

ATTACHMENT G: RFP PROCESS COMMUNICATIONS PROTOCOL

The Albany City Council on July 19, 2021 adopted Council Resolution 2021-83 as follows.

Purpose

The City of Albany (“City”) is engaged in developing and conducting an Organic Materials, Recyclables, and Solid Waste Collection Services Competitive Request For Proposal (“RFP”) Process. The intent of the City’s Process Communications Protocol (“Communications Protocol”) is to provide a fair opportunity for all potential respondents and to create an impartial climate during the competitive solicitation process.

Communications Protocol

This Communications Protocol is intended to apply to communications between Council members, City employees and consultants, and representatives of firms which may intend to, or are participating in the ongoing process for the City to procure solid waste, Recyclable Materials and Organic Materials services after the conclusion of the current franchise and contractual agreements (“prospective respondents”). It is further limited to only those conversations that relate in any way to the procurement process or provision of future solid waste, Recyclable Materials or Organic Materials services. It is not intended to apply to casual social communications or other communications unrelated to provision of future services or the procurement process.

Beginning with City Council adoption of this Communications Protocol, all prospective respondents shall be instructed to communicate on matters which concern a matter relating to the City’s RFP solicitation, only through a person or persons designated by the City as the point of contact. Prospective respondents may also communicate with the City Council during any open and noticed public meeting. Prospective respondents may also communicate with staff members during any open and noticed public meeting, or with staff members at any organized staff meetings for prospective respondents to attend and ask questions and clarifications. Nothing herein precludes designated City staff or consultant to seek additional information or clarification of any proposal submitted through the RFP process or to conduct outreach to solicit proposals through the RFP process.

Questions or comments regarding the process, and requests for clarification, objections to the structure or content of the RFP, and other inquiries from prospective respondents shall be made to the City’s designated point of contact in writing. The RFP procurement documents may provide additional detail with regard to communications with prospective respondents during the RFP process. The City or its consultant will respond via written addenda to the RFP.

Respondents Code of Conduct

By requesting a RFP package from the City or its consultant, potential respondents agree to adhere to this Communications Protocol, and are responsible for ensuring compliance with this Communications Protocol on behalf of respondent’s employees, agents, consultants, lobbyists, or other parties or individuals engaged for purposes of developing or supporting a proposal. Any evidence that indicates a respondent, including its employees, agents, consultants, lobbyists or other parties or individuals engaged for purposes of developing or supporting a proposal, has failed to adhere to any section of this Communications Protocol may result in the City disqualifying the respondent from the RFP process at the City’s sole discretion.

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Acknowledgement of the City's Process Communications Protocol

By signing and submitting this form, _____ {insert company name}, a potential respondent to the City's RFP, has reviewed the City's Process Communications Protocol and acknowledges its willingness to adhere to the guidelines as the policy applies to the Solid Waste Services RFP process.

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY, that I am duly authorized to legally bind the company to this Acknowledgement, which is made under the laws of the State of California.

_____ (Company)

By: _____ (Signature)

Name: _____ (Printed Name)

Title: _____

Date: _____