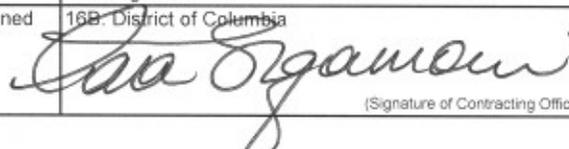


AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. Contract Number	Page of Pages 1 7
2. Amendment/Modification Number M0003	3. Effective Date See 16.C	4. Requisition/Purchase Request No.	5. Solicitation Caption: Material Recovery Facility (MRF)	
6. Issued By: OFFICE OF CONTRACTING AND PROCUREMENT Transportation Speciality Equipment Group 2000 14th Street, NW 6th Floor Washington, D.C. 20009		Code KTO	7. Administered By (If other than line 6) Department of Public Works Solid Waste Management Administration 2750 South Capitol Street Washington, DC 20032	
8. Name and Address of Contractor (No. Street, city, country, state and ZIP Code)			(X)	9A. Amendment of Solicitation No. DCKT-2009-B-0042
				9B. Dated (See Item 11) 15-Dec-08
				10A. Modification of Contract/Order No.
				10B. Dated (See Item 13)
Code	Facility			
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS				
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers <input checked="" type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or fax which includes a reference to the solicitation and amendment number. FAILURE OF YOUR ACKNOWLEDGEMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by letter or fax, provided each letter or telegram makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.				
12. Accounting and Appropriation Data (If Required)				
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14				
A. This change order is issued pursuant to: (Specify Authority) The changes set forth in Item 14 are made in the contract/order no. in item 10A.				
B. The above numbered contract/order is modified to reflect the administrative changes (such as changes in paying office, appropriation date, etc.) set forth in item 14, pursuant to the authority of 27 DCMR, Chapter 36, Section 3601.2.				
C. This supplemental agreement is entered into pursuant to authority of:				
D. Other (Specify type of modification and authority)				
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input checked="" type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.				
14. Description of amendment/modification (Organized by UCF Section headings, including solicitation/contract subject matter where feasible.)				
<p>1. On page 27, under Section H.13, and page 48, under Section J.1.1, delete Wage Determination No. 2005-2104 revision 8, dated May 29, 2008 and insert Wage No. 2005-2103, revision 6, dated May 29, 2008.</p> <p>2. On Page 29, Section H.14.4. delete Section C.4 and insert H.15.</p> <p>3. On page 48, Section J.1 "attachment", delete Payment Bond form.</p> <p>4. On page 37 through 68, delete solicitation number DCKT-2009-B-0002 and insert DCKT-2009-B-0042.</p> <p>5. Data required under Section G.2.3.3, H9.10 and H.9.11 shall be in PDF format of an Excel or similar spreadsheet.</p> <p>6. Bid opening date is extended from February 20, 2009 to March 5, 2009, 2:00 pm local time.</p>				
Except as provided herein, all terms and conditions of the document referenced in Item (9A or 10A) remain unchanged and in full force and effect				
15A. Name and Title of Signer (Type or print)			16A. Name of Contracting Officer Tara Sigamoni	
15B. Name of Contractor		15C. Date Signed	16B. District of Columbia	16C. Date Signed
(Signature of person authorized to sign)				2/13/09
		(Signature of Contracting Officer)		

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7. Delete section H.14.4 in its entirety, and replace to read as follows: To reduce the risk to the contractor, and ultimately to the District, of potentially falling markets, and to allow the District to benefit from potentially rising markets, proposed prices shall be adjusted quarterly. The Quarterly Processing Price Adjustment Formula specified below will be used to adjust the prices quoted in the Bid for receiving, processing and marketing Rigid Containers and Paper Products

8. Under section H.15, delete section H.15.2.1 C in its entirety and insert the following to read: "The QPI is recalculated in the same manner for each subsequent calendar quarter. Quarterly calculation of the QPI shall be performed by the District and shall then be provided to the Contractor. The first quarterly calculation of the QPI shall be for the period ending December 31, 2008, and the first price adjustment shall be made for the quarter beginning January 1, 2009. The calculation of each QPI shall be concluded by the 15th day of each applicable quarter".

9. On page 16 of the solicitation, add Section H.16 to read:

H.16: ECONOMIC PRICE ADJUSTMENT (For Hauling Cost Only)

The hauling cost that is submitted by the bidder in response to the Invitation for Bids includes the total costs associated with transporting recyclables from the District's transfer stations to material recovery facility (MRF) site. For the purpose of pricing Hauling Services, the Contractor shall assume the per gallon cost of ultra low sulfur No. 2 diesel fuel (FUEL) is the price on the Monday prior to the submission of Bids as reported by the U.S. Department of Energy, Energy Information Administration for the Central Atlantic (PADD1B) in cents per gallon including taxes. The price of Hauling Services, **CLIN No. 0001** shall be adjusted in any week when the price of FUEL is more or less than this per gallon price. The per ton adjustment will be based upon the following formula:

FUEL ADJUSTMENT FORMULA:

- Sum the Round trip miles between Fort Totten and Benning Road and MRF site and divide by two (2) to get the Round Trip Miles.
- Divide the Round Trip Miles by Miles Per Gallon to get the number of Gallons Per Load.

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- Divide Gallons Per Load by the Tons Per Load to get Gallons Per Ton.
- Multiply the Gallons Per Ton by 1.1 to get the Per Gallon Cost Adjustment Factor with an allowance for overhead costs.
- Take the price for FUEL from the U.S. Department of Energy, Energy Information Administration for the Central Atlantic (PADD1B) in cents per gallon including taxes for the week and subtract the FUEL price on the Monday prior to the submission of Bids to get the Change in Fuel Price.
- Multiply the Change in Fuel Price by the Per Gallon Cost Adjustment Factor and round to the nearest cent to get the Weekly Per Ton Adjustment.
The Weekly Per Ton Adjustment is added to the CLIN Unit Price Per Ton to get the Price for the week.

FOR MRF SITES LESS THAN 75 MILES ROUND TRIP:
ASSUMPTIONS:

Miles Per Gallon = 4.5
Tons Per Load = 22
Overhead Allowance = 10%

EXAMPLE FOR DISPOSAL SITE X:

The Distance from Fort Totten to Land fill X is 70 miles and Benning Road is 74 miles. The FUEL price on the Monday before the submission of Bids was \$4.00 per gallon.

The FUEL price on the Monday of Week One was \$4.25; Week Two was \$4.50; Week Three was \$4.00; and Week Four was \$3.75. Bid Hauling Unit Price by Contractor was \$25 per Ton.

Round Trip Miles = 72 miles $((70+74) / 2 = 72)$
Gallons Per Load = 16.0
Gallons Per Ton = 0.7272
Cost Adjustment Factor = 0.7999

72 miles / 4.5 miles per gallon = 16 gallons / 22 tons per load = 0.7272
gallons per ton * 1.1 = 0.7999 gallons per ton
Change in FUEL Price

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Week One = \$0.25 ($\$4.25 - \$4.00 = \0.25)
 Week Two = \$0.50
 Week Three = \$0.00
 Week Four = -\$0.25

Weekly Per Ton Adjustment =

Week One: \$0.20 ($\$0.25 * 0.7999 = \0.1999)
 Week Two: \$0.40
 Week Three: \$0.00
 Week Four: -\$0.20

Weekly Per Ton Adjusted Haul Price per ton

Week One: \$25.20 ($\$25.00 + \$0.25 = \25.20)
 Week Two: \$25.40
 Week Three: \$25.00
 Week Four: \$24.80

FOR MRF SITES GREATER THAN 75 MILES:

ASSUMPTIONS:

Miles Per Gallon = 5.25
 Tons Per Load = 24.5
 Overhead Allowance = 10%

EXAMPLE FOR DISPOSAL SITE Y:

The Distance from Fort Totten to Land fill Y is 310 miles and Benning Road is 314 miles. The FUEL price on the Monday before the submission of Bids was \$4.00 per gallon. The FUEL price on the Monday of Week One was \$4.25; Week Two was \$4.50; Week Three was \$4.00; and Week Four was \$3.75. Bid Hauling Unit Price by Contractor was \$38 per Ton.

Round Trip Miles = 312 miles ($(310+314) / 2 = 312$)
 Gallons per Load = 59.4286
 Gallons per Ton = 2.4257
 Cost Adjustment Factor = 2.6682

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312 miles / 5.25 miles per gallon = 59.4286 gallons / 24.5 tons per load =
 2.4257 gallons per ton * 1.1 = 2.6682

Change in FUEL Price

Week One = \$0.25 (\$4.25 - \$4.00 = \$0.25)
 Week Two = \$0.50
 Week Three = \$0.00
 Week Four = -\$0.25

Weekly Per Ton Adjustment =

Week One: \$0.67 (\$0.25 * 2.6682 = \$0.667)
 Week Two: \$1.33
 Week Three: \$0.00
 Week Four: -\$0.67

Weekly per Ton Adjusted Haul Price per ton

Week One: \$38.67 (\$38.00 + \$0.67)
 Week Two: \$39.33
 Week Three: \$38.00
 Week Four: \$37.33

Question 1: The District does mention some of the required documents needed for Submittal (Section J and K). However, there are some other sections that mention required documentations that must be submitted with bid? Referenced to the necessary documents are made on p. 1; p. 3; S I.17, p. 46; S. J; S K.1 and K.2 p. 29; S K.3 & 4, p. 50 S K. 5 & 7. p. 51; S L.15 p.57; S.L 17 p. 57; Guarantee of Surety Bid Bond, p. 57 and Attachment J.1.4; S. M.3.1, p. 66. However there are areas that are not completely clear as to what is needed in the initial bid submittal.

Response: Information to be submitted along with bid package are: Attachment J.1.4, performance and bid bonds; attachment J.1.5, Proposed materials Recycling Processing Facilities and End Markets; J.2.1 First Source Agreement; J.2.2 Tax Certification Affidavit; J.2.3, E.E.O Information and Mayor Order 85-85, and Section L.15 Acknowledgement of Amendment.

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Requirements under Section M.1.6 and M.3.1 should be submitted only if the vendor is seeking preference under this solicitation.

Question 2: Can you please clarify what the phrase processing and marketing the recyclable mean in the above solicitation?

Response: See sections C.2.0 and C.2.12

Question 3: What is the date and time of the pre-bid conference?

Response: DPW is not having a pre-bid conference for this solicitation.

Question 4: Do answers to section L.19 Standards of Responsibility have to be included with our bid response? It states that the contractor must submit the documentation listed below, within five (5) business days of the request by the District.

Response: Referenced information is not required to be submitted along with the bid package. However, if information is requested by the District, at a later date, it should be provided within five (5) days of the request.

Question 5: Please confirm that, for the sake of Quarterly pricing adjustments, that Fiber is 63% of the total Single Stream fraction, while Rigid Containers is 37%.

Response: That is correct

Question 5a: Will adjustments to these and the Rigid Container material percentages be allowed at the beginning of the contract, through a Material Stream Sort Test to establish the correct percentages? At what intervals will similar Sort tests be allowed throughout the contract to re-establish actual percentages, since the term is 5 years and commodity percentages are likely to change in a material way?

Response: The first material stream sort test may be conducted at the first three months of the contract. Subsequent sorts may be conducted annually thereafter. DPW personnel shall be present during every sort.

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Question 6: So that all bidders are using the same information, what percentage of paper makes up a ton of single stream material?

Response: See response to question number 5.

Question 7 How much weight is loaded into the current contractor's vehicles and what capacity are those vehicles? Are the weights the same at both transfer stations?

Response: During November, 116 trucks loaded with recyclable were transferred from both transfer stations for a total of 2230 tons. The average load was 19.22 tons.

Question 8: Current Hauler.

Response: WM Recycle America, LLC

Question 9: Current Disposal site/MRF.

Response: The current processing center is located in Jessup, Maryland on Kit Kat Road.