



ALAMEDA COUNTY SOURCE REDUCTION
AND RECYCLING BOARD

**MEASURE D FIVE-YEAR FINANCIAL
& PROGRAMMATIC COMPLIANCE AUDIT**

Request for Proposals

RELEASED: NOVEMBER 18, 2024

RESPONSES DUE: DECEMBER 19, 2024

ALAMEDA COUNTY SOURCE REDUCTION & RECYCLING BOARD

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REQUEST FOR PROPOSAL

About the Agency

StopWaste (The Agency) is a public agency governed by the Alameda County Waste Management Authority (WMA), the Alameda County Source Reduction and Recycling Board (RB), and the Energy Council (EC). Since 1976, we've been helping residents, businesses, schools, and local governments become better stewards of the environment by preventing waste, saving energy, conserving resources, and taking action to increase community resilience to climate change. StopWaste works on behalf of 17 member agencies (city and county governments and 2 sanitary districts) in Alameda County, serving 1.7 million residents as well as local businesses.

For more information regarding our organization and programs, visit our website:

<http://www.StopWaste.org>.

Project Background & Overview

This Request for Proposals is issued by the Alameda County Source Reduction and Recycling Board (Recycling Board, or "Board," also known as StopWaste) to identify qualified proposals and consultants to perform a comprehensive financial review of funds raised and spent in fiscal years 2021-2022 through 2025-2026 as well as a programmatic review of recycling programs in the County as mandated by Alameda County Waste Reduction and Recycling Initiative Charter Amendment, referred to as "Measure D", and to monitor and report on compliance by the appropriate various agencies. The financial portion of the review will be performed in two phases: Phase I is to be performed in 2025 covering FY 2021-2022 through FY 2023-2024 (3 years); and Phase II is to be performed in 2027 covering FY 2024-2025 and FY 2025-2026 (2 years). The Phase II audit will include the programmatic audit for the five years FY 2021-2022 through FY 2025-2026. A final report will be compiled for all five years and will include financial and programmatic audit reviews and recommendations. The Agency's fiscal year runs from July 1 – June 30.

Source Reduction & Recycling Initiative Charter Amendment (Measure D)

The Alameda County Source Reduction and Recycling Initiative Charter Amendment (Measure D) was adopted by the voters in November 1990. [Measure D](#) sets forth countywide goals for the reduction and diversion of non-hazardous solid wastes from landfill, creates a framework for comprehensive source reduction and recycling programs, establishes a [Source Reduction and Recycling Board](#) to oversee the distribution of funds and the conduct of countywide programs and currently imposes a \$8.23 per ton surcharge on wastes landfilled in the unincorporated county to fund these programs.

The eleven-member Recycling Board is made up of five elected public officials from the Alameda County Waste Management Authority, and six professional experts in specified areas of waste reduction, appointed by the Alameda County Board of Supervisors and administered by StopWaste. Funding for the Recycling Board is derived from the \$8.23 per ton disposal fee surcharge at the Altamont and Vasco Road landfills. Fifty percent (50%) of the surcharge revenues are distributed to participating municipalities for the maintenance and expansion of municipal recycling programs, five percent (5%) are earmarked for the County of Alameda to implement specified Recycled Product Procurement programs and forty-five percent (45%) are budgeted and spent by the Board in the prescribed areas of grants to non-profits, source reduction, market development, recycled product procurement and administration.

Pursuant to the Measure D Initiative, the Recycling Board is mandated to establish recycling programs necessary to meet the recycling policy goals set forth in the Initiative which parallel and then exceed those mandated by state law. In addition, the initiative requires that audits be conducted to determine compliance and degree of progress with the recycling policy goals. Audits have been completed every five years since the initial audit was completed in 1997. This [website](#) has links to all previous audits completed under Measure D, containing financial and programmatic components.

This RFP will cover both phases of the Measure D Financial Audit and Programmatic Audit – one that is a three-year Financial Audit and a second that is a combined two-year Financial Audit and five-year Programmatic Audit. Our preference is that one firm will conduct both audits in both phases.

Measure D Language

Measure D requires a comprehensive financial, statistical and programmatic audit and analysis to be performed within four years of the effective date of the Act and every five years thereafter.

Following is the text from Measure D relating to the comprehensive audit:

SUBSECTION 64.040: RECYCLING POLICY GOALS AND RECYCLING PLAN

C. The Recycling Board shall contract, not more than four (4) years after the effective date of this Act, and then every five (5) years thereafter, for an audit to determine compliance with the Recycling Plan and the degree of progress toward the recycling policy goal then in effect. Said audits shall be conducted by an independent auditor (or auditors) with experience in source reduction and recycling. The reports of said audits shall be completed within one (1) year and issued to each municipality, the Board of Supervisors and the Authority. Said reports shall include at least the following:

- 1. A narrative and analytical evaluation of all recycling programs within Alameda County, whether funded through this Act or not, both Alameda County-wide and within each municipality;*
- 2. A statistical measure of the progress toward the recycling policy goal then in effect;*
- 3. An evaluation of the Recycling Board's activities, including, but not limited to, an accounting of the monies spent by the Recycling Board; and*
- 4. Recommendations to the Recycling Board, the Board of Supervisors, the Authority and the municipal governing bodies for the maintenance and expansion of recycling programs, and any necessary resulting amendments to the Recycling Plan.*

* Note - "Municipalities" under Measure D refers to both incorporated cities and to sanitary districts that provide solid waste and recycling services. This financial audit for FY 2021-2022 through FY 2025-2026 will cover fourteen cities and two sanitary districts.

Description of Requested Services

The agency will engage a consultant to conduct an audit that will:

1. Confirm the statutory requirements of Measure D have been met.
2. Assess compliance of all recipients of Recycling Fund monies with the requirements and restrictions of the Initiative.

The Scope of Services for the overall Five-Year Audit has been divided into two primary elements:

1. Financial and statistical review, and monitor for statutory compliance; and
2. Programmatic evaluation.

The Five-Year audit will be comprised of the following elements:

- Phase I – Financial Audit for Fiscal Years 2021-2022, 2022-2023, and 2023-2024. Phase I will be completed within one year of contract award, and ideally by October 1, 2025.
- Phase II – Financial Audit for Fiscal Years 2024-2025 and 2025-2026 as well as the Programmatic Audit for all five years. Phase II will be completed ideally by October 1, 2027.

The consultant selected to perform the Audit shall incorporate the following activities into the audit report:

- Review audited financial statements, recycling budgets and program descriptions of the 16 municipalities receiving Recycling Fund administrative disbursements to determine compliance with Measure D fiscal requirements. Member Agencies submit Measure D annual reports and supporting documentation electronically through a web-based interface hosted by StopWaste. This interface will allow the opportunity for auditors to evaluate and test Measure D transactions.
- Review audited financial statements for the County of Alameda General Services Agency for 5% Recycled Product Purchase Preference Program (RPPP) and of the Recycling Board to determine compliance with Measure D fiscal requirements.
- Review Recycling Board and Alameda County recycling program activities relating to source reduction programs, recycled product market development and analysis and review of waste characterization studies.
- Review Municipalities' recycling program activities.
- For all of the above, develop recommendations for improvements, if any, indicated in current policies, procedures and practices.
- During the contract term March 2025 through March 2030 the consultant should be available to answer technical questions about Measure D and the delivery of data or information related to Measure D expenses and audit from staff. This portion of the contract is outside of the deliverables of the audit itself and is not expected to exceed

40 hours total. Hourly rates for staff should be included for this “time and materials” portion of the contract.

- Additionally, the Board has compiled the following checklist of various mandates contained in Measure D that the selected consultant shall review for compliance by the appropriate agencies: the Board itself, the municipalities, and/or County of Alameda General Services Agency (GSA).

COMPLIANCE CHECKLIST OF MEASURE D MANDATES – FINANCIAL AUDIT

RECYCLING BOARD COMPLIANCE

Compliance with Fund allocations - amounts and uses	Subsection 64.060(B)
Waste Characterization Study funding compliance	Subsection 64.060(C)
Compliance with Source Reduction Program fund disbursement requirements	Subsection 64.080
Compliance with Recycled Product Market Development Program fund disbursement requirements	Subsection 64.110
Compliance with limits on Board member compensation	Subsection 64.130(M)

MUNICIPAL COMPLIANCE (16 Agencies include the cities of Alameda, Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Newark, Oakland, Piedmont, Pleasanton, San Leandro and Union City, and the Castro Valley and Oro Loma Sanitary Districts)

Requirement for local refuse hauler surcharge reimbursement	Subsection 64.070(A)
Residential Recycling Program requirements in place	Subsection 64.090
Commercial Recycling Program requirements in place	Subsection 64.100

AGENCY COMPLIANCE

Collection of Measure D per-ton surcharge	Subsection 64.050(A-C)
Recycled Product Purchase Preference Program Requirements and use of funds	Subsection 64.120

GENERAL COMPLIANCE - All Entities Receiving Fund Monies

Compliance with restriction against use of Fund monies for contracts longer than 5 years without competitive re-bidding (or 5-10 years, with specific Board allowance)	Subsection 64.060(D)
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Qualifications & Experience

Organizations submitting a proposal must be properly qualified to perform this audit and staff assigned to the project must have relevant experience. Qualified respondents shall demonstrate expertise and experience in the following areas:

- Deep familiarity and expertise with financial audits as well as programmatic audits.
- Experience and understanding of StopWaste programs and recycling.
- Demonstrated expertise working with public agencies in California.
- Clear and concise communication skills.
- Ability to provide project management and organization while working with StopWaste staff on this project.
- Capacity to recommend innovative solutions for improvements.

Timeline

Following is the proposed timeline for this project:

November 18, 2024	Release of RFP
December 19, 2024	Proposals Due – 5 p.m.
January 6-15, 2025	Staff Evaluation/Ranking
January 17, 2025	Notification of Short List; Scheduling of Interviews (if needed)
February 3, 2025	Notice of Intent to Award sent to all respondents
February 13, 2025	Recommendation on Contract Award to Recycling Board
By March 15, 2025	Contract Executed
By October 1, 2025	Phase I Final Report submitted for Financial element for Fiscal Years 2021-2022, 2022-2023, and 2023-2024
By October 1, 2027	Phase II Final Report submitted for Financial Fiscal Years 2024-2025 and 2025-2026 as well as the Programmatic Audit for all five years

Submittal Requirements

Responses to this RFP must consist of one electronic file. Proposals must provide the following:

1. A cover letter identifying the consultant team, with a summary of the organization, and identifying the primary contact and key personnel. The letter is to be signed by an officer of the contracting firm authorized to contract with the Board. Please note, the use of subcontractors is not recommended for this project. The Agency intends to award funding to one entity that has the capacity to conduct both the financial and programmatic elements of the audit.
2. A description of the abilities, qualifications, and experience of people who would be involved in providing the requested service, including resumes for key individuals.
3. A proposed schedule for the work. Per Measure D, Phase I of the project shall be completed within one year from the award of contract and ideally by October 1, 2025.
4. A list of other contracts completed by the proposer under which services similar to the required services were performed. Examples may include work previously performed for StopWaste. This list is to include the dates the services were provided, and the name and telephone number of a contact person with the client who would be most familiar with the services provided.
5. A list of three (3) references. For each reference, include the name, organization, email and/or phone number, and duration and type of services provided.
6. A description of the scope of services to be provided, including: the proposer's approach to the background and objectives of the project; the methodology to be employed for each task; a list of work products to be developed; and any changes to the scope listed in this RFP. Proposers should plan on a total of at least two meetings with the Recycling Board in order to present their findings. The Recycling Board meets the second Thursday of the month at either 4:00 pm or 6:00 pm.
7. Consideration will be given to proposals that include a streamlining of the requirements, creating a report that is shorter than in previous audits and that still meets the Measure D Audit requirements. A reduction of effort would be appreciated, as well as a reduction in the cost of the project.
8. Full disclosure of any and all perceived or possible conflicts of interest including, but not limited to, all contracts, grants or work performed involving Alameda County, any of the 16 "municipalities" (as defined by Measure D) in Alameda County, the Authority or the Recycling Board, local waste or recycling companies, or any financial interest in any projects or companies doing business in Alameda

County or in other counties which may raise a conflict. Proposers must describe measures that will be taken to ensure objectivity in performance of the scope of work for this project.

9. A cost proposal listing the hours and hourly rates of personnel, cost by task and by Phase, total not-to-exceed project costs for the total scope of work addressed in the proposal, separate costs for any additional proposed tasks, estimate of monthly billings, and how the proposer plans to manage the phased scope of work and ensure the completion of the project by October 1, 2025.
10. A signed Required Contract Elements Certification (Appendix A). The Agency assumes that any qualified respondents to this RFP are willing and able to comply with the Agency's insurance requirements and standard service contract elements as specified in Appendices A and C of this RFP. The Agency will also assume that any work product developed as a result of contracting with the Agency will become the property of the Agency. We strongly encourage respondents to contact us with questions about the Professional Services Agreement, including Insurance Requirements. The proposal's Appendix A must be signed by a contracting authority of the firm.

Application Deadline and Instructions

The deadline for responding to this RFP is **Thursday, December 19, 2024 at 5 p.m (PST)**. Proposals to be delivered via email in PDF format to RFP@StopWaste.org (PDF size must be 10 MB or less) with the subject line clearly marked "RFP Response: Measure D Five-Year Audit." It is the responsibility of the proposer to confirm receipt of the file prior to the deadline; proposals received after 5:00 PM Pacific Time will not be accepted.

Upon submittal, you will receive an automatic confirmation of receipt. If you do not receive this confirmation, please immediately contact Jennifer West, jwest@stopwaste.org and include a copy of the proposal.

The Agency encourages local small businesses and organizations with ties to the community and women- and BIPOC-owned and run entities to apply. Potential respondents are strongly encouraged to contact Jennifer West, Project Manager, jwest@stopwaste.org or (510) 891-6555, with any questions about the process, the submittal requirements, or any aspect of this RFP. All questions will be posted and answered online.

The proposal's Appendix A must be signed by a contracting authority of the firm.

Selection of a consultant will be based on the proposal submitted and interviews (if needed). Evaluation criteria can be found in Appendix B. Staff may request additional clarifying information from any or all proposers and request interviews at its discretion.

Proposers should reserve Thursday, January 23, 2025 as a possible interview date. StopWaste reserves the right to award a contract without holding interviews. The staff recommendation will be presented to the Recycling Board on Thursday, February 13, 2025 at 6 p.m. at 670 West Hornet Ave. in the City of Alameda at their regular monthly meeting.

Contract, Budget and Payment Process

A total of \$250,000 has been budgeted for the entire five-year audit in two phases: \$110,000 in FY 2024-2025 covering Phase I and \$140,000 in FY 2026-2027 covering Phase II of financial audit and the programmatic audit. A proposal that meets all Measure D requirements while reducing the effort and therefore the cost from this budgeted amount will be considered favorably. If staff does not find the performance of the Phase I selected contractor satisfactory, the Agency may draw from the list of proposers from this RFP or conduct a second RFP process for Phase II of the five-year combined financial audit and programmatic audit. This proposal should include the work for both Phases at the same time, with the costs broken out between the Phases.

Please review the [Recycling Board Standard Contract and Insurance Requirements](#) (see Appendix C). Prior to commencing work, the selected contractor will need to enter into a contract with the Recycling Board based on this template. If selected for the award, the contractor will enter into an agreement using the standard contract, which will be customized for this project regarding the scope of services, deliverables and timelines associated with the project, but no other changes to the standard contract will be made. Upon successful execution of a written agreement for services, the consultant will be paid by the submittal of invoices along with acceptable project progress and reports. Ten percent (10%) of the Phase I contract award will be withheld pending completion of Phase I. Ten percent (10%) of the Phase II contract award will be withheld pending completion of Phase II and acceptance by the Recycling Board of a Final Report covering all five years.

Notice of Intent to Award

When the Agency has selected a contractor to proceed with the project and is ready to enter contract, a Notice of Intent to Award shall be provided via e-mail to the selected vendor/contractor(s) as well as all parties who responded to the RFP. If subject to the Agency's Protest of Service Contract Decisions Policy, the award shall take effect four (4) business days after the Notice is issued if no protest is received by the third (3rd) business day. The Agency reserves the right to reject all proposals if none are determined to be an appropriate fit for the project.

Bid Protest Process

The Agency values fair and competitive contracting procedures and has established a Protest of Service Contract process for instances where bidders wish to protest the bid process or appeal the recommendation to award a contract once the Notices of Intent to Award has been issued. The Protest of Service Contract Decisions policy applies only to awards exceeding \$100,000 in a fiscal year. Contract awards below this threshold are not subject to protest. Protests shall be handled in accordance with the process outlined in the [Protest of Contract Award Policy](#).

Action by the Board

This Request for Proposals does not commit nor obligate the Board to fund any proposals received. The Board reserves the right to cancel this Request for Proposals in whole or in part at its sole discretion, and/or to accept or reject any proposal received based upon the review of proposals. Each proposer understands in submitting their proposal that the decision of the Board will be final, in accordance with the Agency’s protest policy and process. In addition, proposals submitted become the property of the Board and will not be returned. The Board and staff reserve the right to request additional clarifying information and to meet with any or all proposers at its discretion.

Please sign the Required Contract Elements statement (Appendix A) to indicate that you and your firm understand and will comply with the Alameda County Waste Management Authority’s and the Source Reduction and Recycling Board required contract and insurance policies and will submit a [Statement of Economic Interest Form](#) if requested by staff. Include the signed statement in your proposal.



Attachments

- Appendix A: Required Insurance Documentation for the Contract Elements
- Appendix B: Evaluation Criteria
- Appendix C: Recycling Board Standard Service Contract

Appendix A - Required Contract Elements

Professional Services Agreement including Insurance Requirements and Statement of Economic Interest

It is a requirement of the Alameda County Waste Management Authority that any individual or firm selected to provide professional consulting services must be able to comply with the terms of our [professional services agreement](#), which includes the following insurance requirements:

- A. **Comprehensive general liability insurance:** Insurance Services Office Form CG 00 01 covering CGL on an "occurrence" basis including products and completed operations, personal & advertising injury liability, blanket contractual liability, and broad-form property damage liability coverage. The combined single limit for bodily injury and property damage shall be at least \$2,000,000. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location (ISO CG 25 03 or 25 04) or the general aggregate limit shall be twice the required occurrence limit.
- B. **Automobile Liability:** ISO Form Number CA 00 01 covering any auto (Code 1), bodily injury and property damage liability insurance covering owned, non-owned (Code 9), rented, and hired (Code 8) cars. The combined single limit for bodily injury and property damage shall be at least \$1,000,000.
- C. **Statutory workers' compensation and employer's liability insurance** as required by state law with a limit of at least \$1,000,000 per accident for bodily injury or disease. Neither Contractor nor its carrier shall be entitled to recover any costs, settlements, or expenses of workers' compensation claims arising out of this agreement. The Employer's Liability policy shall be endorsed to waive any right of subrogation against the Agency, its employees or agents.
- D. **Professional Errors and Omissions Liability Insurance.** The limit of liability shall be at least \$1,000,000. If the policy is written on a "claims made" basis, Contractor must maintain required coverage for a period of three years after the expiration of this agreement. Contractor may satisfy this requirement by renewal of existing coverage or purchase of either prior acts or tail coverage applicable to said three-year period.

In addition, the individual or firm's project manager may be required to submit a Statement of Economic Interest Form (Form 700) as required by the State Fair Political Practices Commission. For a copy of a Form 700, please see the California Fair Political Practices Commission website at <http://www.fppc.ca.gov> Please sign the statement below to indicate that you and your firm understands and will comply with the terms of the Authority's professional services agreement including the required insurance policies and will submit a Statement of Economic Interest Form if requested by Authority staff.

I have reviewed and will comply with the terms of the Authority's professional services agreement and certify that my firm has the ability to obtain the required insurance policies and submit the Statement of Economic Interest Form.

I understand that failure to comply with any of these requirements will result in the Agency's refusal to enter into a contract for services with my firm.

Name: _____

Title: _____

Firm: _____

Signature: _____ Date: _____

Appendix B: Evaluation Criteria

The following criteria are used to evaluate submitted proposals:

<p>Organizational Capacity & Qualifications</p> <ul style="list-style-type: none">• Does the respondent have adequate capacity to implement proposed project activities?• Have they demonstrated adequate experience and readiness to implement the project?• Have they conducted similar audits with successful outcomes?
<p>Responsiveness</p> <ul style="list-style-type: none">• Is the response clear and comprehensible?• Has the proposer shared evidence of relevant experience to this proposal?• Does the proposed project meet the Measure D requirements?
<p>Creativity</p> <ul style="list-style-type: none">• Does the proposal demonstrate a capacity to propose recommendations?
<p>Financial Viability</p> <ul style="list-style-type: none">• Is the proposed budget reasonable?

Appendix C: Recycling Board Standard Service Contract

If selected for the award, the contractor will enter into an agreement using the contract linked below, which will be customized for this project regarding the scope of services, deliverables and timelines associated with the project, but no other changes to the standard contract will be made.

- [Recycling Board Standard Service Contract](#)