



DANE COUNTY DEPARTMENT of PUBLIC WORKS, HIGHWAY and TRANSPORTATION

County Executive
Joseph T. Parisi

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Commissioner / Director
Gerald J. Mandli

April 3, 2013

ATTENTION ALL REQUEST FOR PROPOSAL (RFP) HOLDERS

RFP NO. 312036 - ADDENDUM NO. 2

RECYCLING OF RESIDENTIAL ELECTRONICS

DANE COUNTY LANDFILL SITE #2

PROPOSALS DUE: THURSDAY, APRIL 11, 2013, 2:00 PM. DUE DATE AND TIME ARE NOT CHANGED BY THIS ADDENDUM.

This Addendum is issued to modify, explain or clarify the original Request for Proposal (RFP) and is hereby made a part of the RFP. Additional information from questions about the Sample County of Dane Purchase of Service Agreement pages are listed below. Please acknowledge this Addendum to your proposal.

PLEASE MAKE THE FOLLOWING CHANGES:

1. Sample County of Dane Purchase of Service Agreement Document

Response to questions in reference to Pages 1-7 of the Sample Agreement is given below:

If any additional information about this Addendum is needed, please call John Welch at 608/516-4154, welch@countyofdane.com

Sincerely,

John Welch
Solid Waste Manager

S:\PubWork\Shared\Engineering Division\Construction Docs\Addendum 07-23-08.doc

Questions
RFP 312036
Addendum 2

- **Reference page 4 of 7 paragraph 11A. Can you please define what you mean by \$20,000 in annual contracts?**

Sec. 19.52 of Dane County's Ordinances exempts entities with less than 20 employees and whose contract is less than \$20,000 from filing written Civil Rights Compliance and Affirmative Action Plans with the county. Exempt entities are still expected to comply with the county's ordinances (found at 19.54 and 19.55) requiring an entity to demonstrate non-discriminatory practices.

- **Please define what you mean by subcontractors?**

Sec. 19.51(9) of Dane County's Ordinances defines a contractor as "Any party entering into an agreement or contract with a contracting agency for the construction, purchase, furnishing or disposal of goods, services or real property. Subcontractors and persons hired by the contractor to perform any or all of the contract work are included within the term *contractor*". More specifically, sec. 25.015(1)(e) defines a subcontractor as "a person or entity having an arrangement with a contractor pursuant to which the subcontractor furnishes services for the benefit of the County of Dane and which arrangement would constitute a service contract as defined herein if entered into directly with the county."

- **Living Wage, Domestic Partner Benefits, Civil rights...do they apply to all providers or just those with operations in Dane County? Please define operations?**

Per Dane County's website, the ordinance mandates that employers pay their affected employees at least the hourly living wage listed above for every hour worked on the County contract, subject to the rules set forth in the ordinance. If an employee is performing both county and non-county work and it is not possible to separately account for the time associated with the work under the county contract, the employee shall receive the full living wage. Under certain circumstances this requirement can be waived prior to a bid solicitation, and the employer can pay the living wage using a proportional formula.

"Employee" means any person who is employed either by the County or a Contractor, including part-time and temporary employees.

"Affected employee" means any person who is directly involved in providing a contracted service.

"Wages" mean the amount gross salary paid to an employees as compensation for labor performed, and does not include benefits or commission. This term does not include any amount paid to an employee not directly related to the labor performed, such as for parking, uniforms, and contributions to retirements plans. Employees who receive tips, commissions or other compensation of more than an

hourly wage shall be paid an hourly wage which, when coupled with the other compensation, will at least equal the living wage for each pay period where an employee is directly involved in the service contract.

As for the Equal Benefits requirement, sec. 25.016(3)(a) of Dane County's ordinances determines applicability. **(a)** This ordinance shall apply to: **1.** All contractors as follows: **a.** A contractor's operations located in Dane County, regardless of whether there are employees at those locations performing work on the contract; **b.** A contractor's operations on real property located outside of Dane County if the property is owned by the County or the County has the right to occupy the property, and if the contractor's presence at or on that property is connected to a contract with the County; and **c.** The contractor's employees located elsewhere in the United States but outside of Dane County, if those employees are performing work on a county contract.

With regard to Civil Rights compliance issues, the county's policy is to ensure that contracting agencies, their contractors and their unions do not directly or indirectly discriminate with respect to certain characteristics identified in the county's ordinance. No exceptions or limitations of scope are identified in the ordinance.

- **Does the Dane county prevailing wage rules apply to all bidders? What is the current prevailing wage?**

The living wage for 2013 is \$11.09 per hour. There are limited situations, found in sec. 25.015(1)(d) of the ordinances, in which the living wage provisions do not apply. These include: the purchase of only goods, a professional services contract, is a public works project, contracts under \$5,000, contracts involving the Expo Center, services provided by student interns, certain contracts provided by persons with disabilities involved in employment programs, contracts in existence prior to Oct. of 1999, is a DCDHS contract for residential services, is a contract with another unit of govt., or is a grant, project or contract requiring either payment of prevailing wage rates or labor contract wages more than the living wage.