Form C

EXCEPTIONS TO PROPOSAL, TERMS, CONDITIONS AND SOLUTIONS REQUEST

Company Name: The Heil Co.

Note: Original must be signed and inserted in the inside front cover pouch.

Any exceptions to the Terms, Conditions, Specifications, or Proposal Forms contained herein shall be noted in writing and included with the proposal submittal. Proposer acknowledges that the exceptions listed may or may not be accepted by NJPA and may or may not be included in the final contract. NJPA may clarify exceptions listed here and document the results of those clarifications in the appropriate section below

Section/ Page	Term, Condition, or Specification	Exception	NJPA ACCEPTS

Proposer's Signature:	Date:	
	Account Hamboones and	

NJPA's clarification on exception/s listed above:



Contract Award RFP 112014#

FORM D

Formal Offering of Proposal

MOBILE REFUSE COLLECTION VEHICLES WITH RELATED EQUIPMENT, ACCESSORIES, AND SERVICES

In compliance with the Request for Proposal (RFP) for MOBILE REFUSE COLLECTION VEHICLES WITH RELATED EQUIPMENT, ACCESSORIES, AND SERVICES the undersigned warrants that I/we have examined this RFP and, being familiar with all of the instructions, terms and conditions, general specifications, expectations, technical specifications, service expectations and any special terms, do hereby propose, fully commit and agree to furnish the defined equipment/products and related services in full compliance with all terms, conditions of this RFP, any applicable amendments of this RFP, and all Proposer's Response documentation. Proposer further understands they accept the full responsibility as the sole source of responsibility of the proposed response herein and that the performance of any subcontractors employed by the Proposer in fulfillment of this proposal is the sole responsibility of the Proposer.

Lang Chy

Company Name: The Heil Co.

Date: 11/19/2014

Company Address: 2030 Hamilton Place Blvd, Suite 200

City: Chattanooga, TN 37421

Contact Person: Larry Angel

Authorized Signature (ink only): ___

(Name printed or typed)



Contract Acceptance and Award

(To be completed only by NJPA)

NJPA 112014 # MOBILE REFUSE COLLECTION VEHICLES WITH RELATED EQUIPMENT, ACCESSORIES, AND SERVICES

The Heil Co. Proposer's full legal name Your proposal is hereby accepted and awarded. As an awarded Proposer, you are now bound to provide the defined product/equipment and services contained in your proposal offering according to all terms, conditions, and pricing set forth in this RFP, any amendments to this RFP, your Response, and any exceptions accepted or rejected by NJPA on Form C. The effective start date of the Contract will be Scenario of a fifth year renewal option at the discretion of NJPA. National Joint Powers Alliance® (NJP NJPA Authorized signature: NJPA Executive Director (Name printed or typed) NJPA Contract Number 112014-THC NJPA Authorized signature: (Name printed or typed) NJPA Contract Number 112014-THC Proposer hereby accepts contract award including all accepted exceptions and NJPA clarifications identified on FORM C. Vendor Authorized signature: Title: GENERAL MANAGER - READY TRUCKS Executed this 13 TM day of JAN MARY, 20 15 NJPA Contract Number 112014-THC

Form F

PROPOSER ASSURANCE OF COMPLIANCE



Proposal Affidavit Signature Page

PROPOSER'S AFFIDAVIT

The undersigned, representing the persons, firms and corporations joining in the submission of the foregoing proposal (such persons, firms and corporations hereinafter being referred to as the "Proposer"), being duly sworn on his/her oath, states to the best of his/her belief and knowledge:

- 1. The undersigned certifies the Proposer is submitting their proposal under their true and correct name, the Proposer has been properly originated and legally exists in good standing in its state of residence, that the Proposer possesses, or will possess prior to the delivery of any equipment/products and related services, all applicable licenses necessary for such delivery to NJPA members agencies nationally, and that they are authorized to act on behalf of, and encumber the "Proposer" in this Contract; and
- 2. To the best of my knowledge, no Proposer or Potential Proposer, nor any person duly representing the same, has directly or indirectly entered into any agreement or arrangement with any other Proposers, Potential Proposers, any official or employee of the NJPA, or any person, firm or corporation under contract with the NJPA in an effort to influence either the offering or non-offering of certain prices, terms, and conditions relating to this RFP which tends to, or does, lessen or destroy free competition of the Contract sought for by this RFP; and
- 3. The Proposer or any person on his/her behalf, has not agreed, connived or colluded to produce a deceptive show of competition in the manner of the proposal or award of the referenced contract; and
- 4. Neither the Proposer nor any officer, director, partner, member or associate of the Proposer, nor any of its employees directly involved in obtaining contracts with the NJPA or any subdivision of the NJPA, has been convicted of false pretenses, attempted false pretenses or conspiracy to commit false pretenses, bribery, attempted bribery or conspiracy to bribe under the laws of any state or federal government for acts or omissions after January 1, 1985; and
- The Proposer has examined and understands the terms, conditions, scope, contract
 opportunity, specifications request and other documents of this solicitation and that any and
 all exceptions have been noted in writing and have been included with the proposal submittal;
 and
- 6. If awarded a contract, the Proposer will provide the equipment/products and/or services to qualifying members of the NJPA in accordance with the terms, conditions, scope of this RFP, Proposer offered specifications and other documents of this solicitation; and
- 7. The undersigned, being familiar with and understand the expectations requested and outlined in this RFP under consideration, hereby proposes to deliver through valid requests, Purchase Orders or other acceptable forms ordering and procurement by NJPA Members. Unless otherwise indicated, requested and agreed to on a valid purchase order per this RFP, only new, unused and first quality equipment/products and related services are to be transacted

with NJPA Members relating to an awarded contract; and

- 8. The Proposer has carefully checked the accuracy of all proposed products/equipment and related services and listed total price per unit of purchase in this proposal to include shipping and delivery considerations. In addition, the Proposer accepts all general terms and conditions of this RFP, including all responsibilities of commitment as outlined and proposed; and
- 9. In submitting this proposal, it is understood that the right is reserved by the NJPA to reject any or all proposals and it is agreed by all parties that this proposal may not be withdrawn during a period of 90 days from the date proposals were opened regarding this RFP; and
- 10. The Proposer certifies that in performing this Contract they will comply with all applicable provisions of the federal, state, and local laws, regulations, rules, and orders; and
- 11. The Proposer understands that submitted proposals which are marked "confidential" in their entirety, or those in which a significant portion of the submitted proposal is marked "nonpublic" will not be accepted by NJPA. Pursuant to Minnesota Statute §13.37 only specific parts of the proposal may be labeled a "trade secret." All proposals are nonpublic until the contract is awarded; at which time, both successful and unsuccessful vendors' proposals become public information.
- 12. The Proposer understands and agrees that NJPA will not be responsible for any information contained within the proposal.
- 13. By signing below, the Proposer understands it is his or her responsibility as the Vendor to act in protection of labeled information and agree to defend and indemnify NJPA for honoring such designation. Proposer duly realizes failure to so act will constitute a complete waiver and all submitted information will become public information; additionally failure to label any information that is released by NJPA shall constitute a complete waiver of any and all claims for damages caused by the release of the information.

[The rest of this page has been left intentionally blank. Signature page below]

By signing below, Proposer is acknowledging that he or she has read, understands and agrees to comply with the terms and conditions specified above.
Company Name: The Heil CO
Contact Person for Questions: Larry Angel
(Must be individual who is responsible for filling out this Proposer's Response form)
Address: 2030 Hamilton Place Blvd, Suite 200
City/State/Zip: Chattanooga, TN 37421
Telephone Number: 423.242.2967Fax Number: 423.855.6378
E-mail Address: langel@heil.com
Authorized Signature: Lany Angl
Authorized Name (typed): Larry Angel
Title: General Manager Ready Truck / NJPA Contract Manager
Date: 11/20/2014
Notarized Subscribed and sworn to before me this
Notary Public in and for the County of HAMILTOW State of TENNESS
My commission expires: 4 eloruary 25, 2017
My commission expires: 4 loruary 25, 2017 Signature: Colowell
STATE OF TENNESSEE NOTARY PUBLIC OF HAMILY

PROPOSER QUESTIONNAIRE - Payment Terms, Warranty, Products/ Equipment/ Services, Pricing and Delivery Industry Specific Form P

Proposer name: The Heil Co.

Questionnaire completed by: Larry Angel, NJPA Contract Manager

Payment Terms and Financing Options

1) Identify your payment terms if applicable. (Net 30, etc.)

Heil's credit/payment terms are as follows:

HEIL Terms	Description	
Standard	Net 30 Days	
Extended (on orders Involving extended delivery or site preparation delays)	Net 45 Days	
Early Payment Discount Terms	1% 10 Days, Net 30 Days	
Foreign (orders being shipped out of country)	Cash in advance or approved letter of credit	

Please see **Appendix M** for our Credit Terms.

2) Identify any applicable leasing or other financing options as defined herein.

Heil is pleased to offer two key programs to NJPA members under this contract to facilitate the addition of refuse equipment to their solid waste and recycling programs: a **Leasing and Financing Program** and **Equipment Rental Program**.

Leasing and Financing Program

Heil offers customer financing and leasing options on our refuse collection and recycling equipment through our partnership with **National Machine Tool Financial Corporation**.

Since 1986, National Machine Tool Financial Corporation, an independent company based in the Chicago, Illinois area, has specialized in the structuring of leasing and financing programs for all types of new and used equipment purchased by small, medium, and large businesses and municipalities throughout the United States, Canada, and Mexico.

In cooperation with Heil, National Machine Tool Financial Corporation would offer NJPA Members in North America tailored attention and a wide range of financing and leasing programs. All programs would be based on each NJPA Member's rating, needs, and requirements and rates would be adjusted differently depending on each entity. For example, sometimes rates are adjusted to the London Interbank Offered Rate (Libor); at other times, a municipality may be asked to fund an escrow account to hold the rate. When a municipality desires a lease, NMTFC can offer \$1.00, 10%, and fair market values depending on the requirements of the Member. Their terms for leasing and financing are **from 12 months to 84 months**, with monthly, quarterly, semiannual, or annual payments.

Please see **Appendix N** for sample NMTFC credit applications and **Appendix O** for financing/leasing agreements.

Heil Rentals Program

Heil is the **exclusive provider** of refuse rental equipment for **Big Truck Rental (BTR)** of Tampa, Florida and Canada's Big Truck Rental of Aurora Ontario Canada. BTR's rental pool is capable of accommodating the varying RCV needs of NJPA members. Their fleet consists of Front Loaders,

Automated Front Loaders, Automated Side Loaders, Rear Loaders and Roll-Off Hoists.

Big Truck Rental is the only nationally recognized refuse truck rental company in the solid waste industry. They offer various rental contract options, ranging from one week to 12 months or more. By maintaining a rental offering of the newest, most productive collection vehicles, Big Truck Rental has the volume to meet multiple customer needs and can deliver rental units directly to customers quickly, in most cases within 24 hours.

Renting is a viable option for many haulers and **especially for municipalities**. Renting enables customers to:

- Easily start a new collection route due to annexation without the typical upfront investment of purchasing.
- Kick off a new route or relationship without the possible strain on cash flow.
- Quickly replace a fleet unit that goes down unexpectedly or is in for service.
- Manage an emergency storm cleanup or another sudden situation where time is of the essence and expansion of service may need to be temporary, such as seasonal leaf and brush collection.
- Tackle a brand-new route with a quality Heil unit, and determine which model is best for the application.

Please see **Appendix P** for Big Truck Rental rates, rental unit specifications, and sample rental documents. Please note that rental rates **do not include freight**. Freight is calculated and quoted at time of order based on current per-mile rates for diesel- and CNG-fueled vehicles.

- 3) Briefly describe your proposed order process for this proposal and contract award. (Note: order process may be modified or refined during an NJPA member's final Contract phase process).
 - a. Please specify if you will be including your dealer network in this proposal. If so, please specify how involved they will be. (For example, will he Dealer accept the P.O.?), and how are we to verify the specific dealer is part of your network?

All orders for Heil products will be handled by each Member's local Heil Dealer, except for those sales territories where products are sold direct via our internal sales team. For those orders, the Member will work directly with the Heil Regional Manager for the territory who will handle the entire order process.

The Heil website (<u>www.heil.com</u>) can be accessed 24 hours per day, seven days per week. The site offers an interactive listing of authorized Heil dealers Members can use to find their local NJPA dealer/representative, who they will call directly to answer questions or to place an order.

The Heil representative responsible for the territory of a NJPA member will work directly with them to identify the member's equipment needs. Once all equipment requirements have been determined, the representative will accept a PO directly from the NJPA member, complete all necessary paperwork, and place the customer's order with Heil.

4) Do you accept the P-card procurement and payment process?

Yes, we accept various methods of payment:

- P-Card (a 2% fee is accessed on P-Card transactions paying invoices 10 days beyond the invoice date)
- Credit cards including Visa, MasterCard, and American Express (a 2% fee is accessed on credit card transactions paying invoices 10 days beyond the invoice date)

As well as the following the payment process:

- Checks
- Automated Clearing House ACH

- Wire transfer
- Cash in advance
- Letters of credit
- Cash on delivery

Warranty

5) Describe, in detail, your Manufacture Warranty Program including conditions and requirements to qualify, claims procedure, and overall structure.

A complete warranty structure including all warrantable conditions, claim submission procedures, and general process outlines are contained within the Warranty Policies and Procedures for each brand within the Heil portfolio. Copies of each Warranty Policy are included with this proposal in **Appendix L**.

6) Do all warranties cover all products/equipment parts and labor?

Standard warranty policy coverage for Heil does cover material and labor for a finite period of time. Extended warranty contract terms are available for our Heil for hydraulic cylinders and hydraulic component replacements. These contract terms cover materials but not labor.

7) Do warranties impose usage limit restrictions?

All standard warranty policy terms are based on 6-month/1000-hour or 12-month/2000-hour increments, depending on the product.

8) Do warranties cover the expense of technicians travel time and mileage to perform warranty repairs?

No. Mobile equipment warranty terms do not include travel time or mileage considerations.

9) Please list any other limitations or circumstances that would not be covered under your warranty.

Heil does not assume any liability for warranty considerations due to any improper use, operation beyond rated equipment/component capacity, substitution of parts that are not Heil-approved, or any alteration or repair by others in such a manner that affects the product operation or integrity.

10) Please list any geographic regions of the United States for which you cannot provide a certified technician to perform warranty repairs. How will NJPA Members in these regions be provided service for warranty repair?

Our dealer network provides coverage for warranty repairs to all 50 states, as well as many locations throughout Canada. NJPA Members would be asked to contact their local Heil dealer representative to schedule warranty or service work.

Equipment/Product/Services, Pricing, and Delivery

11) Provide a general narrative description of the equipment/products and related services you are offering in your proposal.

Heil offers the industry's broadest product line, with a mobile refuse collection vehicle for every application: residential, commercial and industrial. As a result, Heil can serve customers with a variety of needs, from the smallest municipality or independent operation to the largest national refuse hauling company. All Heil products are engineered to be the most productive, efficient and durable equipment. Our product offering specifically include:

Equipment

- Refuse collection vehicles
- Front loaders. Generally service commercial and industrial businesses using large waste containers with lids called dumpsters. Applications are:
 - Commercial routes with large bins for pick up (dumpster)
 - Residential routes with optional attachments
 - Single-person operation
 - Low maintenance cost
- Rear loaders. Have an opening at the rear called a hopper where a waste collector can throw waste bags or empty the contents of bins. Applications are:
 - Can be used for both residential and commercial routes
 - Require 2 to 3 men to work on the route
 - Low maintenance cost
 - Very densely populated areas (large cities)
 - Areas where labor costs are low (export applications)
 - Bulk pick-up
- Side loaders. Are loaded from the side with the assistance of an automated lift. Lift-equipped trucks are referred to as automated side loaders. The refuse is then compacted towards the rear of the truck. An Automated Side Loader only needs one operator where as a traditional rear load garbage truck may require two or three people. Side Loaders can therefore be automated or manual.

Applications are for Automated Side Loaders:

- Any type of residential pick up with bins designed to be picked up by an ASL
- Allows the fastest route operation
- Single-person operation
- Highest maintenance cost

Applications are for Manual Side Loaders:

- Residential pick up
- Allows for mixed routes which contain both household refuse as well as bulk materials
- Can pick up bins with lifting device or manually load into hopper.
- Typically 1 to 2 people per unit

<u>Multi-compartment units for recycling applications</u>: Are specially designed to allow the collector to isolate different refuse streams during route. The refuse streams are stored in separate compartments within the unit to protect the integrity of each refuse stream. The types of units vary from Rear loader models to fully automated models to hybrid models. The common point with all of the models is the separate storage compartments for different refuse streams.

- Ready Trucks: Offer the possibility to order a refuse collection vehicle with a chassis that is well-matched for the specific body and collection application.
- o Roll-Off Vehicles: Offer a unique solution for commercial waste haulers operating roll-off equipment.
- Alternative Fuel Vehicles: CNG-fueled units that deliver the same productivity as diesel units. Our
 customers are not only saving money but also using clean, domestic and compressed natural gas as fuel.

Services

- Training and Demo programs
- Leasing programs
- Rental programs

- Material Recovery Facility system design and installation
- Warranty service
- Product delivery inspections
- Equipment installation
- Extended service agreements
- Local dealer support
- Site surveys
- Onsite waste and recycling audits
- Preventive maintenance programs
- System integration
- Chassis consignment program

12) Provide a general narrative description of your pricing model identifying how the model works (line item and/or published catalog percentage discount)

Heil maintains individual MSRP Price Lists for each of our equipment product offerings and would use a "Percentage Discount from Catalog" model for pricing our products under this contract. For the 12,000 plus available parts offered, the pricing is also a "Percentage Discount" model. We have included copies of our MSRP equipment (See Appendix J) and parts pricing (See Appendix K).

13) Please quantify the discount range presented in this response pricing as a percentage discount from MSRP/published list.

If awarded a contract, we would offer NJPA Members a discount of 4% off MSRP for all products and services, with the exception of chassis. Heil offers over 200 consigned chassis specs as a pass through without a price markup. **See Appendix H for Chassis Specs and Pricing.**

14) Provide an overall proposed statement of method of pricing for individual line items, percentage discount off published product/equipment catalogs and/or category pricing percentage discount with regard to all equipment/products and related services and being proposed. Provide a SKU number for each item being proposed.

We would offer NJPA Members a discount of 4% off MSRP for all products and services, with the exception of chassis. Because of the multiple configurations and options available for our products, we typically do not use SKU numbers as part of our ordering process for Heil products.

We have included copies of our MSRP price books by brand in **Appendix J** for Refuse Bodies and **Appendix K** for Parts Central of this Proposal.

15) Propose a strategy, process, and specific method of facilitating "Sourced Equipment/Products and/or related Services" (AKA, "Open Market" items or "Non-Standard Options").

Heil will use our standardized —Custom order process to address requests for goods and/or equipment/products and services within the scope of RFP #112014 that are not included in our product catalog (aka Sourced Goods). Please see **Appendix Q** of this Proposal for a sample of a Custom Order Form for our Heil brand.

16) Describe your NJPA customer volume rebate programs, as applicable.

Heil does not offer volume rebate programs.

17) Identify any Total Cost of Acquisition (as defined herein) cost(s) which is <u>NOT</u> included "Pricing" submitted with your proposal response. Identify to whom these charges are payable to and their relationship to Proposer.

Total Cost of Acquisition costs are included in the pricing we have submitted with this Proposal

18) If freight, delivery or shipping is an additional cost to the NJPA member, describe in detail the complete shipping and delivery program.

Due to varying customer locations and shipping preferences, freight is an additional cost not included in the price guide submitted in **Appendix J**. Freight/delivery is included in the final pricing for every NJPA order. The current per mile cost for Heil arranged shipping is detailed in the "Heil Freight Rates" attachment submitted in **Appendix R**.

For destinations not falling within the continental United States, the units will be delivered to the port of exit via a Heil or customer arranged delivery service and shipped via barge or ocean going vessel to the destination.

	ant part of the evaluation of your offer, indicate the level of pricing you are es offered in this proposal are:
	a. Pricing is the same as typically offered to an individual municipality, Higher Ed or school district.
	b. Pricing is the same as typically offered to GPOs, cooperative procurement organizations or state purchasing departments.
	c. Better than typically offered to GPOs, cooperative procurement organizations or state purchasing departments.
	d. Other; please describe.
20) Do you offer q	quantity or volume discounts?
×	YESNO Outline guidelines and program.
local guidelines. Chassis	ests for volume discounts on a case-by-case basis in accordance with state and s purchases will also be subject to volume discounts based on the number of units s well as market conditions at the time of purchase.

21) Describe in detail your proposed exchange and return program(s) and policy(s).

We do not accept returns on Heil refuse collection vehicles and roll-off hoists. Parts Central charges a

we do not accept returns on Hell refuse collection vehicles and roll-off hoists. Parts Central charges a 20% restocking fee for returned items.

22) Specifically identify those shipping and delivery and exchange and returns programs as they relate to Alaska and Hawaii and any related off shore delivery of contracted products/ equipment and related services

Shipments to Member Agencies in Alaska and Hawaii would be handled by our Heil Export Sales Team who is well-versed in economically coordinating these types of shipments. Shipping requirements vary by type of product, product dimensions, and weight. For example, a refuse collection vehicle can be driven to the port of export, then shipped via container to its port of destination, and then driven to the local dealer who would perform the necessary inspections and facilitate delivery to the customer. For all product orders shipping to Alaska or Hawaii, all costs for shipping would be calculated and quoted to the customer at time of order. Returns are treated the same for Hawaii and Alaska as for the other 48 states.

23) Please describe any self-audit process/program you plan to employ to verify compliance with your anticipated contract with NJPA. Please be as specific as possible.

Heil's self-audit process for all NJPA transactions will begin as soon as an order is submitted. Orders

will be reviewed immediately by multiple departments to ensure all necessary documents are submitted, and complete. Prior to submitting quarterly fees to NJPA, the final invoice to each NJPA member will be reviewed to make certain the NJPA fee amount is in alignment with the final invoice to the NJPA member. In addition to Heil's Customer Care team retaining all documents submitted with the original order, Heil will retain a copy of the final customer invoice, other applicable documents and reports.

Industry Specific Items

- 24) Do you hold any industry specific certifications such as ISO?
- Yes, we do. Our production site in Fort Payne, Alabama is ISO-9001:2008 certified.
 - 25) Are any of your facilities LEED certified?

The office building at our Fort Payne, Alabama production facility is LEED certified to a Bronze level.

- 26) Are you a single source provider of equipment, parts, and service? Heil in combination with its broad authorized dealer network is a single source provider of mobile RCV's, parts and service.
- 27) What is your US market share for the solutions you are proposing in this response? Although Heil is the leader in the US, we do not publish market share numbers.
- 28) What is your Canadian market share for the solutions you are proposing in this response? Heil does not publish market shares.
 - 29) Is your warranty program handled direct, or does it require a pass through to another manufacturer?

Warranty claims for Heil products are handled directly though the Heil Dealer network.

30) For how many years have the models you are proposing in this response been available in the marketplace?

Heil has been manufacturing mobile refuse equipment for 100 years. The first welded, horse drawn Manual Side Loading RCV was built for the City of Milwaukee WI in 1914. Heil Manual and Automated Side Loaders, Front Loaders, Automated Front Loaders, Rear Loaders and Roll-Off Hoists are the most advanced available in the industry today. All RCV's presented in this bid response are engineered and manufactured with unmatched cutting-edge technology, and offer best-in-class operational and service friendly ergonomic designs with optimal Total Cost of Ownership (TCO). The chart below shows the length of time the Heil Mobile RCV's offered to NJPA members have been in the marketplace. Please see following Chart.



2014-2015 Heil RCV's



31) What is your parts order fill rate? 97%

32) Do you provide preventative maintenance programs for the solutions you are proposing in this response?

The servicing Heil dealer will work with the NJPA member as requested to customize a Preventative Maintenance program tailored to fit the member's specific needs. Pricing is determined as related to each customer's individual requirements.

33) Do you provide alternative fuel solutions in this response?

Heil offers complete turnkey alternative fuel system solutions for all products offered in this bid response. We offer in-house installation with the ability to refuel via an on-site alternative fuel filling station. The differing alternative fuel configurations offered include compressed natural gas (CNG) and hydraulic hybrids.

Long angl 11/20/14