

INSTRUCTIONS TO BIDDERS

HARTFORD LANDFILL CLOSURE MSW/INTERIM ASH DISPOSAL AREA

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1. Introduction

The Connecticut Resources Recovery Authority (“CRRA”) is a quasi-public entity of the State of Connecticut that is responsible for implementing the State Solid Waste Management Plan and is currently providing solid waste disposal and recycling services to more than 100 municipalities in the state. CRRA has developed, constructed and now operates an integrated system of four (4) resources recovery facilities, two (2) regional recycling centers, one (1) bulky waste landfill and twelve (12) transfer stations. At present, CRRA accepts more than 75% of the municipal solid waste generated in the State. These facilities are operated by entities that are under contract with CRRA.

One of the facilities CRRA has developed and operated is the Hartford Landfill located in Hartford, Connecticut. The Hartford Landfill consists of the MSW/Interim Ash Disposal Area and the Phase I Lined Ash Disposal Area. This RFB concerns the MSW/Interim Ash Disposal Area.

The MSW/Interim Ash Disposal Area is an 80-acre area that was first used by the City of Hartford for MSW disposal. After CRRA leased the Landfill from the City in 1982, CRRA used it for MSW combustor ash residue, non-processible MSW, front-end process residue from the Mid-Connecticut Resource Facility and bulky waste. It is now used only for non-processible MSW, process residue and bulky waste.

CRRA is now prepared to implement final closure of a 45-acre portion of the MSW/Interim Ash Disposal Area.

2. RFB Projected Timeline

The following is the projected timeline for the RFQ process:

ITEM	DATE
RFB Formally Announced	Saturday, June 2, 2007
RFB Documents Available	Monday, June 4, 2007
Pre-Bid Conference and Site Tour	Monday, June 11, 2007
Deadline for Written Questions	Monday, June 18, 2007
Response to Written Questions	No Later Than Friday, June 22, 2007
Bids Due at CRRA	Monday, July 2, 2007
Bid Opening	Monday July 2, 2007
Selection and Notice of Award Issued	Friday, July 27, 2007
Effective Date of Agreement	Within Two Weeks of Award

CRRA reserves the right at its sole and absolute discretion to extend any of the actual or proposed dates in the above Projected Timeline applicable to all proposers, and further reserves the right to reject any and all proposals and republish this RFQ. CRRA also reserves the right at its sole and absolute discretion to terminate this RFQ process at any time prior to the execution of any Agreement.

3. Definitions

As used in this Instructions To Bidders and in other Contract Documents (as defined herein), the following terms shall have the meanings as set forth below:

- (a) **Addenda:** Written or graphic documents issued prior to the bid due date that clarify, correct or change any or all of the Contract Documents.
- (b) **Contract Documents:**
 - (1) Hartford Landfill Closure – MSW/Interim Ash Disposal Area Agreement (the “Agreement”);
 - (2) Notice To Contractors – Invitation To Bid;
 - (3) Instructions To Bidders;
 - (4) Bid Bond Form;
 - (5) Bid Form;
 - (6) Bid Price Form;
 - (7) References Form
 - (8) Background And Experience Form;
 - (9) Questionnaire Concerning Affirmative Action, Small Business Contractors And Occupational Health And Safety;
 - (10) Affidavit Of Third Party Fees;
 - (11) Bidder’s Background Questionnaire;
 - (12) SEEC Form 11, Notice To Executive Branch State Contractors And Prospective State Contractors Of Campaign Contribution And Solicitation Ban;
 - (13) Addenda;
 - (14) Contractor’s Bid (including all documentation attached to or accompanying such Bid, all other documentation submitted in connection with such Bid, and all post-bid documentation submitted prior to the Notice Of Award);
 - (15) Notice Of Award, with Contractor Certification Concerning Gifts attached;
 - (16) Notice To Proceed; and
 - (17) Any written amendments to the Agreement issued pursuant to Section 2.7 and Section 8.7 of the Agreement.
- (c) **Laws And Regulations:** Any and all applicable laws, rules, regulations, ordinances, codes, orders and permits of any and all federal, state and local governmental and quasi-governmental bodies, agencies, authorities and courts having jurisdiction.
- (d) **Notice Of Award:** Written notification from CRRA to the apparent successful bidder that states that CRRA has accepted such bidder’s bid and sets forth the remaining conditions that must be fulfilled by such bidder before CRRA executes the Agreement.

- (e) **Project:** The provision by the successful bidder the work required for closure of a portion of MSW/Interim Ash Disposal Area of the Hartford Landfill in accordance with the Contract Documents.
- (f) **Property:** The certain parcel of real property located at 180 Leibert Road in Hartford, Connecticut 06120, upon which property CRRA operates the Hartford Landfill.
- (g) **Site:** Those areas of the Property upon which any of the Work is to be performed, furnished and completed by the successful bidder in accordance with the Contract Documents.

Terms used, but not defined, in this Instructions To Bidders shall have the same respective meanings assigned to such terms in the Agreement.

4. Communications With CRRA Staff and Board Members

Except as otherwise authorized by this Instructions To Bidders, during the period while the RFB process is active (i.e., from the date CRRA issues the RFB until the date the successful bidder accepts the Notice Of Award), firms contemplating or preparing bids are prohibited from contacting CRRA staff or CRRA Board of Director members in an ex parte manner to discuss the RFB submission process. A firm's RFB submission shall be rejected if any of the foregoing ex parte communications take place.

5. Scope Of Work

The Connecticut Resources Recovery Authority (CRRA) is seeking bids from qualified contractors to furnish all tools, materials, labor, equipment, and incidentals thereto for the performance of closure of a portion of the MSW/Interim Ash Disposal Area of the Hartford Landfill (the "Work").

The Work is more particularly described as follows:

- (a) Mobilization and demobilization;
- (b) Grading of ash residue in preparation for cap sub-base;
- (c) Installation of cap sub-base;
- (d) Installation of LLDPE membrane;
- (e) Installation of cap drainage layer;
- (f) Installation of cap drainage structures;
- (g) Installation of vegetative support layer;
- (h) Installation of temporary and permanent erosion control measures, and;

- (i) Making all required notifications and obtaining all local, state, and federal permits and approvals necessary for the completion of the Work.

The above Work is more particularly shown on certain drawings entitled “Hartford Landfill Closure – MSW/Interim Ash Disposal Area” which drawings are set forth in **Exhibit A** of the Agreement. Specific instructions about how the Work is to be performed are included in **Exhibit B** (Technical Specifications) of the Agreement. The time within which the Work must be performed is specified in **Exhibit C** (Project Schedule) of the Agreement.

6. Bid Package Documents

This bid package consists of the following documents:

1. Notice To Contractors – Invitation To Bid;
2. Instructions To Bidders;
3. Bid Bond Form;
4. Bid Form;
5. Bid Price Form;
6. References Form;
7. Background And Experience Form;
8. Questionnaire Concerning Affirmative Action, Small Business Contractors And Occupational Health And Safety;
9. Affidavit Of Third Party Fees;
10. Bidder’s Background Questionnaire;
11. SEEC Form 11, Notice To Executive Branch State Contractors And Prospective State Contractors Of Campaign Contribution And Solicitation Ban;
12. Notice Of Award with Contractor Certification Concerning Gifts attached;
13. Notice To Proceed; and
14. Hartford Landfill Phase 1 Ash Area Partial Closure Agreement, including:
 - A. Construction Drawings;
 - B. Technical Specifications;
 - C. Project Schedule;
 - D. Construction Performance Bond;
 - E. Construction Payment Bond;
 - F. Contractor’s Wage Certification Form;
 - G. Schedule of Prevailing Wages;
 - H. Contracting Agency Certification Form; and
 - I. SEEC Form 11, Notice To Executive Branch State Contractors And Prospective State Contractors Of Campaign Contribution And Solicitation Ban.

Complete sets of the above documents may be obtained during normal business hours at CRRA’s offices 100 Constitution Plaza, 6th Floor, Hartford, Connecticut 06103-1722, beginning Monday, June 4, 2007.

All of the documents are also available in PDF format beginning on the same date on the world wide web at:

<http://www.crra.org> under the “Business Opportunities” page.

All of the forms included in the documents are available for downloading in Microsoft Word format at CRRA’s web site. CRRA encourages bidders to make use of the downloaded Word forms.

7. Mandatory Pre-Bid Conference And Site Tour

A mandatory pre-bid conference and tour of the Site for all prospective bidders will be conducted by CRRA staff on Monday, June 11, 2007 at 10:00 a.m. Eastern Time. Bids submitted by a bidder who did not attend the mandatory pre-bid conference and site tour shall be rejected. Alternate times for visiting the Site will not be allowed.

Prospective bidders should contact David Bodendorf at (860) 757-7721 at least 24 hours prior to the mandatory pre-bid conference and site tour to make arrangements for participating in the tour and for directions to the Site. Except as otherwise authorized by this Instructions To Bidders, bidders are expressly prohibited from contacting any CRRA personnel regarding this bid solicitation.

8. Addenda And Interpretations

CRRA may issue Addenda to this bid package that shall, upon issuance, become part of this package and binding upon all potential or actual bidders for the Work. Such Addenda may be issued in response to requests for interpretation or clarification received from potential bidders. Any request for interpretation or clarification of any documents included in this bid package must be **submitted in writing to David Bodendorf, PE, Senior Environmental Engineer, by e-mail (dbodendorm@ crra.org), by fax ((860) 757-7742), or by correspondence (CRRA, 100 Constitution Plaza, 6th Floor, Hartford, Connecticut 06103-1722). To be given consideration, any such written request must be received by CRRA by 3:00 p.m., on Monday, June 18, 2007.**

Addenda, if any, issued prior to the mandatory pre-bid conference and site tour will be mailed and/or e-mailed to all persons who picked up or requested a printed copy from CRRA of the bid package documents or who otherwise notified CRRA of their interest in the RFB. Such addenda will also be posted on CRRA’s web site (<http://www.crra.org> on the “Business Opportunities” page under the “RFB: Hartford Landfill Closure – MSW/Interim Ash Disposal Area” heading).

Addenda issued after the mandatory pre-bid conference and site tour will be mailed and/or e-mailed to all persons who attended the pre-bid conference and site tour and will be posted on CRRA’s web site (<http://www.crra.org> on the “Business Opportunities” page under the “RFB: Hartford Landfill Closure – MSW/Interim Ash Disposal Area” heading). Such addenda will be mailed/e-mailed and posted on the web site no later than three (3) days before the submittal deadline.

Failure of any bidder to receive any such Addenda shall not relieve such bidder from any conditions stipulated in such Addenda. Only questions answered or issues addressed by formal written Addenda will be binding. **All oral and other written responses, statements, interpretations or clarifications shall be without legal effect and shall not be binding upon CRRA.**

9. Bid Submittal Procedures

Sealed bids shall be submitted no later than 3:00 p.m., Eastern Time, Monday, July 2, 2007 at the offices of CRRA, 100 Constitution Plaza, 6th Floor, Hartford, Connecticut 06103-1722, Attn: David Bodendorf, Senior Environmental Engineer. Bids received after the time and date set forth above shall be rejected.

Each bidder must submit one (1) original and two (2) copies of its bid. The original bid shall be stamped or otherwise marked as such.

Each bid (the original and two copies) shall be enclosed in a sealed envelope that shall be clearly marked "Bid For Hartford Landfill Closure – MSW/Interim Ash Disposal Area."

No joint bids shall be accepted, but the use of subcontractors is acceptable.

Bids shall remain open and subject to acceptance for ninety (90) days after the bid due date.

The terms and conditions of the Agreement (Section 14 of this RFB), as attached, are non-negotiable. Any potential bidder that will be unable to execute the Agreement, as attached, should not submit a bid.

Bids may be modified or withdrawn by an appropriate document duly executed (in the manner that a bid must be executed) and delivered to the place where bids are to be submitted at any time prior to the bid due date.

10. Bid Security

Each bid shall be accompanied by a Bid Security. Any bid that does not contain a Bid Security or any bid that contains a Bid Security that does not comply with the following requirements shall be rejected as non-responsive.

10.1 Type of Security

The following are the acceptable forms of Bid Security:

- (a) A cashier's check;
- (b) A certified check; or
- (c) A bid bond in the form included in Section 3 of the RFB.

The Bid Security shall be made payable to CRRA and shall be in an amount equal to five percent (5%) of the amount of the bid.

Any bid bond submitted as Bid Security shall be in the form provided for such bid bond in Section 3 of the RFB and such bid bond shall be executed and issued by a surety company acceptable to CRRA.

10.2 Disposition of Bid Security

The Bid Security of the successful bidder will be retained until such bidder has executed the Agreement, furnished the required contract security and satisfied all other conditions of the Notice of Award, including execution and submission of the Contractor Certification Concerning Gifts, whereupon such Bid Security will be returned.

If the successful bidder fails to execute and deliver the Agreement, furnish the required contract security, or satisfy all other conditions of the Notice Of Award within ten (10) days after the issuance of such Notice Of Award, CRRA may annul the Notice Of Award and the Bid Security of that bidder shall be forfeited.

The Bid Security of other bidders whom CRRA believes to have a reasonable chance of receiving the award may be retained by CRRA until the earlier of the seventh (7th) day after the Effective Date of the Agreement or the ninetieth (90th) day after the bid due date, whereupon the Bid Security furnished by such bidders will be returned. Bid Security with bids that are not competitive will be returned within seven (7) days after the opening of such bids.

11. Bid Contents

Bids shall be submitted on forms provided by CRRA as part of this bid package, all of which forms must be completed with the appropriate information required and all blanks on such forms filled in.

A bid must consist of the following and must be in the following order:

- (a) Title page;
- (b) Cover letter, which includes name of the bidder and the bidder's promise, if any, to set aside a portion of the contract for legitimate minority business enterprises (see Section 13.2 of this Instructions To Bidders);
- (c) Table of Contents;
- (d) Bid Security (cashier's check, certified check or bid bond) (see Section 10 of this Instructions To Bidders);

- (e) The Bid Form, with Addenda, if any, listed in the appropriate place (Page 4-2), the name and address of the contact for Notices listed in the appropriate place (Page 4-6) and the completed agreement page (Page 4-7);
- (f) The completed Bid Price Form (Page 5-1);
- (g) The completed References Form (Page 6-1 through 6-2);
- (h) The completed Background And Experience Form (Page 7-1);
- (i) The completed Questions Concerning Affirmative Action, Small Business Contractors And Occupational Health And Safety form (Section 8), with the Bidder's most recent EEO-1 data attached if the Bidder wishes such data to be considered in the evaluation of its Bid;
- (j) The completed Affidavit Of Third Party Fees form (subscribed and sworn before a Notary Public or Commissioner of the Superior Court) (Section 9);
- (k) The completed Bidder's Background Questionnaire (Section 10); and
- (l) A copy of the bidder's up-to-date certificate of insurance showing all current insurance coverage.

Bidders should not include in their bids other portions of the Bid Package Documents (e.g., this Instructions To Bidders or the Agreement).

A bidder may include additional information as an addendum/appendix to its bid if the bidder thinks that it will assist CRRA in evaluating the bidder's bid. A bidder should not include information that is not directly related to the subject matter of this solicitation.

12. Bid Opening

Bids will be opened publicly at 3:05 p.m. Eastern Time, on Monday, July 2, 2007 at the offices of CRRA, 100 Constitution Plaza, 6th Floor, Hartford, Connecticut 06103-1722. **CRRA reserves the right to reject any or all of the bids, or any part(s) thereof, and/or to waive any informality or informalities in any bid or the RFB process for this Project.**

13. Bid Evaluation

The award of the contract for the Work will be made, if at all, to the bidder whose evaluation by CRRA results in CRRA determining that such award to such bidder is in the best interests of CRRA. **However, the selection of a bidder and the award of such contract, while anticipated, are not guaranteed.**

CRRA is an Equal Opportunity and Affirmative Action employer and does not discriminate in its hiring, employment, contracting, or business practices. CRRA is committed to

complying with the Americans with Disability Act of 1990 (ADA) and does not discriminate on the basis of disability in admission to, access to, or operation of its programs, services, or activities.

13.1 Evaluation Criteria

CRRA will base its evaluation of the bids on price, qualifications, demonstrated skill, ability and integrity of each bidder to perform the Work required by the Contract Documents and any other factor or criterion that CRRA, in its sole discretion, deems or may deem relevant or pertinent for such evaluation.

13.2 Affirmative Action Evaluation Criteria

Bids will also be rated on the bidder's demonstrated commitment to affirmative action. Sections 46a-68-1 to 46a-68-17 of the *Regulations of Connecticut State Agencies* require CRRA to consider the following factors when awarding a contract that is subject to contract compliance requirements:

- (a) The bidder's success in implementing an affirmative action plan (See Question 4 of the Questionnaire Concerning Affirmative Action, Small Business Contractors And Occupational Health And Safety (Section 6 of this Project Manual));
- (b) The bidder's success in developing an apprenticeship program complying with Sections 46a-68-1 to 46a-68-17 of the *Regulations of Connecticut State Agencies*, inclusive (See Question 5 of the Questionnaire Concerning Affirmative Action, Small Business Contractors And Occupational Health And Safety (Section 8 of this Project Manual));
- (c) The bidder's promise to develop and implement a successful affirmative action plan (See Question 4B of the Questionnaire Concerning Affirmative Action, Small Business Contractors And Occupational Health And Safety (Section 8 of this Project Manual));
- (d) The bidder's submission of EEO-1 data indicating that the composition of its work force is at or near parity when compared to the racial and sexual composition of the work force in the relevant labor market area (See Section 11(i) of this Instructions To Bidders); and
- (e) The bidder's promise to set aside a portion of the contract for legitimate minority business enterprises (See Section 11(b) of this Instructions To Bidders).

14. Contract Award

If the contract is to be awarded, CRRA will issue to the successful bidder a Notice Of Award within ninety (90) days after the bid due date.

CRRA reserves the right to correct inaccurate awards resulting from CRRA's clerical errors. This may include, in extreme circumstances, revoking a Notice Of Award already made to a proposer and subsequently awarding the Notice of Award to another proposer. Such action by CRRA shall not constitute a breach of this RFQ by CRRA since the Notice Of Award to the initial proposer is deemed to be void ab initio and of no effect as if no Agreement ever existed between CRRA and the initial proposer.

15. Contractor's Certification Concerning Gifts

Pursuant to *Connecticut General Statutes* Section 4-252, the apparently successful Bidder must submit a document certifying that it has not given any gifts to certain individuals between the date CRRA started planning the RFB and the date the Agreement is executed. If the apparently successful Bidder does not execute the Certification, it will be disqualified for the Agreement. The dates between which the Bidder may not give gifts and the identities of those to whom it may not give gifts are specified in the attachment to the Notice of Award included in this RFB (see Section 12 of the RFB).

16. Bidder's Qualifications

CRRA may make any investigation deemed necessary to determine the ability of any bidder to perform the Work required. Each bidder shall furnish CRRA with all such information as may be required for this purpose.

17. Bid Preparation And Other Costs

Each bidder shall be solely responsible for all costs and expenses associated with the preparation and/or submission of its bid, or incurred in connection with any interviews and negotiations with CRRA, and CRRA shall have no responsibility or liability whatsoever for any such costs and expenses.