

CITY OF OAKLAND ZERO WASTE SERVICES REQUEST FOR PROPOSALS

AFFIDAVIT

CODE OF CONDUCT AND RECEIPT OF RFP

DISPOSAL SERVICES (SERVICE GROUP 3)

The City of Oakland is committed to a procurement process for Zero Waste Services that is open, objective, carefully monitored, and understandable to all. The City is therefore imposing a Code of Conduct that includes restrictive administrative controls. Each participant in this procurement process is individually and solely responsible for ensuring his/her compliance with the rules contained in this Affidavit. This responsibility extends to the participant's employees, agents, consultants, lobbyists, and other parties or individuals engaged for purposes of developing or supporting a proposal in response to this RFP.

The Code of Conduct comprises the following rules, which will be adhered to and enforced:

1. Participants must adhere to the [Protocol for Process Integrity](#) established specifically for this procurement (Attachment A). Any attempt to contact or interact with any elected or appointed official for the purpose of influencing the selection process will be grounds for disqualification from the selection process. Any participant who fails to adhere to the Protocol for Process Integrity will be notified of the violation and may be subject to disqualification from the selection process at the sole discretion of the City.
2. Participants must comply with the City's **Debarment Program** ([Oakland Municipal Code Chapter 2.12.050](#))
3. Participants must comply with the City's **Campaign Contribution Limits Program** ([Oakland Municipal Code \(OMC\) Chapter 3.12](#)), AND complete [Schedule O - Acknowledgement of City of Oakland Campaign Contribution Limits](#) (Attachment B) prior to signing this Affidavit document. The City considers commencement of negotiations under [OMC Chapter 3.12.140](#) to be release of the RFP, and accordingly campaign contributions by participants are prohibited effective August 3, 2012. In addition, all participants are prohibited under this Code of Conduct from promotional outreach, hospitality, gifts, or other like activities directed toward City staff, elected or appointed officials, or proposal reviewers.
4. Only information and materials provided by the City in the RFP, or by the RFP Process Coordinator in writing to all participants, are to be relied upon in developing a proposal. Participants shall not rely on information that is not provided in this manner, including other City information or materials, which may be inaccurate or not applicable to this RFP. Reliance on any information other than that contained in the RFP, or provided by the RFP Process Coordinator in writing to all participants, in the development of a proposal, may create inaccuracies or errors and lead to that proposal being deemed non-responsive.
5. Collusive activities among participants are expressly forbidden and may result in immediate disqualification of any involved parties. If two or more participants are developing a partnership or joint proposal, the **Zero Waste Services RFP Process Coordinator** identified below must be notified in writing, either by email or US Mail, by the parties no later than 2:00 p.m. PDT on Wednesday October 31, 2012. This notification will be kept confidential until after submission of proposals.
6. Until the City announces top-ranked proposals, all contact between participants and the City shall be in writing, either by email or US Mail, to:

**Garrett Fitzgerald, Zero Waste Services RFP Process Coordinator**

250 Frank H. Ogawa Plaza, Ste. 5301

Oakland, CA 94612

Email: [zerowasterfp@oaklandnet.com](mailto:zerowasterfp@oaklandnet.com)

Contacting any other City staff member, elected or appointed officials, or proposal reviewers could result in disqualification of the proposal.

7. The City will simultaneously transmit to all participants the City's responses to all communications received from participants.
8. Failure of a participant to attend the Mandatory Pre-Proposal Meeting shall render any proposal submitted by that participant to be deemed non-responsive.
9. Failure of a participant to sign this Affidavit, or Schedule O – Acknowledgement of City of Oakland Campaign Contribution Limits, at the Mandatory RFP Release Meeting will result in any proposal submitted by that participant to be deemed non-responsive.
10. Any evidence that indicates a participant has failed to comply with the Code of Conduct, or has otherwise substantially diminished the City's ability to award contracts in a timely manner and free of contention, may result in that participant's disqualification and forfeiture of proposal bond and RFP deposit. The City reserves the sole right to disqualify any participant at any point in the process prior to contract award for failure to comply with the requirements described in this document.

In order to facilitate communication with prospective proposal partners and/or local business subcontractors, the City will publish the contact information listed below for the representative of your company who may be contacted on these matters:

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

The following company:

- Has received the Disposal Services (Service Group 3) portion of the Zero Waste Services RFP
- Has submitted a deposit of five thousand dollars (\$5,000) payable to the City of Oakland
- Intends to participate in the Disposal Services RFP process
- Will strive to ensure that the integrity and timeliness of that process is maintained, including adherence to the specific Code of Conduct rules listed above
- Warrants that the person signing below is authorized to impose on the company the specific Code of Conduct rules listed above

On behalf of my company/agency, I understand and accept the rules established in this statement.

Company Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Name of Company Representative: \_\_\_\_\_  
Title of Company Representative: \_\_\_\_\_  
Signature \_\_\_\_\_ Date: \_\_\_\_\_

(Sign in Ink)