in sufficient detail to permit the County to conduct a meaningful evaluation of the proposed services. However, overly elaborate responses are not requested or desired.

4.0 EVALUATION PROCESS

4.1 **Review of Proposals for Responsiveness**

Each proposal will be reviewed to determine if the proposal is responsive to the submission requirements outlined in this Solicitation. A responsive proposal is one which follows the requirements of this Solicitation, includes all documentation, is submitted in the format outlined in this Solicitation, is of timely submission, and has the appropriate signatures as required on each document. Failure to comply with these requirements may result in the proposal being deemed non-responsive.

4.2 Evaluation Criteria

Proposals will be evaluated by a Review Team which will evaluate and rank proposals on criteria listed below. The Review Team will be comprised of appropriate County personnel and members of the community, as deemed necessary, with the appropriate experience and/or knowledge, striving to ensure that the Review Team is balanced with regard to both ethnicity and gender. The criteria are itemized with their respective weights for a maximum total of one hundred (100) points per Review Team member.

<u>Technical Criteria</u>	<u>Points</u>
1. Proposer's relevant experience, qualifications, and past performance	25
2. Relevant experience and qualifications of key personnel, including key personnel of subcontractors, that will be assigned to this project, and experience and qualifications of subcontractors	35
3. Proposer's approach to providing the services requested in this Solicitation	20
<u>Price Criteria</u>	<u>Points</u>
4. Proposer's proposed price	20

4.3 Oral Presentations

Upon completion of the criteria evaluation indicated above, rating and ranking, the Review Team may choose to conduct an oral presentation with the Proposer(s) which the Review Team deems to warrant further consideration based on, among other considerations, scores in clusters and/or maintaining competition. (See Affidavit – "Lobbyist Registration for Oral Presentation" regarding registering speakers in the proposal for oral presentations.) Upon completion of the oral presentation(s), the Review Team will re-evaluate, re-rate and re-rank the proposals remaining in consideration based upon the written documents combined with the oral presentation.

4.4 Selection Factor

This Solicitation includes a selection factor for Miami-Dade County Certified Small Business Enterprises (SBE's) as follows. A SBE/Micro Business Enterprise is entitled to receive an additional ten percent (10%) of the total technical evaluation points on the technical portion of such Proposer's proposal. An SBE/Micro Business Enterprise must be certified by Small Business Development for the type of goods and/or services the Proposer provides in accordance with the applicable Commodity Code(s) for this Solicitation. For certification information contact Small Business Development at (305) 375-2378 or access <http://www.miamidade.gov/business/business-certification-programs-SBE.asp>. The SBE/Micro Business Enterprise must be certified by proposal submission deadline, at contract award, and for the duration of the contract to remain eligible for the preference. Firms that graduate from the SBE program during the contract may remain on the contract.

OR

A Selection Factor is not applicable to this Solicitation.

OR

(If no points are assigned to evaluation criteria, include the following in addition to above paragraph):

Whenever there are two best ranked proposals that are substantially equal and only one of the two so ranked proposals is submitted by a Proposer entitled to a selection factor, the selection factor shall be the deciding factor for award.

4.5 Local Certified Service-Disabled Veteran's Business Enterprise Preference

This Solicitation includes a preference for Miami-Dade County Local Certified Service-Disabled Veteran Business Enterprises in accordance with Section 2-8.5.1 of the Code of Miami-Dade County. A VBE is entitled to receive an additional five percent (5%) of the total technical evaluation points on the technical portion of such Proposer's proposal. If a Miami-Dade County Certified Small Business Enterprise (SBE) measure is being applied to this Solicitation, a VBE which also qualifies for the SBE measure shall not receive the veteran's preference provided in this section and shall be limited to the applicable SBE preference.

4.6 Price Evaluation

After the evaluation of the technical proposal, in light of the oral presentation(s) if necessary, the County will evaluate the price proposals of those Proposers remaining in consideration.

The price proposal will be evaluated subjectively in combination with the technical proposal, including an evaluation of how well it matches Proposer's understanding of the County's needs described in this Solicitation, the Proposer's assumptions, and the value of the proposed services. The pricing evaluation is used as part of the evaluation process to determine the highest ranked Proposer. The County reserves the right to negotiate the final terms, conditions and pricing of the contract as may be in the best interest of the County.

4.7 Local Preference

The evaluation of competitive solicitations is subject to Section 2-8.5 of the Miami-Dade County Code, which, except where contrary to federal or state law, or any other funding source requirements, provides that preference be given to local businesses. If, following the completion of final rankings by the Review Team a non-local Proposer is the highest ranked responsive and responsible Proposer, and the ranking of a responsive and responsible local Proposer is within 5% of the ranking obtained by said non-local Proposer, then the Review Team will recommend that a contract be negotiated with said local Proposer.

4.8 Negotiations

The County may award a contract on the basis of initial offers received, without discussions. Therefore, each initial offer should contain the Proposer's best terms from a monetary and technical standpoint.

The Review Team will evaluate, score and rank proposals, and submit the results of their evaluation to the County Mayor or designee with their recommendation. The County Mayor or designee will determine with which Proposer(s) the County shall negotiate, if any, taking into consideration the Local Preference Section above. The County Mayor or designee, at their sole discretion, may direct negotiations with the highest ranked Proposer, negotiations with multiple Proposers, and/or may request best and final offers. In any event the County engages in negotiations with a single or multiple Proposers and/or requests best and final offers, the discussions may include price and conditions attendant to price.

Notwithstanding the foregoing, if the County and said Proposer(s) cannot reach agreement on a contract, the County reserves the right to terminate negotiations and may, at the County Mayor's or designee's discretion, begin negotiations with the next highest ranked Proposer(s). This process may continue until a contract acceptable to the County has been executed or all proposals are rejected. No Proposer shall have any rights against the County arising from such negotiations or termination thereof.

Any Proposer recommended for negotiations shall complete a Collusion Affidavit, in accordance with Sections 2-8.1.1 of the Miami-Dade County Code. (If a Proposer fails to submit the required Collusion Affidavit, said Proposer shall be ineligible for award.)

Any Proposer recommended for negotiations may be required to provide to the County:

- a) Its most recent certified business financial statements as of a date not earlier than the end of the Proposer's preceding official tax accounting period, together with a statement in writing, signed by a duly authorized representative, stating that the present financial condition is materially the same as that shown on the balance sheet and income statement submitted, or with an explanation for a material change in the financial condition. A copy of the most recent business income tax return will be accepted if certified financial statements are unavailable.
- b) Information concerning any prior or pending litigation, either civil or criminal, involving a governmental agency or which may affect the performance of the services to be rendered herein, in which the Proposer, any of its employees or subcontractors is or has been involved within the last three years.

4.9 Contract Award

Any contract, resulting from this Solicitation, will be submitted to the County Mayor or designee for approval. All Proposers will be notified in writing when the County Mayor or designee makes an award recommendation. The Contract award, if any, shall be made to the Proposer whose proposal shall be deemed by the County to be in the best interest of the County. Notwithstanding the rights of protest listed below, the County's decision of whether to make the award and to which Proposer shall be final.

4.10 Rights of Protest

A recommendation for contract award or rejection of all proposals may be protested by a Proposer in accordance with the procedures contained in Sections 2-8.3 and 2-8.4 of the County Code, as amended, and as established in Implementing Order No. 3-21.

5.0 TERMS AND CONDITIONS

The anticipated form of agreement is attached. The terms and conditions summarized below are of special note and can be found in their entirety in the agreement:

a) Vendor Registration

Prior to being recommended for award, the Proposer shall complete a Miami-Dade County Vendor Registration Package. Effective June 1, 2008, the new Vendor Registration Package, including a Uniform Affidavit Packet (Affidavit form), must be completed. The Vendor Registration Package, including all affidavits can be obtained by downloading from the website at <http://www.miamidade.gov/procurement/vendor-registration.asp> or from the Vendor Assistance Unit at 111 N.W. 1st Street, 13th Floor, Miami, FL. The recommended Proposer shall affirm that all information submitted with its Vendor Registration Package is current, complete and accurate, at the time they submitted a response to the Solicitation, by completing an Affirmation of Vendor Affidavit form.

b) Insurance Requirements

The Contractor shall furnish to the County, Internal Services Department, Procurement Management Services Division, prior to the commencement of any work under any agreement, Certificates of Insurance which indicate insurance coverage has been obtained that meets the stated requirements.

c) Inspector General Reviews

According to Section 2-1076 of the Code of Miami-Dade County, as amended by Ordinance No. 99-63, Miami-Dade County has established the Office of the Inspector General which may, on a random basis, perform audits on all County contracts, throughout the duration of said contracts, except as otherwise indicated. The cost of the audit, if applicable, shall be one quarter (1/4) of one (1) percent of the total contract amount and the cost shall be included in any proposed price. The audit cost will be deducted by the County from progress payments to the Contractor, if applicable.

d) User Access Program

Pursuant to Section 2-8.10 of the Miami-Dade County Code, any agreement issued as a result of this Solicitation is subject to a user access fee under the County User Access Program (UAP) in the amount of two percent (2%). All sales resulting from this Solicitation and the utilization of the County contract price and the terms and conditions identified therein, are subject to the two percent (2%) UAP.

6.0 ATTACHMENTS

Attachment A: Consent Decree

Attachment B: Ordinance 94-132

Attachment C: DERM FOG Program Summary

Attachment D: Project 1 Scope of Work

Draft Form of Agreement

Proposal Submission Package