



BAY AREA  
 AIR QUALITY  
 MANAGEMENT  
 DISTRICT

May 14, 2020

Request for Proposals# 2020-007

**Agricultural Waste and Wildfire Prevention  
 Chipping Services**

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**SECTION I – SUMMARY**

The Bay Area Air Quality Management District (Air District) seeks proposals from tree service providers, vineyard management service providers or other companies to provide chipping services for the Air District’s Agricultural Waste Chipping Program (Agricultural Waste Program) and new Wildfire Prevention Chipping Pilot Program (Wildfire Prevention Program). The Agricultural Waste Program and Wildfire Prevention Program (collectively referred to as “Programs”) provide private property owners with chipping services to dispose of material in lieu of open burning to reduce particulate matter emissions, reduce fuel loads and lower the risk of wildfires. The Air District intends to allocate \$300,000 in funds to provide free chipping services under the Programs.

Interested companies may provide chipping services for one or both Programs. To bid for both Programs, an interested bidder must submit two separate proposals. Proposals for each program will be evaluated independently. The Air District may select multiple contractors to ensure the Programs provide essential services, such as sufficient geographical coverage.

The Air District anticipates the contract(s) to begin August 1, 2020 and continue for a period of one year. The Air District, at its sole discretion, may extend the contract(s) for up to three (3) additional one-year terms based on the availability of funds and contractor’s performance.

To respond to this Request for Proposals (RFP), an interested company should submit one (1) electronic copy (in Adobe Acrobat PDF file format) of its proposal(s) to the Air District's Procurement Portal (Portal):

Cynthia Zhang, Staff Specialist  
Bay Area Air Quality Management District  
375 Beale Street, Suite 600; San Francisco, CA 94105  
Portal link: <https://baaqmd.bonfirehub.com>

**Proposals must be submitted and received by 4:00 p.m. on  
Tuesday, June 30, 2020.  
Late proposals will not be considered.**

Proposals must address all information requested in this RFP. A proposal may add information not requested in this RFP, but the information should be in addition to, not instead of, the requested information and format. Minority business enterprises, women's business enterprises, veteran's business enterprises, and Certified Green Businesses are encouraged to submit proposals. **Any questions regarding this RFP should be submitted through the Portal.**

## **SECTION II – BACKGROUND**

### **A. Air District Overview**

The Air District was created by the California Legislature in 1955 as the first regional agency to address air pollution in California. The Air District jurisdiction includes Alameda, Contra Costa, Marin, Napa, Santa Clara, San Francisco, San Mateo, southwestern Solano, and southern Sonoma counties.

The State Legislature originally gave the Air District the authority to regulate stationary sources of air pollution, such as factories, oil refineries, chemical plants, gasoline stations, and agricultural burning. With more recent legislation, the Air District was granted authority to enact certain measures related to transportation and mobile source measures.

The Air District is governed by a twenty-four-member Board of Directors, consisting of elected officials, including county supervisors, mayors, and city council members. The Executive Officer / Air Pollution Control Officer (APCO) for the Air District is Jack P. Broadbent.

### **B. Agricultural Waste Program**

The intent of the Agricultural Waste Program is to assist property owners in disposing of agricultural waste materials from certain qualifying agricultural operations by providing free chipping services in lieu of open burning the material. As a non-burning disposal method, chipping the material is expected to reduce particulate matter (PM) emissions compared to burning. To qualify, the material to be chipped must otherwise be allowed to be burned as either an Orchard Pruning and Attrition fire, Crop Replacement fire or Range Management fire in accordance with the agricultural fire requirements in Air District Regulation 5: Open Burning. The material must be generated from an agricultural or animal grazing operation that is being pursued as a gainful occupation. The burden of

proof of a “gainful occupation” will be on property owners who must demonstrate gross profit or loss from the operation (as evidenced by tax receipts, sales slips, property lease agreements or other such documentation) to the satisfaction of the Air District. In addition, materials to be chipped are limited to periodic prunings and attrition losses from fruit trees, nut trees, grape vineyards and cane fruits (boysenberry, raspberry, blackberry, etc.), crop replacement material cleared for the purpose of establishing an agricultural crop in a location that previously contained another type of crop or natural growth, or material generated from an operation where animals such as horses, cattle, and sheep are allowed to graze or roam freely and feed. Attrition losses refer to the removal of dying crops approaching, or dead crops that have reached the end of their plant life cycle.

Materials to be chipped must also be prepared by individual owners on their properties and stacked according to Air District Chipper Pile Guidelines requirements. Poison Oak, weeds, wild berries, stumps, roots, dirt, rocks, mud, leaves, needles, residential yard clippings, construction type-wood, plastics, and any metals are not to be in piles and will not be chipped.

### **C. Wildfire Prevention Program**

The intent of the Wildfire Prevention Program is to assist property owners, engaged in lowering wildfire risk through fuel load reduction, by providing free chipping services for materials removed that are not currently covered by the Agricultural Waste Program. To qualify, the material to be chipped must otherwise be allowed to be burned as either a Hazardous Material, Forest Management, or Wildland Vegetation Management fire in accordance with the fire requirements in Air District Regulation 5: Open Burning.

Materials to be chipped must be prepared by individual owners on their properties and stacked according to Air District Chipper Pile Guidelines requirements. Weeds, wild berries, poison oak, stumps, roots, dirt, rocks, mud, leaves, needles, residential yard clippings, construction type-wood, plastics, and any metals are not to be in piles and will not be chipped.

## **SECTION III – SCOPE OF WORK**

### **A. Description of Work**

The selected contractor(s) will provide chipping services on individual properties throughout the nine Bay Area counties within the jurisdictional boundary of the Air District (see <http://www.baaqmd.gov/The-Air-District/Jurisdiction.aspx>).

Potential participants of the Programs will contact the Air District by phone or through email. The Air District will review applications for eligibility and will send by email each approved Request for Services to a contractor. The Air District will assign chipping projects to the contractor that is located geographically closest to the property owner.

Upon receipt of the Air District's Request for Services, the contractor will, within one (1) week, contact the requesting property owner via email or phone to schedule and coordinate chipping services based on the property owner's scheduling preference and the need for the contractor to coordinate the work with other jobs, and, when necessary, to schedule and carry out pre-assessments of projects. The Air District will forward all

questions from property owners regarding scheduling to the contractor. Any constraints or limitations that would prevent the contractor from completing any services as originally scheduled will be communicated to the Air District by email message to: [chipping@baaqmd.gov](mailto:chipping@baaqmd.gov) (Subject: Chipping Cancellation) within 24 hours of discovery. The contractor will include in this email the date on which the rescheduled chipping services will be conducted.

The contractor will carry out chipping services in the most efficient manner possible and group services by geographic location to minimize unnecessary travel between jobs. The Air District reserves the right to request to view the contractor's upcoming chipping schedule at any time, and the contractor will provide an electronic copy via email to the Air District within 24 hours of receiving such request.

The contractor will ensure the property owner's prepared piles are stacked according to Air District requirements as specified in Attachment A - Chipper Pile Guidelines.

If the contractor determines a property owner has failed to comply with the Chipper Pile Guidelines, the contractor may leave the property and invoice the Air District accordingly (only for travel time costs, or a portion of travel time costs if the travel time for that outing is shared among multiple jobs). The contractor shall notify Air District of the noncompliance within 24 hours of discovery, and the Air District will notify the contractor to reschedule the visit once the property owner is in compliance with the requirements.

The contractor will leave chipped material on the owner's property and off roadways and driveways; unless an alternative (such as off-hauling by the contractor for the contractor's use) is agreed to between the property owner and the contractor at no additional cost to the Air District. The Air District will not pay for movement of chipped material around the owner's property.

The contractor may utilize auxiliary equipment, such as grapple trucks, for projects determined to be infeasible for chipping services by the Air District but determined to be accessible by the contractor. Haul projects shall utilize additional haul truck(s) as necessary to minimize equipment and labor charges. The contractor may also utilize tub grinding services for projects, which by doing so will cost less overall versus either chipping or grappling and hauling. The contractor will bring these projects to the Air District's attention for prior approval. The contractor will include a bid that lists the total number of hours estimated for each level of professional and administrative staff to be used to perform the tasks required to complete the project, and an estimate of the total amount of material to be processed in cubic yards (yd<sup>3</sup>). The contractor will leave tub grinded material on the owner's property.

The contractor will report to the Air District regarding chipping projects completed on a monthly basis. The contractor will provide the following information about each job: address of property, approximate dimensions of chipper piles, amount of time spent in travelling to address, amount of time spent chipping the material, time spent traveling to next address or back to point of origin, and digital "before and after" photos of chipped piles. The Air District will provide contractor with a report template to provide this information. The contractor will need to have computer skills, equipment and software adequate for email communications with Air District and property owners, and for filling out reports in Microsoft Excel.

**B. Contractor(s) Responsibilities:**

Selected contractors will be responsible for:

- Maintaining accurate records of the quantities of materials chipped, by type, and cooperating with the Air District in any audit or investigations of such quantities;
- Communicating to the Air District within 24 hours of discovery of any constraints or limitations that will prevent contractor from completing one or more projects;
- Bringing tub grinding and grapple truck projects to the Air District's attention to receive approval of total bid price prior to commencing with the project;
- Providing all tools, equipment, supplies, transportation, labor, and supervision necessary to perform the chipping services required to complete each project;
- Performing all work in a thorough, safe and professional manner so that the Programs' participants are provided reliable, courteous and high-quality chipping services at all times;
- Prohibiting contractor and its employees from soliciting or accepting any additional compensation or gratuity for services provided under the contract;
- Using best efforts to ensure that all employees conduct themselves in a courteous manner and addressing any complaints of discourteous conduct;
- Designating contacts to be available by email or phone during the contractor's hours of operation to handle calls from the Air District for questions, complaints and problems or to inspect contractor's operations;
- Taking appropriate action to remedy any complaint from a property owner or any violation of the contract within twenty-four (24) hours after notification by the Air District; and
- Accepting and agreeing that there are no promises, expectations, or guarantees regarding the amount of work or services to be ordered by the Air District under the contract.

**SECTION IV – INSTRUCTIONS TO BIDDERS**

**A. General**

1. Interested firms must create an account through the Portal described on p. 2 of this RFP to view RFP documents and addenda, and to submit questions and bid documents.
2. All proposals must be made in accordance with the conditions of this RFP. Failure to address any of the requirements is grounds for rejection of this proposal.

3. All information should be complete, specific, and as concise as possible.
4. Proposals should include any additional information that the respondent deems pertinent to the understanding and evaluation of the bid.
5. The Air District may modify the RFP or issue supplementary information or guidelines during the proposal preparation period prior to the due date. Please check our [Portal](#) for updates prior to the due date.
6. Proposals shall constitute firm offers. Once submitted, proposals may be withdrawn, modified and resubmitted through the Portal up until the June 30, 2020, due date.
7. The Air District reserves the right to reject any and all proposals.
8. The total costs for these programs shall not exceed \$300,000 across all selected contractors.
9. All questions must be in written form and submitted through the Portal no later than 4:00 p.m. on **Monday, June 15, 2020**. Firms will not be able to submit questions after this time. All questions will be answered in writing and posted on the [Portal](#) by 6:00 p.m. on **Tuesday, June 23, 2020**.
10. The cost for developing the proposals is the responsibility of the bidder and shall not be chargeable to the Air District.

## **B. Submittal of Proposals**

All proposals must be submitted according to the specifications set forth in Section V (A) – Contents of Proposal, and this section. Failure to adhere to these specifications may be cause for the rejection of the proposal.

1. Due Date – All proposals are due no later than 4:00 p.m., June 30, 2020, and should be submitted via the Portal to:

Cynthia Zhang, Staff Specialist  
Bay Area Air Quality Management District  
375 Beale Street, Suite 600; San Francisco, CA 94105  
Portal link: <https://baaqmd.bonfirehub.com>

2. Uploading large documents may take significant time, depending on the size of the file(s) and internet connection speed. Bidders should plan sufficient time before the due date to finalize their submissions and to complete the uploading process. Bidders will not be able to submit documents after the due date. Proposals received after the date and time previously specified will not be considered.
3. Signature – All proposals should be signed by an authorized representative of the bidder.

4. Submittal – Submit one (1) electronic copy (in Adobe Acrobat PDF file format) of your proposal for each program. In total, two (2) separate proposals must be submitted to provide chipping services for both Programs. Electronic submissions submitted via the Portal will be acknowledged with a confirmation email receipt. Late proposals will not be accepted. Any correction or re-submission of proposals will not extend the submittal due date.
5. Grounds for Rejection – A proposal may be rejected at any time if it arrives after the deadline, is not in the prescribed format, or is not signed by an individual authorized to represent the firm.
6. Disposition of the Proposals – All responses to this RFP become property of the Air District and will be kept confidential until a recommendation for award of a contract has been announced. Thereafter, submittals are subject to public inspection and disclosure under the California Public Records Act. If a respondent believes that any portion of its submittal is exempt from public disclosure, it may mark that portion “confidential.” The Air District will use reasonable means to ensure that such confidential information is safeguarded but will not be held liable for inadvertent disclosure of the information. Proposals marked “confidential” in their entirety will not be honored, and the Air District will not deny public disclosure of any portion of submittals so marked.

By submitting a proposal with portions marked “confidential,” a respondent represents it has a good faith belief that such portions are exempt from disclosure under the California Public Records Act and agrees to reimburse the Air District for, and to indemnify, defend, and hold harmless the Air District, its officers, employees, and agents, from and against any and all claims, damages, losses, liabilities, suits, judgments, fines, penalties, costs, and expenses, including without limitation, attorneys’ fees, expenses, and court costs of any nature whatsoever, arising from or relating to the Air District’s non-disclosure of any such designated portions of a proposal.
7. Modification – Once submitted, proposals, including the composition of the contracting team, may be altered up until the due date. Proposals may not be modified after the due date. All proposals shall constitute firm offers valid for ninety (90) days from June 30, 2020, the due date.

**C. Interviews**

1. The Air District, at its option, may interview bidders. The interviews will be for the purpose of clarifying the proposals.
2. Submittal of new proposal material at an interview will not be permitted.
3. Interviews may involve a presentation and/or a question-and-answer session.

**SECTION V – PROPOSAL FORMAT, CONTENT, AND SUBMITTAL**

**A. Contents of Proposal**

Submitted proposals must follow the format outlined below and include all requested information. Failure to submit proposals in the required format can result in the proposal being eliminated from evaluation and consideration.

1. Technical Proposal

- a. Cover Letter (Section I) – Must include the name, address, and telephone number of the company, and must be signed by the person(s) authorized to represent the firm.
- b. Firm Contact Information – Provide the following information about the firm:
  - Address and telephone number of the office nearest to San Francisco, California and the address and phone number of the office that each of the proposed staff members are based out of (if different);
  - Name of firm’s representative designated as the contact and email address; and
  - Name of project manager, if different from the individual designated as the contact.
- c. Table of Contents – Clearly identify material contained in the proposal by section.
- d. Summary (Section II) – State overall approach to the Agricultural Waste **and/or** Wildfire Prevention Chipping Services, including the objectives and scope of work, including the following information.
  - Indicate where your company is located, including the addresses of the office nearest to San Francisco, California and equipment yards in the Bay Area (if multiple locations).
  - Indicate the geographic area your company covers for chipping services.

<b>Hourly Rate Table</b>	
Travel	
Chipping Crew	
Grapple Crew	
Tub Grinding Crew	

- e. Firm Organization (Section III) – Provide a statement of your firm’s background and related experience in providing similar services to governmental organizations, if any. Describe the technical capabilities of the firm and, in particular, the firm’s experience with working with environmental regulations, if any. Provide references of other, similar

projects including contact name, title, and telephone number for all references listed.

- f. Project Organization (Section IV) – Describe the proposed management structure, program monitoring procedures, and organization of the chipping team. Provide a statement detailing your approach to the project, specifically address the firm’s ability and willingness to commit and maintain staffing to successfully perform the services outlined in this RFP.
- g. Assigned Personnel (Section V) – Provide the following information about the staff to be assigned to the project:
  - List all key personnel assigned to the project by level and name. Provide a description of their background, along with a summary of their experience in providing similar services for governmental agencies, and any specialized expertise they may have. Background descriptions can be a resume, CV, or summary sheet. Substitution of project manager or staff will not be permitted without prior written approval of the Air District’s assigned program manager;
  - Provide a statement of the availability of staff in any local office with requisite qualifications and experience to conduct the requested project; and
  - Provide a statement of education and training programs provided to, or required of, the staff identified for participation in the project. Make particular mention of, with reference to, experience dealing with governmental agencies, procedures, and environmental regulations.
- h. Retention of Working Papers (Section VI) – All working papers are the property of the Air District. Include a statement acknowledging that if your firm is awarded the contract, you will retain project-related papers and related reports for a minimum of five (5) years.
- i. Subcontractors (Section VII) – List any subcontractors that will be used, the work to be performed by them, and the total number of hours or percentage of time they will spend on the contract.
- j. Conflict of Interest (Section VIII) – Address possible conflicts of interest with other clients affected by Contractor(s)’ actions performed by the firm on behalf of the Air District. The Air District recognizes that prospective bidders may have contracts to perform similar services for other clients. Include a complete list of such clients for the past three (3) years with the type of work performed and the total number of years performing such tasks for each client. The Air District reserves the right to consider the nature and extent of such work in evaluating the proposal.
- k. Additional Data (Section IX) – Provide other essential data that may assist in the evaluation of the proposal (e.g. Green Business certification, etc.).

## SECTION VI – PROPOSAL EVALUATION

A panel of Air District staff will evaluate all proposals. The panel will recommend the selection of the contractor(s) to the APCO, who will, in turn, make a recommendation to the Air District Board of Directors. The Air District Board of Directors must approve the contracts to carry out the work described in this RFP. A link to a typical contract for professional services used by the Air District is included in Section VII.

Proposals will be evaluated on the following criteria:

Criteria	Description	Weight
Expertise	Technical expertise, size and structure* of the firm and personnel assigned to RFP tasks; firm's ability to perform and complete the work in a professional and timely manner.	20%
Cost	Cost or cost effectiveness and resource allocation strategy.	20%
Approach	Responsiveness of the proposal based upon a clear understanding of the work to be performed.	20%
Skill	Past experience of the firm and, in particular, experience of the team working on projects of similar scope for other governmental agencies.	20%
References	References of the firm.	10%
Firm's Specialty Focus Area	Local business/Green Business.**	5%
Available Resources	Speed and thoroughness of responding to inquiries, requests and number of days.	5%
	<b>Total</b>	<b>100%</b>

\* "Size and structure of firm" refers to the ability of a firm's size to meet the needs of the Air District. It does not give absolute preference to larger or smaller firms.

\*\* The Air District gives preferences to local business and those that are certified as green businesses by a government agency or independent private rating organization. "Local business" means a firm's headquarters is located within the nine counties of the Air District's jurisdiction.

The Air District may enter into contracts with multiple contractors to ensure the Programs provide essential services, such as sufficient geographical coverage.

## **SECTION VII – SAMPLE CONTRACT**

A sample contract to carry out the work described in this RFP is available on the Air District's website at <http://www.baaqmd.gov/about-the-air-district/request-for-proposals-rfp-rfq/samples-previous>. (Click the + to the left of Sample Contracts, and then click on the Professional Services Contract link)

## **SECTION VIII – ATTACHMENTS**

- Attachment A – Chipper Pile Guidelines