



**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION**

April 2, 2021

RE: Invitation to Qualify
ITQ #3520T01
Road-Killed Deer Removal and Disposal

TO ALL INTERESTED CONTRACTORS:

You are invited by the Commonwealth of Pennsylvania, Department of Transportation (PennDOT) to submit a response to the attached Invitation to Qualify (ITQ) to provide Road-Killed Deer Removal and Disposal services. This Invitation to Qualify shall replace Contract #3515T01 and will be in effect from October 1, 2021 through September 30, 2031.

Contractors who meet all qualification requirements as contained in the attached ITQ shall be awarded a contract and shall be added to the PennDOT District or County Office's Qualified Contractor list for each county requested. Qualification, however, does not guarantee that you shall be given work.

All applications must be submitted to the Bureau of Office Services at the address specified in the ITQ's Calendar of Events. To qualify for the Initial Enrollment Period, applications must be correctly completed and received on or before 4:00 p.m. on June 8, 2021.

Sincerely,

Charles Connahan
Contracting Officer
Bureau of Office Services

cc: File

INVITATION TO QUALIFY FOR
ROAD-KILLED DEER REMOVAL AND DISPOSAL

ISSUING OFFICE

DEPARTMENT OF TRANSPORTATION

ITQ NUMBER

3520T01

DATE OF ISSUANCE

APRIL 2, 2021

INVITATION TO QUALIFY (ITQ)
ROAD-KILLED DEER REMOVAL AND
DISPOSAL CONTRACT # 3520T01

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INVITATION TO QUALIFY (ITQ)

Commonwealth of Pennsylvania
Department of Transportation

PROCUREMENT OF ROAD-KILLED DEER REMOVAL AND DISPOSAL

SERVICES CALENDAR OF EVENTS

Activity	Responsibility	Due By Date
Submit questions regarding this ITQ are to Contracting Officer no later than 12:00 p.m. on: Contact Person for all ITQ questions: Charles Connahan at cconnahan@pa.gov	Potential Contractors	4/9/2021
Answers to Potential Offeror questions posted to the DGS website at http://www.emarketplace.state.pa.us/Search.aspx no later than this date.	Issuing Office	4/12/2021
Initial Application Period shall close: Sealed applications must be received by the Issuing Office no later than 4:00 PM at: Pennsylvania Department of Transportation Bureau of Office Services Attn: Charles Connahan Contracting Officer 400 North Street, 5th Floor Harrisburg, PA 17120	Potential Contractors	6/08/2021
Open Enrollment: Applications shall continue to be accepted at the address above until 4:00 p.m. on January 31, 2031.	Potential Contractors	1/31/2031

DEFINITIONS

For the purposes of this ITQ, the following definitions shall apply:

- ◆ **Contract:** The Contract executed as a result of this ITQ.
- ◆ **Contracting Officer:** The person authorized to administer this Contract for PennDOT and to make written determinations with respect to the Contract.
- ◆ **Initial Application Period:** Applications submitted for qualification between ITQ release date and June 8, 2021. All completed applications received during the initial application period shall be processed as a batch prior to processing applications received during the Open Enrollment.
- ◆ **Issuing Office:** PennDOT Office issuing the ITQ.
- ◆ **Open Enrollment:** This refers to the period beginning the day after the due date for Initial Applications through January 31, 2031, where Contractors can submit their Applications for qualification under this ITQ.
- ◆ **Purchasing Office:** The PennDOT organization issuing the Request for Quote (RFQ) for service covered under this ITQ as well as the ensuing Purchase Order.
- ◆ **Purchasing Office Contact Person:** Person in the PennDOT organization referenced in the RFQ process and on Purchase Order.
- ◆ **Request For Quote (RFQ):** A document that describes the required services and provides interested Qualified Contractors with sufficient information to enable them to prepare and submit quotes. At PennDOT's discretion, RFQs may be issued through mail, facsimile or electronic mail.

PART I

STATEMENT OF WORK

Scope: To remove and lawfully dispose of clearly visible dead deer (or major parts thereof) that can result in hazardous driving conditions along or within PennDOT's right-of-ways, highways, and interchanges throughout the Commonwealth.

All work shall be awarded through a Request for Quote (RFQ) as described in Part III. Details on required service shall be provided on the RFQ.

General Tasks: Selected Contractors shall be required to complete the following tasks:

- A. **Schedule Kickoff Meeting:** Selected Contractor is required to contact the Maintenance Manager within ten (10) days of receipt of a Purchase Order to develop a comprehensive work plan for the Road-Killed Deer Removal and Disposal services. Items to be discussed include (but are not limited to):
 - i. Pick-up notification process. The contractor must provide one phone number with a form of answering service (answering machine or individual) approved by PennDOT, to accept verbal messages regarding the location of road-killed deer. Phone coverage **MUST be available for use 7 days a week, 24 hours a day.**
 - ii. Acceptable storage requirements prior to disposal.
 - iii. Procedure for pickup of deer found prior to PennDOT notification.
 - iv. **Invoice** (reference **Exhibit J**), **Contractor Notification Log** (reference **Exhibit I**), **OS-501-Confirmation of Services Form** (reference **Exhibit K**), and disposal facility receipts submission process.
- B. **Clean up/removal:** PennDOT shall provide locations of road-killed deer to the contractor. The contractor shall be required to remove the deer and/or deer pieces within **24-hours of notification**, unless otherwise directed by Maintenance Manager. Leaving a message with the contractor's answering service fulfills PennDOT's notification obligation.
 - i. If the contractor does not remove the carcass within the assigned timeframe and does not notify the Purchasing Office Contact Person immediately of the anticipated delay, PennDOT reserves the right to take the following measures including, but not limited to: (1) removing the carcass by another method and contractor shall not be paid for the call; and (2) entering the contractor into the Commonwealth's Contractor Responsibility Program (CRP).

- ii. If the deer (or major parts thereof) is no longer physically there when the contractor arrives, the contractor shall be paid the ‘Call-Out’ cost for responding to the call. This situation must be reported immediately to PennDOT and noted on the OS-501 and Contractor Notification Log.
- iii. If the animal is not a deer, the contractor must not pick-up the animal. Contractor shall be paid the “Call-Out” cost for responding to the call. This situation must be reported to PennDOT immediately, in order for PennDOT to handle the removal. This must also be noted on the OS-501 and the Contractor Notification Log.
- iv. If a deer is not dead, the contractor must immediately inform PennDOT, the State Police, local police, or the Game Commission. When a police officer or Game Commission officer has killed the animal, the contractor may remove the carcass.
- v. Should the contractor find or learn about a road-killed deer before being notified by PennDOT, the contractor **must** obtain approval from PennDOT to proceed with the removal. The contractor shall not be paid for any deer removed and disposed of without prior PennDOT approval.
- vi. The **Contractor Notification Log** (reference **Exhibit I**) is used to record each service call. The Contractor Notification Log should be submitted on the last day of each month to the appropriate PennDOT County Office.

C. **Disposal:** The contractor shall dispose of deer at an approved disposal facility within **24-hours of pickup** unless directed otherwise by PennDOT. PennDOT shall track pickup calls and compare contractor’s monthly disposal receipts and notification logs for compliance and payment.

- i. When responding to a Request for Quote (RFQ), the contractor must state the method of disposal, the disposal site to be used for each county in which it has expressed an interest to perform Road-Killed Deer Removal and Disposal services (refer to **Exhibit F, “Disposal Sites”**). PennDOT reserves the right to require the contractor to utilize an alternate disposal facility if it is in the best interest of the Commonwealth to do so.
- ii. The contractor must contact the facility/municipal landfill/waste-to-energy facility for further information about its acceptance of deer carcasses. Not every facility on the list is able to accept deer or other animal carcasses. If a rendering plant is selected as a disposal site, the contractor is not allowed to sell the carcass to the plant. Rendering plants may use the hides; however, the contractor may not.
- iii. If composting sites are used, deer that are added to the site must be covered within three (3) calendar days unless directed to do so sooner by PennDOT.
- iv. Prior to disposal, contractor shall store any dead deer in accordance with applicable Federal, State and Local regulations. If the disposal will take longer than the required time the contractor must submit a deer storage plan to the

purchaser. The plan must be approved by the county maintenance manager and the ITQ contract administrator prior to implementation.

- v. The contractor shall obtain receipts from the disposal facility as proof of disposal. PennDOT reserves the right to monitor the accuracy of disposal receipts by inspecting loads prior to disposal or by contacting disposal sites.

D. **Tagging Dead Deer as part of a special study for Chronic Wasting Disease:** PennDOT is assisting the Pennsylvania Game Commission (PGC) in conducting a study on Chronic Wasting Disease (CWD) affecting adult deer. The study shall be conducted in accordance with Executive Order 8 established by the PGC located at: [Pennsylvania Game Commission - State Wildlife Management Agency](#).

- i. Participating contractors should refer to **Exhibit C, “Pennsylvania Game Commission Special Study of Chronic Wasting Disease (CWD)”** for additional information.

E. **Safety Requirements:** The contractor shall be held responsible for the safety of the general public and his/her employees while acting under the authority of this Contract. The contractor is required to:

- i. Follow all provisions of the Commonwealth Vehicle Code – Title 75 Pa. C.S.
- ii. Park vehicle completely off the traveling lane and in the same direction as moving vehicles and as far away from the highway surface as possible.
- iii. Equip vehicles with a flashing or revolving amber light mounted on the roof and visible for 360 degrees from the rear of the vehicle. This light must be activated at all times while the vehicle is stopped for pickup of carcasses.
- iv. Ensure that all contractor personnel wear approved ANSI 3 reflective safety vest and hard hats.
- v. Carry and maintain a valid Driver’s license, vehicle registration and insurance when performing services under this Contract.

The contractor is only authorized when the amber light is activated to use crossovers while picking-up carcasses. Safety training may be provided by PennDOT to selected Contractors.

The contractor shall perform all work as directed or in accordance with the following manuals:

- PennDOT Work Zone Traffic Control (Publication 213)
- PennDOT Maintenance Manual (Publication 23, Chapter 13, Section 5).

F. **Equipment:** The contractor shall be held responsible for supplying all equipment. The contractor is required to:

- i. Supply equipment which includes, but not limited to, revolving vehicle lights, ANSI 3 safety vest, and hard hats.

- ii. Provide an appropriate vehicle with current registration and inspection, capable of hauling and disposing of deer. Contractors may be required to have vehicle(s) inspected by PennDOT upon award of Contract to verify current inspection, registration, and suitability for performance of deer removal and disposal services.
- G. **Contractor Identification:** The contractor and contractor's employees are required to keep a copy of the current, valid Purchase Order as a form of identification in each vehicle used for road-killed deer removal and disposal while working on this Contract.
- H. **Notice of Delays:** Whenever the contractor encounters any difficulty which is delaying or threatens to delay the timely performance of the Contract (including actual or potential labor disputes), the contractor shall immediately give notice thereof in writing to PennDOT Purchasing Office Contact Person stating all relevant information with respect thereto. Such notice shall not in any way constitute a basis for an extension of the delivery schedule or be construed as a waiver by PennDOT of any rights or remedies to which it is entitled by law or pursuant to the provisions of this Contract. Failure to give such notice, however, may be grounds for denial of any request for an extension of the delivery schedule because of such delay.

For any given county, the routes include the whole section of road from county line to county line (the part of the road contained within the county unless specifically noted). PennDOT reserves the right to delete roads by letter of notification to the contractor. No routes shall be added without written, mutual consent by both PennDOT and the contractor.

PART II

ITQ PROCESS

- A. Purpose:** The purpose of this Invitation to Qualify (ITQ) and resulting multiple-award contracts, is to qualify responsible and responsive contractors for the Road-Killed Deer Removal and Disposal services for various locations throughout the Commonwealth of Pennsylvania.
- This ITQ shall result in a contract that is the first step in a two-step procurement process. Only those contractors that respond to this ITQ and that the Department of Transportation (PennDOT) determines to be qualified (“Qualified Contractors”) shall be eligible to participate in the second step, the Request for Quote (RFQ) Process (see PART III).
- B. Issuing Office:** The Bureau of Office Services (“Issuing Office”) has issued this ITQ on behalf of PennDOT. The sole point of contact in PennDOT for this ITQ shall be Charles Connahan, the Contracting Officer for this ITQ. Please refer all inquiries to the PennDOT Contracting Officer via e-mail at cconnahan@pa.gov or via phone at (717) 705-1363, or such other person as designated by PennDOT in writing.
- C. Initial Application Submission Due Date:** The initial application submission deadline for this ITQ is listed in the Calendar of Events. It is in the best interest of all contractors to submit the required information by the initial submission date in order to qualify for the full Contract period. Contractors with an active contract through ITQ 3515T01 must re-apply by completing and submitting **Exhibit D, Contract Signature Page, Exhibit E, Location Sheet, and Exhibit F, Disposal Sites**. Submissions must be delivered to the Issuing Office address listed in Calendar of Events.
- It is the responsibility of each contractor to ensure that its application is received at the submission receipt location on or before the submission due date and time regardless of the medium used.
- D. Open Enrollment For Applications:** Applications shall continue to be accepted after the initial application submission due date, however these applications shall be held until the initial applications have been processed. The Open Enrollment period shall end on January 31, 2031 at 4:00 p.m.
- E. Incurring Costs:** PennDOT is not liable for any costs or expenses incurred in the preparation and submission of the applications.
- F. Rejection of Responses:** PennDOT reserves the right to reject any or all responses to the ITQ and either re-advertise or cancel the project.

G. Modification to the ITQ: If it becomes necessary to revise any part of this ITQ, the Issuing Office shall post an addendum to the DGS website at <http://www.emarketplace.state.pa.us>. It is the contractor's responsibility to periodically check the website for any new information or addenda to the ITQ.

H. Disclosure of Application Contents: All material submitted with the application shall be considered the property of the Commonwealth of Pennsylvania and may be returned only at the Issuing Office's option. PennDOT shall have the right to make copies and distribute applications internally and to comply with public record or other disclosure requirements under the provisions of any Commonwealth or United States statute or regulation, or rule or order of any court of competent jurisdiction.

After the award of a contract pursuant to this ITQ, all applications are subject to disclosure in response to a request for public records made under the Pennsylvania Right-to-Know-Law (refer to **Exhibit A, "Standard Contract Terms and Conditions"**, 1.46 Contract-052.1).

I. Questions and Answers: If a contractor has any questions regarding this ITQ, the contractor must submit the question(s) via email (with the subject line "ITQ #3520T01 Question") to the Contracting Officer named in Part II, (B). Questions must be submitted no later than the date indicated in the Calendar of Events. The Contracting Officer shall post as an addendum to this ITQ the answers to the questions on the DGS website by the date stated on the Calendar of Events. Each contractor shall be responsible to monitor the DGS website for new or revised ITQ information.

PART III

REQUEST FOR QUOTE (RFQ) PROCESS

The second step in the procurement process involves the issuance of Requests for Quotes (RFQ) to Qualified Contractors.

All contractors who meet the requirements for qualification under this ITQ shall be placed on a Qualified Contractors list in each of the counties where they indicated an interest in performing work. PennDOT Purchasing Offices shall send Request for Quotes (RFQs) to contractors listed on their county's Qualified Contractors list. (Refer to **Exhibit G, "Sample – Request for Quote"**).

Contractors should respond to each RFQ, even if only checking the box on the RFQ to indicate that they shall not be submitting a quote. The RFQ must be signed in ink by the authorized signatory; it shall be rejected if signed in pencil and/or by a non-authorized individual.

It is the responsibility of each contractor to ensure that its quote is received at the location specified on the RFQ prior to the date and time set for the opening of quotes, regardless of medium used. No quote shall be considered if it arrives at the location specified on the RFQ after the date and time set for opening of the quotes.

In the event PennDOT's offices are officially closed on the date scheduled for the opening of the quotes; due to inclement weather, natural disaster, or other cause, the quote opening date shall be automatically postponed until the next Commonwealth business day, unless the contractors are otherwise notified by PennDOT.

If a quote is submitted with conditions or exceptions or not in conformance with the terms and conditions referenced in the Invitation to Qualify or the RFQ, it shall be rejected. The quote shall also be rejected if the services offered by the contractor are not in conformance with the specifications as determined by PennDOT.

- A. **Contractor's Representation and Authorization:** By submitting its quote, each contractor understands, represents and acknowledges that:
- i. All of the contractor's information and representations in the quote are material and important, and the Purchasing Office may rely upon the contents of the quote in awarding the contract(s). The Commonwealth shall treat any misstatement, omission or misrepresentation as fraudulent concealment of the true facts relating to the quote submission, punishable pursuant to 18 Pa. C.S. § 4904.
 - ii. The contractor has arrived at the price(s) and amounts in its quote independently and without consultation, communication, or agreement with any other contractor or potential contractor.

- iii. The contractor has not disclosed the price(s), the amount of the quote, nor the approximate price(s) or amount(s) of its quote to any other firm or person who is a contractor or potential contractor for this RFQ, and the contractor shall not disclose any of these items on or before the quote submission deadline specified in the RFQ.
- iv. The contractor has not attempted, nor shall it attempt, to induce any firm or person to refrain from submitting a quote on this RFQ, or to submit a quote higher than this quote, or to submit any intentionally high or noncompetitive quote or other form of complementary quote.
- v. The contractor makes its quote in good faith and not pursuant to any agreement or discussion with, or inducement from, any firm or person to submit a complementary or other noncompetitive quote.
- vi. To the best knowledge of the person signing the quote for the contractor, the contractor, its affiliates, subsidiaries, officers, directors, and employees are not currently under investigation by any governmental agency and have not in the last **four** years been convicted or found liable for any act prohibited by State or Federal law in any jurisdiction, involving conspiracy or collusion with respect to quoting or proposing on any public contract, except as the contractor has disclosed in its quote.
- vii. To the best of the knowledge of the person signing the quote for the contractor and except as the contractor has otherwise disclosed in its quote, the contractor has no outstanding, delinquent obligations to the Commonwealth including, but not limited to, any state tax liability not being contested on appeal or other obligation of the contractor that is owed to the Commonwealth.
- viii. The contractor is not currently under suspension or debarment by the Commonwealth, any other state or the federal government, and if the contractor cannot so certify, then it shall submit along with its quote a written explanation of why it cannot make such certification.
- ix. The contractor has not made, under separate contract with the Purchasing Office, any recommendations to the Purchasing Office concerning the need for the services described in its quote or the specifications for the services described in the quote.
- x. Each contractor, by submitting its quote, authorizes Commonwealth agencies to release to the Commonwealth information concerning the contractor's Pennsylvania taxes, unemployment compensation and workers' compensation liabilities.

- xi. Until the Selected Contractor receives a fully executed and approved written Purchaser Order from the Purchasing Office, there is no legal and valid Purchase Order, in law or in equity, and the contractor shall not begin to perform.

B. **Clarification and Additional Information:** After the receipt of quotes, PennDOT shall have the right to contact contractors for the purpose of seeking:

- i. Clarification of the quote which confirms PennDOT's understanding of statements or information in the quote or;
- ii. Additional information on the services offered; provided the Request for Quote does not require the rejection of the quote for failure to include such information.

PART IV

APPLICATION REQUIREMENTS

Mandatory Requirements:

- A. Contractors must have a SAP Vendor Number to do business with the Commonwealth. The vendor registration form and vendor information is available via the internet at www.vendorregistration.state.pa.us.
- B. Contractor's application package **must** include the following to be considered responsive and responsible:
 - i. Completed ITQ Signature Page with an ORIGINAL SIGNATURE of an official of your company to bind your company to its provisions and the provisions of this ITQ. If signature authority has been delegated, a copy of the delegation, signed by the required principal delegating that authority to the specified individual, must be provided prior to the execution of the contract.
 - ii. Completed **Exhibit E, "Location Sheet"** indicating one or more counties in which you are interested in providing Road-Killed Deer Removal and Disposal services.
 - iii. Legible copy of all contractor vehicle operators' valid **drivers' licenses with the driver photo, driver license number, date of birth and the address whited or blacked out.**
 - iv. Legible copy of the valid **vehicle registration card(s) with the address whited or blacked out** for the vehicle(s) that shall be used for removal and disposal of road-killed deer.
 - v. Legible copy of the valid **vehicle insurance card(s) with the address whited or blacked out and policy declaration with the address and drivers age whited or blacked out** for vehicle(s) that shall be used for removal and disposal of road-killed deer.
 - vi. If including subcontractor(s), submit participating subcontractor's valid driver's license(s), vehicle registration card(s), and vehicle insurance card(s).

Contractor's submitted responses **must** be completed on the documents provided. With the exception of the contractor's signature that **must** be in ink, all other required information must be printed legibly in ink or typed.

The contractor must initial and date any errors made while completing information. Any modifications to this ITQ other than information specifically required by PennDOT may be interpreted as a contractor proposing additional or conflicting terms and conditions to the ITQ Application (which may cause the ITQ Application to be rejected by the PennDOT).

All required documentation submitted in response to the Initial Application Period or Open Enrollment, as listed on the Calendar of Events, shall be included as part of the executed Contract. Final Contract execution cannot occur until the parties sign and acknowledge a complete package as described above. Therefore, any missing information shall result in delays in Contract execution. PennDOT reserves the right to retain any partial information submitted by the contractor and notify the contractor of any omissions.

A copy of all documents should be made for your records.

- C. **Evaluation of Applications:** A contractor's noncompliance with any of the mandatory requirements above shall result in the contractor being considered non-responsive and the submission may be disqualified.

Applications considered responsive shall then be evaluated to determine contractor's qualifications to perform the service based on the documentation submitted as listed above in **Part IV, Section B.**

- D. **Award of Contract:** All contractors that are found responsive and responsible shall be deemed "qualified", receive a signed Contract, and be eligible to receive Request for Quotes. **This does not guarantee that the contractor's services shall be used.**

If contractor is deemed "not qualified", PennDOT shall notify the contractor by letter.