



COMMERCIAL WASTE ZONES LOCAL LAW INFORMATION SESSION

January 23, 2020



Today's Goals

- ✓ Provide an overview of Local Law 199 of 2019
- ✓ Define roles and responsibilities during and after the transition to Commercial Waste Zones
- ✓ Discuss the City's RFP process and highlight potential considerations for proposers
- ✓ Hear from NYC Department of Small Business Services' Procurement Technical Assistance Center

Ground Rules for Today

- ✓ Be respectful to all attendees
- ✓ One mic: please don't talk over others
- ✓ Hold questions until the end
- ✓ Focus discussion on next steps for CWZ
- ✓ Meeting is being recorded, video will be made available on our website
- ✓ Provide email address on sign-in sheet if you want these materials sent to you after the meeting

Agenda



Commercial Waste Zones Overview

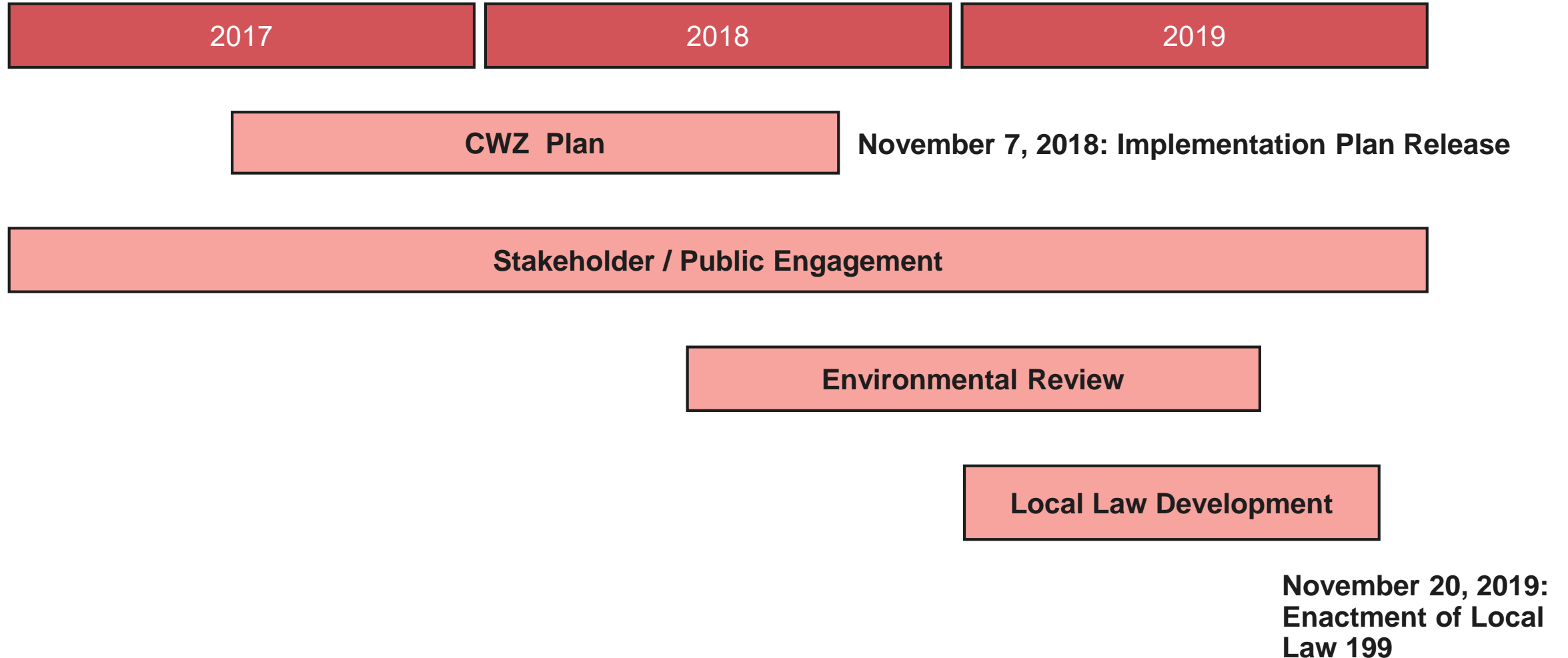


Carter Responsibilities Under CWZ



Understanding the RFP Process

How We Got Here: Designing CWZ



The Basics

- The City is developing a system of 20 geographic zones to contain carter collection operations
- Competitive procurement process will select up to three carters to service customers in each zone
- In addition to zones, there are up to five city-wide containerized waste awards

How CWZ Works

- The City enters into contract with each awardee
- Customers have choice of awardees in zone and enter into contracts with the one that they choose
- Maximum rates and minimum service requirements will be established in contracts between awardees and the City
- Specific terms of service and price negotiated between awardee and customer

The Basics

Covered by CWZ

- Putrescible waste
- Source separated recyclables
- Source separated organics

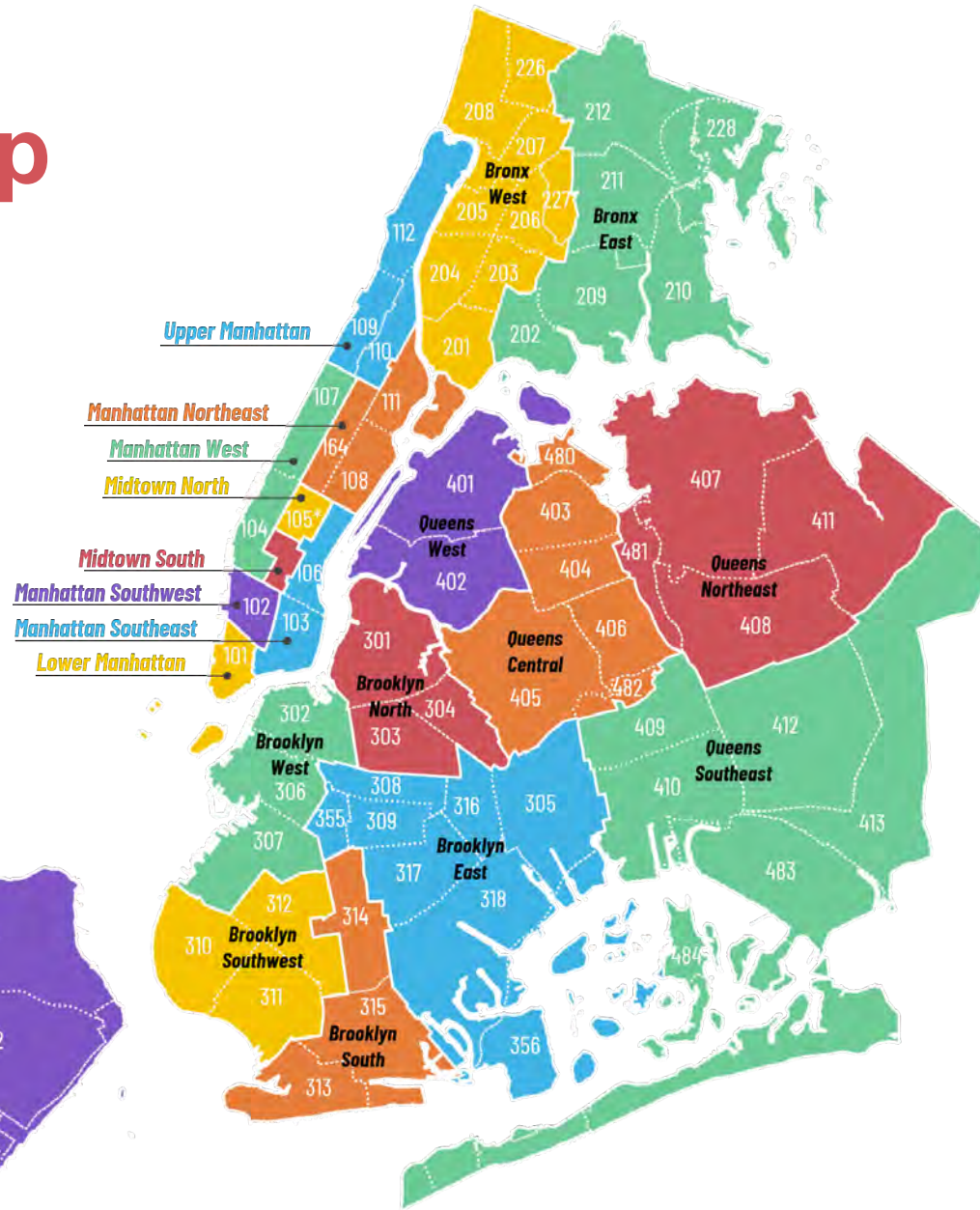
Not covered by CWZ

- Construction and demolition debris
- Fill material
- Medical waste
- Grease
- Paper collected for shredding or destruction
- Hazardous waste
- Electronic waste
- Textiles
- Yard waste collected by landscapers
- Waste collected by one-time, on-call bulk waste removal services
- Waste collected by a microhauler

Awards

- Two kinds of awards: Zone + Citywide Containerized Waste
- 65 awards available total
- Each award is for ten years of service with opportunity for two renewal periods of up to 5 years each in length
- No more than five citywide containerized waste awards
- Carters can win no more than 15 zone awards and one citywide containerized waste award

Zone Map



- These zone boundaries were described in a proposed rule
- Public hearing on the rule was held on January 13
- Comment period is now closed, but final rule has not yet been published

No more than 3 carters per zone

Awardee Eligibility

Proposer must have an active Trade Waste Removal License provided by BIC (or have applied for a License by the time they respond to the RFP) to be eligible for an award

Partnerships

Local Law 199 allows for subcontracting and joint venture arrangements among carters

Contract awardees may subcontract with no more than two designated carters in each zone

- Subcontractors must:
 - Be approved by the Department
 - Fully comply with all terms of the contract
 - Be licensed by BIC (or otherwise authorized in accordance with title 16-A)
- Microhaulers using bicycles or zero emission vehicles to collect organic waste will not count towards this limit
- Subcontractors for services other than waste hauling will not count towards the limit

Timeline

2019-2020: Rulemaking process (underway)

Early 2020: Info sessions

Late spring/early summer 2020: RFP expected to be released

Mid 2021-2022: Customer transition

Rulemaking

- Prior to RFP being issued, DSNY will be issuing rules
- These will set out many of the essential CWZ program requirements
- Prior to issuing final rules, DSNY will:
 - Ask for written comments on the proposed rules
 - Hold a public hearing at which members of the public can testify
- We welcome your suggestions on how to make these rules stronger
- Stay tuned for announcements on when the next draft rules will be published for public comment

Agenda



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Understanding the RFP Process

Local Law 199

The following is a discussion of what LL 199 requires, including the RFP and post-RFP requirements

Specific detail on the content of the RFP will not be given before the RFP is released

Customer Service

All carters must:

- Submit a customer service plan, including:
 - Customer service support tools
 - Systems to receive and address customer complaints
 - Performance metrics
 - Plans to communicate with customers in multiple languages, as necessary
- Enter into written service agreements with all customers
- Provide a consolidated monthly bill to all customers
- Zone awardees generally cannot refuse service to any customer in that zone

Zero Waste

- Zero Waste plans to be submitted stating proposers' plans to reduce waste sent to landfill and increase recycling and organics diversion
- Carters must provide recycling service to all customers and organics collection service to all businesses required to source separate organics
- Carters are also expected to provide organics collection to a broad range of establishments beyond those required to source separate
- Carters expected to demonstrate that they are complying with all laws regarding commingling and proper disposal of each waste stream

Pricing

Maximum pricing rates will be determined through the RFP process, replacing BIC rate cap

Carters are expected to:

- Provide lower rates for organics and recycling collection than for refuse
- Provide transparency around extra service fees or supplemental charges to clients
- Cover costs of third-party waste audits

Health & Safety

Worker safety training

- Carters must provide safety training to all employees within 180 days of signing agreement with the City, and then within 90 days of hiring new employees
- For drivers and helpers, training must be at least 40 hours; at least 8 hours for all other employees
- Annual re-training requirement
- Training must be at no cost to the worker
- Worker safety training cards to be issued upon completion of the safety program
- Training records for all employees must be maintained

Health and Safety Plans required in RFP

Additional health and safety requirements to be proposed in rules

Infrastructure / Fleet

Local Law 199 requires consideration of proposer's plans, if any, to reduce air pollution and greenhouse gas emissions:

- Through infrastructure investments, adoption of technologies or other sustainable solutions
 - Includes any plans to invest in sustainable facilities or infrastructure for organics and recycling processing
- From commercial waste vehicles
 - Includes any plans to utilize zero emissions vehicles for waste collection and disposal

Reporting and Recordkeeping

Records carters must maintain and make available upon request include, but are not limited to:

- Financial records (financial statements, ledgers, receipts, audits, bills)
- Customer complaint records
- Vehicle maintenance and inspection records
- Records related to health and safety planning
- Records related to VMT
- Dump tickets

Contingencies / Changes in Ownership

Any agreement between a carter and the City will include provisions addressing contingency plans that may apply:

- At the conclusion of the contract term between a carter and the City
- If a carter (or a subcontractor) is unable to provide the agreed upon services
- If a competing carter in the same zone or another zone is unable to provide the agreed upon services

Customer Outreach During Transition

DSNY

Establish an outreach program to:

- Educate commercial establishments on CWZ implementation
- Provide instructions for arranging for commercial waste collection

Carters

- Inform current customers about new requirements around CWZ
- Engage potential new customers in their respective zones

Agenda



Commercial Waste Zones Overview



Carter Responsibilities Under CWZ



Understanding the RFP Process

Key Terms

Request for Proposals (RFP) – A document issued by a NYC agency seeking the services of a vendor or service provider. This document typically outlines project goals, the scope of services desired, and directions for proposers to respond to the request.

Proposer - The primary entity (or entities) who draft and submit a Proposal

Proposal - All records and documents enclosed and submitted by a Proposer in response to a Request for Proposals

Awardee - An entity with whom the Department enters into an agreement

Pre-Proposal Conference – An in-person conference at which DSNY will discuss the RFP and interested parties can ask questions

RFP Process – Order of Events

1. RFP Release
2. Pre-Proposal Conference
3. Proposal Due
4. Selection and Award
5. Finalization of Contract Negotiations

RFP – Overview

Local Law 199 requires DSNY to consider:

- Proposed rates and associated fees, including lower rates for organics and recycling
- Compliance and operations history
- Financial statements and associated records
- Required plans (listed on next slide)

RFP – Required Plans from LL199



Transition Plan



Health and Safety Plan



Outreach Plan



Air Pollution and Greenhouse Gas Emissions Reduction Plan



Customer Service Plan



Capacity and Operations Plan



Zero Waste Plan



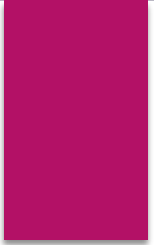
Subcontracting Plan



Waste Management Plan

Next Up

- 15 minutes Q&A
- Presentation from NYC Department of Small Business Services Procurement Technical Assistance Center (PTAC)
- Q&A on PTAC presentation
- Email for follow-up communication, questions: commercialprograms@dsny.nyc.gov include “CWZ” in subject line for quick communication



Responding to RFPs

PRESENTED BY: NYC DEPARTMENT OF
SMALL BUSINESS SERVICES

PROCUREMENT TECHNICAL
ASSISTANCE CENTER



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NYC SBS PTAC Overview



- Procurement Readiness Determination
- Vendor Registration
- Certification Eligibility
- Market Research
- Reviewing Solicitation Opportunities
- Reviewing Responses to Solicitations



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RFP - Overview

- ▶ RFP: Request for Proposal
- ▶ Goal: Agencies develop solicitations that detail the expertise, experience and programmatic approach desired to achieve goals and objectives outlined.



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Understanding the Opportunity

- ▶ Scope of Work
- ▶ General Requirements
- ▶ Compensation
- ▶ Subcontracting / Reporting / M/WBE
- ▶ General Conditions, Terms, Limitations, and Requirements



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Responding to RFPs Overview

- ▶ Identifying Key Dates, Timelines, and Procedures
- ▶ Meeting Requirements for Minimum Qualifications
- ▶ Understanding Proposal Evaluation Criteria
- ▶ Creating Proposal Content
- ▶ Required Forms and Attachments
- ▶ Submission Instructions



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Responding to RFPs

- ▶ Identifying Key Dates, Timelines, and Procedures
 - ▶ Proposal Due Date
 - ▶ Questions
 - ▶ Pre-Proposal Conference
 - ▶ Submission Instructions
 - ▶ Anticipated Start Date
 - ▶ Contract Term
 - ▶ Funding and Payment Structure



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Responding to RFPs

- ▶ Meeting Requirements for Minimum Qualifications
 - ▶ Years in Business
 - ▶ Experience of Company/Key Staff
 - ▶ Experience in Developing Specific Products/Services
 - ▶ Experience Working with Other Similar Agencies/Organizations
 - ▶ Attendance at Mandatory Pre-bid Conference (If Applicable)



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Responding to RFPs

- ▶ Understanding Proposal Evaluation Criteria
 - ▶ Proposed Approach
 - ▶ Organizational Capacity
 - ▶ Past Experience



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Responding to RFPs

- ▶ Identifying Key Dates, Timelines, and Procedures
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- ▶ Submission Instructions



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Responding to RFPs

- ▶ Creating Proposal Content
 - ▶ Reviewing Section for Format and Content of the Proposal

- ▶ Proposal Format
 - ▶ Proposal Cover Letter
 - ▶ Proposal Narrative
 - ▶ Price Proposal
 - ▶ Acknowledgement of Addenda
 - ▶ Additional Documents



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Responding to RFPs

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Responding to RFPs

- ▶ Required Forms and Attachments
 - ▶ Review proposal submission requirements and identify mandatory documents.
 - ▶ Download forms and prepare them in advance.
 - ▶ Place mandatory forms in separate envelopes and label them appropriately.
 - ▶ Signatures and notarize.



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Responding to RFPs

- ▶ Identifying Key Dates, Timelines, and Procedures
- ▶ Meeting Requirements for Minimum Qualifications
- ▶ Understanding Proposal Evaluation Criteria
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- ▶ Submission Instructions



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Responding to RFPs

- ▶ Submission Instructions
 - ▶ Hard Copy
 - ▶ USB
 - ▶ Format
 - ▶ Signature Pages (notarized where applicable)
 - ▶ Attachments
 - ▶ Addendums
 - ▶ Envelopes and Labels
 - ▶ Number of Copies



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Contact Us

Counseling available to help your business increase its chances of winning government contracts.

NYC SBS PTAC

Phone: 212-513-6444

Email: ptac@sbs.nyc.gov or
techassist@sbs.nyc.gov



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