



Raleigh-Durham Airport Authority

1000 Trade Drive

PO Box 80001

RDU Airport, NC 27623

www.RDU.com

REQUEST FOR PROPOSALS (RFP)

for

Grease Pumping and Disposal Services

RFP No. 554-2024-0013

Solicitation Specific Provisions

DIRECT ALL INQUIRIES TO:

Travis Pierce, RDU Procurement

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SECTION I REQUEST FOR PROPOSALS (RFP) GENERAL INFORMATION

A. Notice

Raleigh-Durham Airport Authority (the “**Authority**” or “**RDU**”) invites proposals from experienced and qualified Contractors (may also be referred to as “Bidders,” “Consultants,” “Contractors,” “Offerors,” “Proposers,” “Respondents,” and/or “Vendors,” throughout this RFP) to provide grease pumping and disposal services (“Services”) to the Authority. The Authority is seeking a Contractor whose combination of experience and expertise will provide timely and cost-effective services to the Authority.

The Authority’s intent is to award a three (3) year contract with two (2) one-year renewal options exercisable at the Authority’s sole discretion to a single firm to provide the requested Services.

This RFP and subsequent Addenda, if any, are available electronically as of the date of issuance on the following website: <https://www.rdu.com/do-business-with-rdu/business-opportunities/>.

B. Background

The Raleigh-Durham International Airport (RDU) serves as the gateway to Central North Carolina and the Research Triangle region, including the largest research park in the United States. RDU is governed by the Raleigh-Durham Airport Authority Board. The Authority Board is made up of eight representatives; two each are appointed from the City of Durham, Durham County, the City of Raleigh and Wake County.

The General Assembly of North Carolina enacted legislation in 1939 enabling the cities of Raleigh and Durham and the counties of Wake and Durham to jointly establish, operate and maintain an airport and to appoint members to a board. The enabling act further authorized the Aeronautics Authority to “act in an administrative capacity and be vested with the authority to control, lease, maintain, improve, operate and regulate the airport.”

In 1945, the name changed to the Raleigh-Durham Airport Authority. The Authority Board meets on the third Thursday of each month. During these meetings, the Authority Board considers items on the agenda as well as any other matters deemed appropriate for discussion at that time.

The Authority Board leads RDU in investing in tomorrow, elevating our region, delivering unparalleled service and providing a world-class experience, while planning for the future and connecting our passengers worldwide.

The RDU Airport Authority owns and operates two passenger terminals, Terminals 1 and 2. Terminal 1 is a 9-gate facility with approximately 160,000 square feet of total terminal area and accommodates Avelo Airlines, Southwest Airlines, and Spirit Airlines. Terminal 2 is a 36-gate facility accommodating Air Canada, Air France, Alaska, American, Bahamasair, Breeze, Delta, Frontier, JetBlue, Icelandair, Sun Country, United, and charter airlines, with approximately 1 million square foot of total terminal area. Between the landside components of Terminals 1 and 2 is a multi-story parking garage containing approximately 9,913 spaces (Park Central), with an adjoining lot of approximately 1,359 spaces (Premier Parking).

Our Vision - To deliver a world-class airport experience. Our Mission - To deliver excellent airport services, facilities and unparalleled customer service. Our Values - Learning, Integrity, Team, Excellence, Respect

C. Point of Contact

The Authority's sole Point of Contact for this RFP is as follows:

Authority Primary Contact: Travis Pierce

Email (Preferred Method): travis.pierce@rd�.com

Direct Phone: 919-840-7833

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SECTION II RFP PROCESS AND INSTRUCTIONS

A. RFP Schedule

Activity (All times are Eastern Standard Time)	Date
Issue RFP	February 28, 2024
Pre-proposal Conference & Site Visit	Thursday, March 7, 2024, at 2:30 PM
Written Questions are due via email	March 12, 2024, by 2:00 PM
Response to Questions Posted as an Addendum (Estimated)	March 15, 2024
Submission of RFP Acknowledgement via email	March 20, 2024
Proposals are Due	Thursday, March 21, 2024, by 2:00 PM
Contractor Interviews (<i>if applicable</i>)	April 15 - 19, 2024
Presentation to RDUAA Board and Approval (Estimated)	May 16, 2024
Anticipated Award Time Frame (Official Award of Contract) Estimated	May 16, 2024
Anticipated Contract Start Date (Estimated)	August 1, 2024

***The Authority reserves the right to revise the schedule in its sole discretion**

1. Pre-Proposal Meeting & Site Visit

Due to the importance of all Offerors having a clear understanding of the scope and requirements of this solicitation, a **NON-MANDATORY Pre-Proposal Meeting & Site Visit** for interested Offerors will be held on the date specified in the RFP Schedule. While attendance is not required, offerors are strongly encouraged to attend and participate. Your failure to attend will not relieve the Contractor from responsibility

for estimating properly the difficulty and cost of successfully performing the work, or for proceeding to successfully perform the work without additional expense to the Authority.

Location:

RDU Maintenance Facility (Conf. Room 127)
200 Haley's Branch Rd
Morrisville, NC 27650

Please RSVP by emailing the Point of Contact no later than March 6, 2024. Note in the Subject Line: "Grease Pumping & Disposal Services RSVP".

2. Questions

All questions and any correspondence in regard to this RFP shall be directed in writing to the Authority's Point of Contact by e-mail. Only inquiries in writing will be accepted by the Authority, and only written responses will be binding upon the Authority. There shall be no communication with the Authority regarding this RFP unless otherwise directed by the Authority's Point of Contact identified above. ****NO PHONE CALLS****

All answers to inquires will be posted on the primary website referenced above. It is the responsibility of all Offerors interested in submitting responses to this RFP to monitor the website for responses to questions, change of schedule, addenda, announcements, and other procurement information.

Written questions concerning the RFP will be received via e-mail only until the Due Date for Questions specified in the schedule above by the Authority's Point of Contact. Please insert "**Questions – Grease Pumping and Disposal Services RFP**" as the subject for the email. The Authority will prepare responses to all written questions properly submitted and post the responses as an Addendum on the primary website referenced herein. Oral responses are not binding upon the Authority.

B. Proposal Format and Content

Offerors are to submit information demonstrating their qualifications, expertise, competence and capability. The proposal submission shall be limited to no more than fifty (50) pages maximum, not including the required forms described in Section VII. Proposals should use a minimum of size 12 pt. font on 8 ½" by 11" paper. Offerors must include a table of contents that lists section headings and page numbers. The Authority intends to retain the successful proposer pursuant to a "Best Value" basis, not a "low

Proposal” basis (Best Value in that the Authority will, as detailed within the following Sub-section D, consider factors other than just cost in making the award decision). Therefore, so that the Authority can properly evaluate the offers received, all proposals submitted in response to this RFP must be formatted in accordance with the sequenced noted below. The Authority retains the right to reject any proposal submitted that does not conform to any of the requirements detailed herein, including but not limited to proposal formatting. The submittal must address and include:

1. **Cover Letter.** The cover letter should identify the Offeror and state general information the Offeror wants to include regarding the Offeror’s business organization. At a minimum, the cover letter must include the name, principal address, Federal Tax ID Number, telephone #, and email address of the Offeror. Offeror should acknowledge that Offeror will comply with all the terms and conditions set forth in the RFP including attached contract(s), unless otherwise agreed upon by the Authority.
2. **Executive Summary.** Executive Summary should contain an outline of Offeror’s general approach to the provision of services in addition to a brief summary of Offeror’s qualifications to engage in a professional service relationship with the Authority. It should clearly communicate why Offeror would be the best-qualified Contractor for the Authority.
3. **Firm Overview.** Include:
 - a. Name(s) and qualification(s) of any subcontractor that will perform 10% or more of the value of the contract;
 - b. Address and location of corporate office(s);
 - c. Address and location of the office from which the work will be performed;
 - d. Owner Name, Address (if different from above), Current Contact Person, and Telephone Number;
 - e. Name of Responsible Official or Contact Person;
 - f. Number of years in business;
 - g. Website
 - h. Size (total number of employees) and organizational structure of your entity; and
 - i. Description of the corporate leadership team.

4. **Approach.** Include a concise perception of and approach to the Scope of Services. Provide a brief description of the level of service and support that will be provided to the Authority, including Offeror's management and organizational approach and work plan on how your team proposes to accomplish the tasks successfully. The description should include the proposed effort for completing the work on schedule and the methods Offeror would use to coordinate its work with other contractors whose work must interface or connect with work performed by Offeror.

Describe any perceived challenges of this project and the proposed plan to resolve them.

This section may include commentary regarding the scope of services requested through this solicitation, modifications, or enhancements to the scope of services that the Authority may wish to consider, tentative schedule, or any other specific matters relevant to the Authority.

This section may include a discussion of any technology and/or systems and describe how they will be leveraged to support the Scope of Services.

5. **Capabilities.** A statement of the Offeror's technical capabilities (in terms of personnel, equipment and materials to provide the requested services), including relevant completed projects. The Offeror's qualifications to engage in a professional service relationship with the Authority. The Offeror must demonstrate that it and its key personnel have had active, satisfactory experience with, and responsibility for, the day-to-day management and operation of services similar to those proposed by this RFP. (Indicate which projects included key personnel proposed for this RFP). Include:

- a. name(s) and qualifications of any subcontractor that will perform 10% or more of the value of the contract;
- b. location of corporate office(s);
- c. number of years in business;
- d. web site address(es);
- e. size (total number of employees) and organizational structure of your entity; and
- f. who is on your Leadership Team.
- g. Key Personnel: Provide information regarding the individual(s) who will be responsible for providing the Services including their professional credentials, capabilities and experience (résumé, curriculum vitae or biography may be attached). Key personnel identified in this Proposal are expected to remain

assigned to this project for the term of the contract. Offeror should also provide current office addresses for each individual named. For each team member name, provide:

- i. a commercial airport or entity in the aviation sector, local government, or otherwise relevant client and project that they have worked on during the last three (3) years;
 - ii. at least two references that the Authority could contact regarding the work and satisfaction of the clients; and
 - iii. a description of the specific responsibility/role that each individual will have on the project under this RFP.
- h. **Team Lead:** Provide details of any direct experience the Team Leader (ie. project manager) has in providing the Services including their professional credentials, capabilities and experience (résumé, curriculum vitae or biography may be attached). The Team Lead must have a minimum of three (3) years' experience in providing grease pumping and disposal services.

Recent Experience: Provide examples of at least three (3) similar client engagements entered in the last five (5) years that align with the Scope of Services in this RFP.

Relationships: Describe your familiarity with federal agencies and congressional committees relevant to airports, the offices of members of North Carolina's congressional delegation and the nature and depth of relationships within each, that you may call upon if selected for this engagement.

6. **Past Successes.** Proposer's overview, experience (including industry/airport and/or local governmental and/or relevant work samples), and listed references. The Proposer's DEMONSTRATED EXPERIENCE in performing similar work (including examples of policy, regulatory and/or appropriations achievements) of contract work substantially similar to that required by this solicitation for similar organizations.
7. **Organizational Chart.** Prepare an organizational chart that identifies the key personnel and each team member by listing position title, length of employment, description of qualifications and experience and the work each person will perform under this contract. Identify possible opportunities for subcontractor services based on experience on similar projects. List all subcontractors, if necessary and provide a description of the

qualifications of each subcontractor retained to perform work under this contract. Include the type of work that will be assigned to each subcontractor, and the estimated percentage of the total contract value that each subcontractor will perform.

- 8. Offeror's Success.** Describe how Offeror evaluates success of an engagement.
- 9. Communications.** Detail how the Offeror communicates with its clients. This section may include a discussion of the communication plan between key personnel and Authority staff. Describe the approach to ensuring the client is kept informed on the status of tasks, changes in procedures, deadlines, reporting and issues.
- 10. Other Capabilities.** Discuss any other capabilities that the Offeror believes address this RFP, and any particular aspects of its organization or Proposal that, by way of background, experience, unique qualifications, or other basis, sets this company (team, etc.) apart from the competition in its ability to accomplish this particular Scope of Services.
- 11. References.** Provide a listing of not more than three (3) clients who can attest to their satisfaction for similar consulting and relevant services requested in this solicitation. The clients listed should have had significant involvement by key personnel indicated above. The Authority may contact the listed organizations to determine the quality of the work performed and service received. Please include following:
 - a. name of the organization;
 - b. date of the most recent project;
 - c. list of services performed that align with the scope of this RFP;
 - d. name of responsible official or contact person; and
 - e. complete Address, telephone number and email address.
- 12. Other Relevant Information.** Provide additional information that will assist the Authority in the selection process. Include information of prior work experience with Airports and/or Local, State and Federal Government Entities.
- 13. Required Forms.** Offeror must complete all RFP Forms and items requested.
- 14. MWSB Program Requirements.** Offeror must complete the MWSB requirements as per **Exhibit A.**

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C. Proposal Evaluation Criteria

Evaluation Criteria	Max Point Value	Brief Description
Evaluation of Proposal Itself	10	Evaluation of how Proposer aligns with RDU’s vision, mission and core values. Responsiveness to the RFP and Proposer’s general approach to the provision of services including the APPROPRIATENESS of the APPROACH (including labor categories, estimated hours and skill mix) and the QUALITY of the WORK PLAN. The description should include the proposed effort for preparing a work plan, completing the work on schedule and within budget (if provided), method of assigning work and procedures for maintaining level of service, method and systems for controlling and responding to issues that may arise, and the methods Proposer would use to coordinate its work with other consultants whose work must interface or connect with work performed by Proposer. In addition, the OVERALL QUALITY and PROFESSIONAL APPEARANCE of the proposal submitted. (Section II B #1 through # 14)
Evaluation of Proposer’s Capabilities	25	The Proposer’s methodology demonstrating TECHNICAL CAPABILITIES (in terms of personnel) and the PROGRAM MANAGEMENT PLAN (including staffing of key positions and work plan). Company’s qualifications to engage in a professional service relationship with the Authority. Qualifications of key personnel, title and/or role, length of employment, and their EXPERIENCE in performing similar work, including their professional credentials and experience. (Section II B, #3, #5, #7- #11)
Demonstration of Past Successes	25	Proposer’s overview, experience (including aviation industry / airport experience and relevant work samples), and listed references. The Proposer’s DEMONSTRATED EXPERIENCE in performing similar work and the proposer’s DEMONSTRATED SUCCESSFUL PAST PERFORMANCE (including meeting costs, schedules and performance requirements) of contract work substantially similar to that required by this solicitation for similar organizations. (Section II B, #6, #8, #12)
Overall Value Delivered by Proposal	15	Evaluation based on multiple factors, including but not limited to: total cost of services provided versus the breadth of scope delivered; blended hourly rate and resulting overall hours included; and the probability of performing the requirements stated in the solicitation on time, with high quality, and in a manner that accomplishes the stated business objectives and maintains compliance with industry standards. (Section II B, #1 through # 14)
MWSB	15	Offerors are required to meet both portions of the MWSB goals, or demonstrate and document the efforts undertaken to meet the goals as described in Section VII. (Exhibit A)
Cost	10	Cost of goods and/or services to be provided. (Section II B #13 Form B)
Total maximum points	100	

D. Selection and Award Process

1. **“Best Value”** procurement methods are authorized by N.C.G.S. §143-135.9. The award decision shall be made based on multiple factors, including, as applicable: total cost of ownership, meaning the cost of acquiring, operating, maintaining, and supporting a product or service over its projected lifetime; the evaluated technical merit of the Offeror's Proposal; the Offeror's past performance; and the evaluated probability of performing the requirements stated in the solicitation on time, with high quality, and in a manner that accomplishes the stated business objectives and maintains industry standards compliance. Proposals will be ranked based on the evaluation criteria listed above, recognizing that this method may result in an award to someone other than the lowest price offer. The Authority will reject and not consider any proposal that does not meet the requirements of this RFP.

2. The evaluation committee may request clarifications, an interview with or presentation from any or all Offerors. However, the Authority may refuse to accept, in full or partially, the response to a clarification request given by any Offeror. Offerors are cautioned that the evaluators are not required to request clarifications; therefore, all proposals should be complete and reflect the most favorable terms. Offerors should be prepared to send qualified personnel to RDU Airport, North Carolina, to discuss technical and contractual aspects of the Proposal.

3. **Top-Ranked Offeror**

Should the evaluation process have resulted in a top-ranked proposal, the Authority may limit negotiations to only that Offeror and not hold negotiations with any lower-ranking Offeror. If negotiations are unsuccessful with the top-ranked Offeror, the Authority may then go down the line of remaining Offerors, according to rank, and negotiate with the next highest-ranking Offeror. Lower-ranking Offerors do not have a right to participate in negotiations conducted in such a manner.

4. **Best and Final Offers (BAFO)**

At its sole discretion, the Authority may request individual Offerors provide BAFOs. Failure to deliver a BAFO when requested may disqualify the non-responsive Offeror from further consideration. The Authority may establish a competitive range based

upon evaluations of proposals, and request BAFOs from the Offerors within this range; e.g. "Finalist Offerors." The Authority will evaluate BAFOs and add any additional points to the Offerors' respective scores. Points awarded from oral presentations and product demonstrations during negotiations, if any, will be added to the previously assigned points to attain final scores. It is entirely within the discretion of the Authority whether to conduct negotiations. An Offeror must not submit a Proposal assuming that there will be an opportunity to negotiate any aspect of the Proposal. The Authority is free to limit negotiations to particular aspects of any Proposal, to limit the Offerors with whom the Authority wants to negotiate, and to dispense with negotiations entirely.

5. General Evaluation Process

An Authority procurement representative responsible for this RFP will review all Proposals for format and completeness. The Authority will reject any incomplete Proposal though the Authority may waive any defects or allow an Offeror to submit a correction the Authority deems to be non-material. If the Offeror meets the formatting and mandatory requirements listed herein, the Authority will continue to evaluate the Proposal. All timely, complete, and properly formatted Proposals are then forwarded to an Evaluation Committee, which the procurement representative will chair. All proposals will be initially classified as being responsive or non-responsive. If a Proposal is found non-responsive, it will not be considered further. The Evaluation Committee will rate the Proposals submitted in response to this RFP based on stated evaluation criteria. Any references in an answer to another location in the RFP materials or Proposal shall have specific page numbers and sections stated in the reference.

The Evaluation Committee will evaluate and score each Proposal that the procurement representative has determined to be responsive to the requirements of this RFP. The evaluation will be scored according to the criteria contained in Section II.C of this part of the RFP. Attachments or exhibits to this RFP may further refine these criteria, and the Authority has a right to break these criteria into components and weight any components of a criterion according to their perceived importance.

To be eligible for consideration, an Offeror must meet the intent of all mandatory requirements. Compliance with the intent of all requirements will be determined by the Authority. Responses that do not meet the full intent of all requirements listed in

this RFP may be subject to score reductions during the evaluation process or may be deemed non-responsive. Further, a serious deficiency in the response to any one factor may be grounds for rejection regardless of overall score.

6. Final Stages of Evaluation

The Offeror(s) with the highest ranked evaluation(s) from the initial phase of the evaluation process will be recommended for the final phases of the evaluation process (including interviews, negotiations, and Board approval, as required). If the Authority finds that multiple Proposals should be given further consideration, the Authority may select one or more of the highest-ranking Proposals to move to the next phase. The Authority may alternatively choose to bypass any or all subsequent phases and make an award based solely on the proposal evaluation phase.

7. Interview/ Oral Presentations

Interviews and/or oral presentations with Offerors may be held at the option of the Authority. The Authority reserves the right to select a responsive, responsible Offeror or Offerors on the basis that is most advantageous to the Authority. Offerors who submit proposals will be notified of the selection results. Final recommendation of any selected Contractor is subject to the formal approval of the Authority.

8. Notice of Award and Right to Reject/Withdraw

The Authority will notify the successful Contractor of the Award in writing.

If the successful Contractor defaults or otherwise is unable to enter into a contract with the Authority, then the Authority reserves the right to begin negotiations with the next highest ranked Offeror. The successful proposing Offeror will have fourteen (14) calendar days after receipt of the notification of Award to furnish any required additional submissions including the performance and payment bonds required herein, if applicable.

The Authority will reject any Proposal that is not in the required format, or does not address all the requirements of this RFP, or that the Authority believes is excessive in price or otherwise not in its interests to consider or to accept. The Authority reserves the right to reject any proposal as non-responsive if the Proposal fails to include any of the required information in the specified order.

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SECTION III SCOPE OF SERVICES

1. The Contractor shall furnish all labor, vehicles, equipment, tools, supplies and licenses necessary to provide grease pumping and disposal services for the grease interceptors listed on the **Equipment and Service Schedule (Attachment 1)**. The physical location of each grease interceptor is indicated on the **Maps for Terminals 1 and Terminal 2 (Attachment 2 and Attachment 3** respectively).
2. The Contractor shall provide routine grease pumping services according to the frequencies and time restrictions set forth on the Equipment Schedule. All routine pumping services must be scheduled with the Authority's Representative at least one calendar week in advance for escort purposes.
3. The Contractor shall also provide on-call pumping services as requested by the Authority's Representative. Emergency requests must be handled within 24 hours, unless otherwise directed by the Authority. The Contractor shall use the price shown on their pricing sheet under the "Cost per Pump" for on-call and emergency services.
4. Contractor's vehicles used in the provision of these services shall be permanently decaled with the Contractor's name and shall be in good operating condition.
5. Upon completion of each service, the Contractor shall provide a service record for each grease interceptor detailing the volume of material removed and any issues found.
6. The Contractor must follow all governmental regulations in the handling and disposal of fats, oils and grease. In addition, the Contractor shall be responsible for the remediation of any accidental release of fats, oils and grease resulting from the Contractor's operations and occurring on Authority property.

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SECTION IV QUALIFICATIONS OF OFFEROR

Offeror shall have a minimum of 5 years professional experience in grease pumping and disposal and understand the concepts and requirements of scope of services. Assigned project team members shall possess a minimum of 3 years professional experience with background in grease pumping and disposal services.

SECTION V CONTRACT

VENDORS ARE REQUIRED TO REVIEW THE ATTACHED CONTRACT. ANY REQUESTED CHANGES OR COMMENTS TO THE CONTRACT(S) PLEASE SUBMITTED WITH THE PROPOSAL. IF THE VENDOR FAILS TO PROVIDE REQUESTED CHANGES OR COMMENTS TO THE TERMS AND CONDITIONS, THE AUTHORITY WILL ASSUME THE VENDOR AGREES TO THE CONTRACT(S) AS WRITTEN. THE AUTHORITY HAS LIMITED ABILITY TO CHANGE THE CONTRACT. ANY REQUESTED CHANGES MAY BE REJECTED BY THE AUTHORITY. THE AUTHORITY RETAINS THE RIGHT TO AWARD TO THE NEXT HIGHEST RANKED VENDOR.

SECTION VI CONTRACT TERM

This contract shall be for three (3) years period beginning on the date of contract award. At its sole discretion the Authority may have an option to extend the contract for two (2) additional one-year periods for a potential maximum of five (5) years. The Authority shall give the Contractor written notice of its intent to renew no less than thirty (30) calendar days prior to the expiration and if the Authority elects to renew, the terms of said renewal shall be specified in writing as part of the written notice. Contractor shall respond within thirty (30) calendar days of this notice with any exceptions or changes to the original contract term. The exceptions shall be negotiated between the Authority and the Contractor during the remaining sixty (60) calendar days of the notice period. If there are no exceptions taken or, upon mutual contract of the parties concerning renewal terms, the Contractor shall sign the renewal notice and send it back to the Authority.

SECTION VII RESERVED.

SECTION VIII REQUIRED FORMS (Separate Downloadable document)

Complete all forms as appropriate and submit per the schedule described in Section II. Proposals which do not include the required forms will be deemed non-responsive.

1. Form A: RESERVED.
2. Form B: Pricing Form (provided as a separate downloadable excel spreadsheet)
3. Form C: Proposal Execution Form & Debarment Certification
4. Form D: Offeror Work History
5. Form E: E-Verify Certification
6. Form F: Iran Divestment Act Certification of Eligibility
7. Form G: Supplier Survey and W-9 Form

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EXHIBIT A
MINORITY AND WOMEN-OWNED SMALL BUSINESS PROGRAM

Introduction

It is the policy of the Authority that neither the Authority, its contractors, service providers, subcontractors nor vendors, shall discriminate on the basis of race, color, religion, national origin, or gender in the award and performance of contracts, subcontracts and purchases. The Authority has established a Minority and Women-Owned Small Business Program (MWSB Program) to encourage equal opportunity for MWSBs to compete for employment as contractors, subcontractors, suppliers and service providers. It is also the Authority's policy to remove barriers which may exist for MWSBs to compete for contracts, subcontracts and procurement awarded by the Authority. Additional information concerning the Authority's MWSB Program may be found on the internet at <http://www.rdu.com/business/smallbusiness.html>.

The Authority awards contracts without regard to race, religion, color, creed, national origin, gender, age or handicapping condition. The Authority's contracts are subject to the requirements of North Carolina law, and this contract will be awarded in accord therewith.

B. Minority and Women-Owned Small Business (MWSB)

A Minority or Women-Owned Small Business (MWSB) is a firm which has been certified by an approved agency to meet the following criteria: A small business, as defined by the Small Business Administration size standards, that is at least fifty-one percent (51%) owned, and controlled by one or more socially and economically disadvantaged individuals. The following individuals are presumed to be socially and economically disadvantaged: Black Americans; Hispanic Americans; Asian Americans; Native Americans; and Women. Firms which are not owned by members of these groups may not be utilized to achieve MWSB Goals in Authority contracts.

C. MWSB Goals

The MWSB Goals for MWSB participation on this contract represent the total dollars that will be spent with MWSBs as a percentage of the total contract amount, including any change orders. The MWSB Goals are as follows:

MBE Goal:	The goal for minority-owned business participation is: Seven percent (7%).
WBE Goal:	The goal for woman-owned business participation is: Four percent (4%).

In order to comply with the MWSB Program requirements, a proposer must either meet the MWSB Goals or demonstrate that the proposer has made sufficient good faith efforts to meet the MWSB Goals. If the proposer does not meet the MWSB Goals, it shall nevertheless be eligible for award of the contract if it can demonstrate to the Authority that it has made good faith efforts to meet the MWSB Goals.

D. MWSB Program Provisions

All proposers shall agree by the submission of a proposal for this project that MWSBs have the maximum opportunity to participate in the performance of contracts and subcontracts. All proposers are hereby notified that failure to carry out the obligations of the MWSB Program will constitute a breach of good faith in dealing with the Authority, and the Authority will take any and all actions permitted by law to ensure compliance by all Contractors¹ engaged by it. Failure to meet or exceed

the MWSB Goals or to make a good faith effort to meet the MWSB Goals and to adequately document such efforts to the Authority will be grounds for disqualifying a proposal as non-responsive. Proposers specifically agree to comply with all applicable provisions of the MWSB Program and any amendments thereto. Proposers are encouraged to refer to the MWSB Program which is posted on the Authority's website: <http://www.rdu.com/business/smallbusiness.html>.

E. MWSB Program – Accepted Certifications

Currently, the following certifications may be utilized towards achieving MWSB Goals:

1. DBE – N.C. Department of Transportation: Disadvantaged Business Enterprise;
2. SBA 8(a) – Small Business Administration: SBA 8(a) Business Development;
3. SWBE –Women's Business Enterprise National Council: Small Women Business Enterprise.

Furthermore, the Authority will accept the following certifications **with appropriate supplemental documentation:**

1. HUB – N.C. Department of Administration Office for Historically Underutilized Businesses;
2. CMSDC/ NMSDC – Carolinas/National Minority Supplier Development Council, or any affiliate council;
3. NAWBO – National Association of Women Business Owners.

Firms with these certifications must submit the Small Business Verification form and supplemental documentation to the Small Business Program Office, prior to submitting the proposal for the purpose of evaluating achievement of MWSB Goals or good faith efforts.

In order for firms to meet the "WB" portion of the MWSB goal, the firm must be certified by one of the agencies described above as a "women-owned business". In order for firms to meet the "MB" portion of the MWSB goal, the firm must be certified by one of the agencies described above in one of the other minority categories: Black American; Hispanic American; Asian American or Native American. Please note: A proposer may utilize any firm desired. However, for participation purposes, all MWSB firms who wish to do business must be certified by an accepted agency.

The Authority maintains a list of firms which have been verified for use in the MWSB program at www.rdu.com/mwsbdirectory. Links to the NCDOT and HUB directories are available on the Authority's Small Business Program website (<http://www.rdu.com/business/smallbusiness.html>). Prospective proposers are encouraged to inspect these databases to assist in locating firms for MWSB participation. MWSBs must be certified at the time responses are received and proof of certification must be included in the response when submitted to the Authority.

F. Required Documentation – Proposal Submission

The Proposer shall prepare a **written statement** that demonstrates the Proposer understands the MWSB Program requirements and describes the Proposer's plan to meet or exceed the MWSB Goals or demonstrate a good faith effort to meet the MWSB Goals. The statement shall include:

1. Proposer's commitment that it will meet the requirements of the Authority's MWSB Program and that the Consultant will make good faith efforts to subcontract at least seven

percent (7%) of the dollar value of the contract with minority-owned small businesses and at least four percent (4%) of the dollar value of the contract with woman-owned small businesses.

2. Name and contact information for each proposed subcontractor (including MWSB firms); list proposed key personnel and principals for each firm.
3. Proposer's commitment to use the MWSB firms listed in the proposal as submitted.
4. The proposed role and description of work for each proposed MWSB firm, including an estimated MWSB participation (percentage) for each firm based on the scope of work identified in the solicitation.
5. Certification letters or other proof of eligibility for participation in the MWSB program for each MWSB firm proposed

Proposers will also provide written confirmation (i.e. a letter of intent, signed by the MWSB subcontractor) from each MWSB firm submitted in the proposal that it will be participating in the Agreement.

Proposers will be evaluated on the level and quality of participation attained for MWSBs. The successful Proposer's MWSB commitment will be incorporated into the contract and will be enforceable under the terms of the contract. Proposers shall be solely responsible for confirming experience, capacity, and MWSB eligibility of subcontractors related to this solicitation.

G. Good Faith Effort Requirements

Each proposer may be required to submit documentation which demonstrates that it made good faith efforts to meet each portion of the MSWB Goals (minority-owned business goal and woman-owned business goal). The requirement to submit documentation that the goal has been met or good faith documentation in the manner prescribed by the Authority is considered a matter of responsiveness. Efforts that are merely pro-forma are not good faith efforts to meet the requirements of the MWSB Program. The Authority shall be the sole arbiter to determine if a proposer has made a reasonable good faith effort toward MWSB participation in its proposal on any project.

H. Counting MWSB Participation

For the purposes of MWSB participation, MWSB firms are counted as either minority-owned businesses (MB) or women-owned businesses (WB).

1. MWSB Prime Contractors and Consultants - If a MWSB is the Prime Contractor, the participation of the MWSB Prime which is not subcontracted to another firm (or firm) is counted towards one portion (i.e. MB or WB) of the MWSB commitment. Prime Contractors (including MWSB Prime Contractors) are responsible for meeting both portions the MWSB commitment.
2. Subcontractor/ Subcontractor – If the Contractor, consultant or service provider utilizes an MWSB as a subcontractor or subcontractor to perform services, the Authority counts 100% of the value of the Commercially Useful Function² the MWSB performs toward satisfaction of the MWSB Commitment³. The Authority will allow the Contractor to count only the value of the work actually performed by the MWSB toward MWSB Commitment. This amount should include the cost of supplies and materials obtained by the MWSB for the work of the contract, including supplies purchased or equipment leased by the MWSB (except supplies and equipment the MWSB Subcontractor purchases or leases from the Contractor).

3. MWSB suppliers – In service, construction and construction-related professional service contracts, a Contractor may count 60% of its expenditures to MWSB suppliers that are not manufacturers toward achievement of the contract goals, provided that the MWSB Supplier performs a Commercially Useful Function in the supply process.
4. MWSB manufacturers – The Contractor may count 100% of all expenditures for materials, supplies and equipment obtained from an MWSB manufacturer toward the MWSB Goal. A MWSB manufacturer is a supplier that produces goods from raw materials or substantially alters them before resale.

I. MWSB Program Requirements

1. Agreements between a proposer and an MWSB in which the MWSB promises not to provide proposals/quotes to other bidders are prohibited.
2. Following the submission of the proposals, no change shall be made in any of the MWSB consultants proposed to be engaged by the Proposer without the prior written consent and approval of the Authority.
3. If the Contractor proposes to terminate or substitute a MWSB after submitting a proposal, the Proposer must make good faith efforts to find a substitute MWSB for the original MWSB to meet its MWSB commitment. Its good faith efforts shall be directed at finding another MWSB to perform or provide at least the same amount of work, material or service under the contract as the original MWSB to the extent necessary to meet its MWSB commitment. The Contractor must give the MWSB notice in writing, with a copy to Authority, of its intent to request to terminate and/or substitute, and the detailed reasons for the request. All substitutions shall be coordinated with and approved by the Authority prior to being made.
4. The Contractor has a continuing obligation to meet the MWSB utilization to which it committed at contract award as indicated in the Schedule of Subcontractors, inclusive of change orders, amendments, and modifications.
5. The Contractor shall maintain records and submit monthly reports of all subcontractor and supplier payments (including MWSB payments), concurrent with the Contractor's submission of payment requests with each invoice.
6. The Contractor shall include a certification by the Contractor and each MWSB Subcontractor regarding payment to each subcontractor for the prior month's work. These reports will be certified as true and correct by an appropriate company official. To ensure that the Contractor meets all its MWSB commitment, the Authority will review the Contractor's MWSB utilization throughout the term of the contract, including any term extensions of the original contract period.
7. Upon the Authority's request, the Contractor shall provide Authority access to books, records, accounts and personnel needed for MWSB compliance review. Such access will be used for, among other purposes, determining MWSB participation and compliance with the MWSB Program. Determination(s) regarding Contractor's compliance with the MWSB Program may be considered and have a bearing on consideration of the Contractor for award of future contract

J. Required Documentation – MWSB Program Compliance

As referenced above, the Contractor must maintain compliance with the MWSB Program provisions throughout the contract. The Contractor must submit the following MWSB compliance forms or documentation in a format acceptable to the Authority, as appropriate:

1. **Monthly Payment Summary**
2. **MWSB Affidavit of Total Payment**
3. **Request to Change Schedule of Subcontractors**

Questions concerning the MWSB Program can be addressed to the Authority's Director of Small Business Programs, Ms. Thiané Carter via e-mail at thiane.carter@rdu.com or via telephone at (919) 840-7712.

END OF

Grease Pumping and Disposal Services

RFP No. 554-2024-0013

Solicitation Specific Provisions

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