

August 25, 2017

Dear Proposer:

The purpose of this procurement is to seek proposals from experienced vendors for the operations of the Carroll County, Maryland Northern Landfill Transfer Station, the transportation and disposal of municipal solid waste and sludge generated from waste water treatment plants operated by municipalities in Carroll County. The Northeast Maryland Waste Disposal Authority (the "Authority") is issuing this procurement on behalf of Carroll County, Maryland. The Authority is a public corporation established by Title 3, Subtitle 9 of the Natural Resources Article of the Maryland Code to assist participating political subdivisions of Maryland with their integrated solid waste and recycling needs. Participating jurisdictions ("Members" or "Member Jurisdictions") include Baltimore City, Anne Arundel, Baltimore, Carroll, Frederick, Harford, Howard, and Montgomery Counties. Maryland Environmental Service, an instrumentality of the State of Maryland, is an ex-officio member. The Authority acts as a coordinating agency and a financing vehicle for solid waste management projects. Additional information may be found on the Authority's website, www.nmwda.org.

Copies of this Request for Proposals are available from the Authority at 410-333-2730, procurement@nmwda.org, or at the address below:

Northeast Maryland Waste Disposal Authority
Tower II – Suite 402
100 South Charles Street
Baltimore, MD 21201-2705

The services requested under this Request for Proposals (RFP) will commence on July 1, 2018 and end June 30, 2021 with seven additional 12-month renewal terms at the Authority's sole option.

The Proposal due date is **4 p.m. on Thursday, October 5, 2017** ("Due Date").

A pre-proposal meeting will be held on **Wednesday, September 6, 2017 at 11:00 a.m.** at the Northern Landfill in Carroll County located at 1400 Baltimore Boulevard, Westminster, MD 21157.

Please return executed copies of Form E-1 and Form E-2 of this RFP to the Authority to receive any written Addenda that describe any changes, interpretations, or clarifications in response to any Proposers' written questions. Proposers may mail, email, or fax the forms to the addresses on Form E-1.

I look forward to reviewing your proposal.

Christopher W. Skaggs
Executive Director

Request for Proposals

for

**SOLID WASTE
AND
SLUDGE SERVICES**

for

Carroll County, Maryland

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APPENDIX G:	Sludge Analysis Reports

ACRONYMS

Authority	Northeast Maryland Waste Disposal Authority
County	Board of County Commissioners of Carroll County, Maryland
CPI-U	Consumer Price Index Washington Baltimore Area
MDOT	Maryland Department of Transportation
MRA	Maryland Recycling Act
MDE	Maryland Department of the Environment
MSW	Municipal Solid Waste
RFP	Request for Proposals
SEC	U.S. Securities and Exchange Commission
SWMP	Solid Waste Management Plan

SOLID WASTE AND SLUDGE SERVICES REQUEST FOR PROPOSALS (RFP)

1. BACKGROUND AND PURPOSE

Carroll County, Maryland currently has an export based disposal and recycling system that results in the disposal of current and anticipated future waste streams and the operations, processing, and marketing of recyclable material received at its Northern Landfill. The Authority's current recycling agreement to provide Carroll County recycling operations, transportation and processing Services ends on June 30, 2018 with 12-month renewal options available through June 30, 2020. The Authority's current municipal solid waste agreement for waste operations, transportation, and disposal services ends on June 30, 2018 with 12-month renewal options available through June 30, 2029. The 12-month renewal options available for the existing recycling agreement and municipal solid waste agreement are at the Authority's sole discretion. The County currently pays \$56.74/ton for the operations of the waste area of its Transfer Station and the transportation and disposal of Acceptable Waste Material. The County currently pays \$75.43/ton for the transportation and disposal of Sludge.

The overall goal of Carroll County's Solid Waste Management Plan (SWMP or Plan) is to provide for facilities that are adequate to treat, recover, or dispose of solid waste in a manner that is consistent with the applicable State, Federal, and local laws and regulations that relate to air pollution, water pollution, and land use. The Plan's ultimate intent is the effective implementation of an integrated system of solid waste management and recycling that allows sufficient flexibility to react to changes in regulations, technology and market conditions.

To effect the goal and to ensure compliance with existing applicable Federal, State, and local laws and regulations, the Plan has a number of implementing objectives:

1. To minimize the rate of waste generation through education and source reduction;
2. To encourage and facilitate the recovery, reuse, and recycling of material within the waste stream;
3. To maintain, at a minimum, the MRA recycling mandate of 35%;
4. To decrease the volume of residual waste that must be managed;
5. To efficiently manage all waste generated in Carroll County from the point of generation through ultimate disposal;
6. To provide for adequate facilities and programs to achieve these goals, for a ten-year planning period and beyond;
7. To operate a transfer capability in a manner that optimizes the delivery of Carroll County's MSW to other final disposal sites; and
8. To implement a County policy that considers landfilling a "last resort" in the waste management hierarchy.

The Authority is seeking proposals for the following services: (1) operations of Carroll County's Northern Landfill Transfer Station (2) the transportation and disposal of solid waste delivered to the Transfer Station, and (3) the transfer and disposal (or "for beneficial use") of sludge generated from waste water treatment plants operated by Carroll County municipalities in accordance with the attached draft Service Agreement (Appendix B).

The Company will operate the Transfer Station and accept waste deliveries in the County owned Transfer Station. The Company will accept and load the acceptable waste in the Company's trailers or Company's subcontractor trailers. The Transfer Station was designed for the separate acceptance and loading of waste and recovered material. The Company will transport and dispose of the waste deliveries at an Authority approved permitted disposal facility.

In addition to managing waste at the Transfer Station, the Company will accept, transport, and dispose of (or process for beneficial use) sludge generated at wastewater treatment plants owned by Carroll County municipalities. The municipalities will load the available Sludge at the wastewater treatment plants into the Company's trailers and/or roll-off containers per the Service Agreement, attached as Appendix B to this Request for Proposals, for the transfer and disposal or for further processing and/or beneficial use.

The Company's operations for Carroll County will begin on July 1, 2018.

The Authority reserves the right to offer the terms in the selected vendor's contract to other Authority Member Jurisdictions, either during the solicitation process or after award and execution of the Agreement, with an appropriate adjustment to the operation fees and transportation fees. The Authority reserves the right under the Service Agreement to import and process through the Transfer Station, acceptable waste from locations outside the confines of Carroll County, Maryland.

All capitalized terms not otherwise defined in this RFP have the meanings set forth in Schedule 2 of the Service Agreement, attached as Appendix B to this Request for Proposals.

2. GENERAL INFORMATION

All incoming waste and recyclables are directed to the Transfer Station for loading, transportation, recycling, and disposal. The Authority is currently under contract with Western Maryland Waste Systems, LLC to operate and manage the municipal solid waste delivered to the waste area of the Transfer Station. The Authority is also under contract with WM Recycle America, L.L.C. to operate and manage the recovered material delivered to the recovered material area of the Transfer Station.

The Authority will evaluate the Company's technical and financial qualifications and the technical and cost proposals (including proposed service fees in Appendix D) based on the written materials received and other evaluations that may be conducted by the reviewers, as further described in Section 6.

2.1 PROCUREMENT

The Authority is soliciting technical and cost proposals in accordance with the requirements and allowances set forth in Code of Maryland Regulations 14.13.01. This procurement is being conducted as a competitive negotiation.

The Authority reserves and has the sole discretion to:

- Reject any and all technical and cost proposals that do not meet minimum qualifications.
- Supplement, amend, or otherwise modify this RFP, or cancel this RFP without substitution.
- Waive any or all informalities in the technical and cost proposal, or failures to comply with the RFP requirements deemed by the Authority to be immaterial or insignificant.
- Request further information from Proposers as needed to support the Authority's selection of a preferred contractor.
- Allow other Authority Member Jurisdictions to adopt this procurement. The Company will have the right to an appropriate adjustment to the operations fees, based on operation requirements, and transportation fees, based on distance to the other jurisdiction(s).

2.2 RFP AVAILABILITY

An electronic or paper copy of the RFP may be obtained at no charge from:

Carroll County Recycling Procurement
Northeast Maryland Waste Disposal Authority
Tower II - Suite 402
100 South Charles Street
Baltimore, Maryland 21201-2705
Tel. (410) 333-2730, Fax (410) 333-2721
E-mail: procurement@nmwda.org

2.3 PRE-PROPOSAL CONFERENCE

The Authority will hold a pre-proposal conference for this RFP at 11:00 a.m. on Wednesday, September 6, 2017 at the Northern Landfill located at 1400 Baltimore Boulevard, Westminster, MD 21157. Proposers are encouraged, but not required, to attend.

2.4 INFORMATION OR CLARIFICATION REQUESTS

All contacts relative to this solicitation, including requests for information as well as questions concerning these instructions, shall be directed to the Authority by email (procurement@nmwda.org) or fax (410-333-2721), with the Subject heading "Carroll County Waste and Sludge Services RFP", on or before 5:00 p.m. **Tuesday, September 26, 2017.**

Companies wishing to submit questions or requests for additional information shall be submitted via email or fax. Neither the County nor the Authority will accept potential vendor telephone calls or visits, other than the pre-proposal meeting, during the open procurement period or during the technical and cost proposal evaluation process.

Proposers shall notify the Authority in writing of any conflicts, errors, omissions or discrepancies in this RFP prior to this time. The Authority reserves the right not to respond to questions received after **5:00 p.m. on September 26, 2017.**

Prior to award of this contract, proposers shall not initiate any communications related to this project with other Authority staff, the Board of County Commissioners of Carroll County, Maryland, local elected officials, or local government staff responsible for solid waste and/or recycling management. Any communications may result in the disqualification of the Proposer's technical and cost proposal.

The Authority will, as necessary, issue written addenda that describe changes, interpretations, or clarifications considered necessary by the County in response to Proposers' written questions. The Authority will post any addenda on its website (<http://nmwda.org/procurement-opportunities/>). The Authority will notify all parties, recorded by the Authority as having received the RFP documents, upon posting of addenda. Only answers issued by formal written addenda will be binding on the Authority. Oral and other interpretations or clarifications will be without legal effect.

2.5 SUBMITTAL REQUIREMENTS

Each Proposer shall submit three printed copies (double-sided and on recycled paper) and a complete compact disc copy in portable document format (PDF) of its technical and cost proposal (including Appendix D-1). The proposal shall not be longer than sixty (60) double sided pages (or 120 sides), not including permitting documents, host community agreements, covers, dividers, and tabs. Submit proposal packages to the attention of:

Carroll County Waste and Sludge Procurement
Northeast Maryland Waste Disposal Authority
Tower II – Suite 402
100 South Charles Street
Baltimore, MD 21201-2705

The technical and cost proposal must be submitted on or before 4:00 p.m. on Thursday, October 5, 2017.

All technical and cost proposals shall be sealed in a package and identified as: “CARROLL COUNTY WASTE AND SLUDGE SERVICES” on the outside of the sealed package.

The Proposer shall be responsible entirely and exclusively for all costs incurred by the Proposer associated with technical and cost proposal preparation and subsequent negotiations, if any, which may or may not lead to execution of a Service Agreement.

Any technical and cost proposals received after the indicated time and date will not be considered. The Authority reserves the right to issue an addendum that extends the original due date for technical and cost proposals. The Authority will not return the technical and cost proposals following the review and selection process.

2.6 CONFIDENTIAL INFORMATION

Technical and cost proposals submitted in response to this RFP may contain technical data or other knowledge or materials that constitute proprietary information, which if publicly disclosed, would cause injury to the Proposer's competitive position. Proposer should specifically identify the pages of the technical and cost proposal that Proposer believes contain such information by marking the applicable pages "CONFIDENTIAL." The Proposer may not claim the entirety of the proposal as confidential. However, the Proposer understands that the Authority in its sole discretion may determine that disclosure of some technical and cost proposal information is required under the Maryland Public Information Act, and the Proposer agrees to hold the Authority harmless with respect to any such disclosure. The Authority will give notice to Proposers of any requests for disclosure of information identified as confidential.

2.7 EQUAL EMPLOYMENT OPPORTUNITY

Proposers shall comply with all applicable federal, state and local laws and regulations pertaining to equal employment opportunity. The Proposer is responsible for determining the applicability of these provisions and extent of compliance.

2.8 IRREVOCABILITY OF PRICE PROPOSAL

The prices proposed will be irrevocable for a period of 120 days from the Due Date, or, if modified during negotiations, for a period of 120 days from the date such modified proposal prices are proposed by the Proposer.

3. SCOPE OF SERVICE

3.1 PROJECT DESCRIPTION

The Authority intends to enter into a Service Agreement with the Company that submits a responsive technical and cost proposal, deemed by the Authority to represent the best value to the Authority. The Operations Date of the contract will be July 1, 2018.

The Authority requests technical and cost proposals from qualified vendors for the following elements of solid waste operations.

- Operations and maintenance of the Transfer Station located at the Northern Landfill Transfer Station (1400 Baltimore Boulevard, Westminster, MD 21157) including acceptance and loading of waste;
- Acceptance, Transportation, and Disposal of Acceptable Waste Material delivered to the Transfer Station; and
- Transportation and Disposal of Sludge generated at three waste water treatments plants owned and operated by Manchester, Mt. Airy, and Westminster (“collectively the municipalities”).

3.2 OPERATIONS OF TRANSFER STATION AND TRANSFER AND DISPOSAL OF WASTE

The County will direct Waste to the Transfer Station. The Company will operate and maintain the waste area of the Transfer Station; and accept and load Acceptable Waste Material into Company trailers for transfer and disposal. The County will provide a guarantee for a minimum of 40,000 tons of Acceptable Waste Material per Fiscal Year (July 1 – June 30) delivered to the Transfer Station for acceptance by the Company. The guarantee under the Service Agreement will be 40,000 or 50,000 tons.

The requirements are set forth in the Service Agreement in Appendix B to this RFP.

3.3 TRANSPORTATION AND DISPOSAL OF SLUDGE

County municipalities, including Manchester, Mt. Airy, and Westminster, own and operate waste water treatment plants. The locations of the wastewater treatment plants are (3286 Beaver Street, Manchester, MD 21102; 1829 Reading Court, Mt. Airy, MD 21771; and 1161 Old Windsor Pike, Westminster, MD 21157). The County municipalities will load available Sludge for transfer per the Service Agreement. The Company will accept available Sludge, transport, and dispose of (or process for beneficial use) the Sludge at an approved permitted Disposal Facility, Alternate Facility, or at the County’s option, transport the available Sludge for disposal at the County owned Northern Landfill. The County makes no guarantees as to the quantity of Sludge available for Company acceptance at the waste water treatment plants. The Sludge generated from the Mt. Airy wastewater treatment plant is Class B. The Sludge generated from the Westminster and Manchester wastewater treatment plants are not Class B. For information purposes, attached as Appendix G are the Mt Airy Sludge Totals Analysis, the Mt Airy Sludge PCB Analysis, the Westminster Sludge Totals and PCB

Analysis, and the Westminster Sludge TCLP Analysis. A TCLP analysis was not performed for Mt Airy and Manchester. Current landfill disposal approvals of sludge are based on non-hazardous waste determinations for the Pennsylvania Department of Environmental Protection and the Maryland Department of the Environment. The County municipalities will be directed to perform new analyses as needed for new approvals upon contract award. The Company will be responsible for any transportation and disposal requirements as required by Applicable Law.

The current Sludge loading limitations at the Sludge Generator Facilities are as follows:

- Manchester: 20 cubic yard roll-off is used for loading (very low clearance)
- Mt. Airy: Height - 11'8" clearance; Length – 38'
- Westminster: Height - 12' clearance; Length – 35'

The requirements are set forth in the Service Agreement in Appendix B to this RFP.

3.4 CONTRACT TERM

The initial term of the contract will begin on July 1, 2018 and, unless the Authority exercises its option to renew, will expire on June 30, 2021. The Authority will have the sole option to renew the Agreement for up to seven 12-month periods. All renewals shall be for the same conditions as the initial term.

3.5 ACCEPTANCE OF TERMS OF SERVICE AGREEMENT

By submitting a proposal a Proposer agrees to accept the terms of the Service Agreement in Appendix B. Any proposed exceptions to the Service Agreement shall be submitted via email at procurement@nmwda.org by **5:00 p.m. on September 26, 2017**. If the Authority determines to make a change in the terms of the Service Agreement in response to proposed exceptions submitted by **5:00 p.m. on September 26, 2017**, all such changes will be distributed to potential Proposers via addendum issued prior to the Due Date. Proposals that propose or require changes to the Service Agreement that were not raised prior to submission may be rejected without further evaluation. The Authority does have the option, after Proposals are submitted, to request best and final offers. However, the Authority reserves the right to make an award on the basis of initial proposals, so Proposers should not assume that they will have an opportunity to revise their initial proposals.

3.6 PAYMENT METHOD

Proposers are required to propose on all Services:

1. Proposers shall propose a Waste Operations Fee, a Waste Transportation Fee, and a Waste Disposal Fee. Proposers shall propose Waste Service Fees with a 50,000 tonnage guarantee and a 40,000 tonnage guarantee.
2. Proposers shall propose a Sludge Transportation Fee and a Sludge Disposal Fee for disposal at the Company's Disposal Facility and a Sludge Transportation Fee if the Authority disposes the Sludge at the Northern Landfill.

4. MINIMUM QUALIFICATIONS

To qualify for this project, Proposers must provide detailed information on how they meet the following minimum qualifications.

- Provide evidence of Project staff with at least three years management experience operating a waste transfer system.
- Provide evidence of Project staff with at least three years of management experience in the transfer and disposal (or processing) of Sludge.
- At least three years of corporate experience operating and maintaining a solid waste transfer and disposal system utilizing methods proposed by the Proposer.
- Provide evidence of access to a primary final Disposal Facility with the capacity to receive all Acceptable Waste Material projected to be exported from the Transfer Station over the term of the Service Agreement.
- Provide evidence of the ability to access a secondary or backup Disposal Facility.

5. REQUIRED CONTENT OF PROPOSALS

This section includes the Authority's requirements for presenting the Proposer's corporate and personnel qualifications and plan to provide the required services. The Authority will review each proposal in accordance with the procedures presented in Section 6 of this RFP. Refer to Section 2.5 of the RFP for submittal form requirements.

5.1 GENERAL INFORMATION ABOUT PROPOSED FIRM

The Proposer shall submit the following information to demonstrate its qualifications to perform the services described in this RFP and the Service Agreement:

- Name of Proposed Firm.
- Business Address.
- Type of Organization.
- Proposer's authorized representative and contact information including telephone and Email information.
- Number of Years the Proposed Firm been in business under the present name.
- List any other names under which your firm has done business during the past ten years and indicate the years during which the firm was so named.
- If the Proposed Firm is a subsidiary of another firm or is intended to be a newly created subsidiary, include the information requested in the bulleted items above for the parent company and describe the role of the parent company in this project.
- If the Proposed Firm is a joint venture or partnership, attach to this form a narrative description identifying the relationship and responsibilities of the members of the joint venture or partnership and the mutual contractual obligations of the members and include the information requested above for all members.
- Disclose if the Proposed Firm, or any parent, subsidiary or affiliated organization, has ever been convicted of any misconduct or been fined an amount greater than \$10,000 for a civil or criminal violation of any federal, state, or local statute or regulation in connection with a solid waste or transportation service agreement or the provision of transportation, solid waste or recycling services. If there is information to disclose, state the name of the person, the name of the firm, the case number, and the circumstances surrounding the conviction or violation.
- List any and all subcontractors and describe in detail their role in performing the Service including operations of the Transfer Station, transfer and disposal of Acceptable Waste, and/or transfer and disposal (“or for beneficial use”) of Sludge.

5.2 EXPERIENCE WITH THE TRANSPORTATION AND DISPOSAL OF MUNICIPAL SOLID WASTE AND SLUDGE

(a) Provide the following information for projects that clearly demonstrate the Proposed Firm's experience in very similar projects involving (1) Acceptable Waste Material and (2) Sludge transport and disposal, including management of short-haul and long-haul systems, compliance with Maryland Department of Transportation (MDOT) transport regulations; operating intermodal facilities (if applicable); operating, maintaining, permitting, and monitoring solid waste facilities. Provide up to three single page descriptions of the projects performed in the past ten years that are very similar to the project described in this RFP. Project descriptions should, at a minimum, provide the following information:

- Name and location of Disposal Facility;
- Facility owner and references, owner contact, address and telephone number;
- Regulatory agencies of jurisdiction, agency names, references, contacts, addresses and telephone numbers;
- Year developed;
- Facility design, capacity and remaining capacity (up to 30 years), with a description of near term requirements for capacity if the facility has less than ten years of capacity remaining;
- Description of Proposer's involvement in landfill and/or waste to energy operations and compliance; and
- Description of Proposer's involvement in the project with respect to long-haul transport, mode of transport, and intermodal transfer, if any.

(b) Résumés of Key Officers and Project Team Leaders

Provide résumés of the firm's key officers or principals. Provide résumés for persons responsible for the following project functions and the percent of time committed to this project:

- Project manager (and primary contact person if different);
- Contract Administrator;
- Finance Manager;
- Equipment procurement and installation;
- Construction Management;
- Operations;
- Maintenance; and

- Records and administration.

(c) Organization Chart

Include an organization chart in the technical and cost proposal. Provide sufficient detail to indicate the relationship between all personnel for which resumes are included.

5.3 EXPERIENCE WITH OPERATING A TRANSFER STATION

The proposal must address the experience of the Company in operating a solid waste transfer station of similar size and equipment. The Company shall determine and present in their technical and cost proposal a plan for staffing and operations of the Transfer Station.

Performance Specifications for equipment, operations, transport and disposal are presented in the Draft Service Agreement (Appendix B).

Provide the following information for projects that clearly demonstrate the Proposed Firm's experience in very similar projects. Provide descriptions of the projects performed in the past ten years that are very similar to the project described in this RFP. Project descriptions should, at a minimum, provide the following information:

- Name and location of transfer facility;
- Facility owner and references, owner contact, address and telephone number;
- Regulatory agencies of jurisdiction, agency names, references, contacts, addresses and telephone numbers;
- Any and all formal regulatory Notices of Violation issued for the operations for referenced transfer facilities for timeframes 2006-current;
- Year developed;
- Facility design, daily and annual capacity;
- Details of Company's transfer operations management demonstrating the Company's efficiency in loading transfer vehicles and operating landfill and transfer station equipment; and
- Description of Proposer's involvement in operations and compliance.

(b) Résumés of Key Officers and Project Team Leaders

Provide résumés of the firm's key officers or principals. Provide résumés for persons responsible for the following project functions and the percent of time committed to this project:

- Project manager (and primary contact person if different);
- Contract Administrator;

- Finance Manager;
- Equipment procurement and installation;
- Construction Management;
- Operations;
- Maintenance; and
- Records and administration.

(c) Organization Chart

Include an organization chart in the technical and cost proposal. Provide sufficient detail to indicate the relationship between all personnel for which résumés are included.

5.4 PROPOSAL REQUIREMENTS

Technical and Cost Proposal Requirements

The Proposer’s cost proposal must be submitted on Appendix D to the RFP.

Submit with the completed price proposal form a description of the Proposer’s technical proposal for solid waste and sludge services for the Authority. The technical proposal shall be no more than sixty (60) double sided pages (or 120 sides), not including permitting documents, host community agreements, covers, dividers, and tabs. The Technical and Cost proposal will address technical and cost components for the service from the Transfer Station and for the acceptance of Sludge from the listed wastewater treatment plants.

The project description shall include the elements listed below.

1. Waste Transportation and Disposal

- Describe the Disposal Facility including:
 - Location;
 - Ownership (or legal basis for use);
 - Status of required permits (land-use, environmental, etc.);
 - Copies of permits;
 - Site capacity, in total developed area and permitted expansion area;
 - List of jurisdictions in which disposal site is located; and;
 - Host Community Agreement (if one exists)
- Proposers must provide information on their proposed back up disposal site (“or Alternate Disposal Facility”). The contingency plan shall demonstrate the availability of the disposal site for use by the Company and that the backup disposal site meets the requirements of the proposed Disposal Facility.

- Clearly describe the transportation equipment, trailer types, and compaction and processing methods it intends to use for the transfer and processing of waste.
- Contingency Plans:
 - Contingency plan for operating procedures that will take effect in the event of interruption of normal Waste transportation/disposal options including work stoppage by Company's employees, emergency weather conditions, building or equipment failure, lack of access to the primary system for transportation, lack of access to the primary disposal site, and handling of Wastes from catastrophic events.
 - Proposers must provide information on their proposed backup disposal site. The contingency plan shall demonstrate the availability of the disposal site for use by the Company and that the backup disposal site meets the requirements of the proposed recycling and/or disposal site.

2. Transfer Station Operations

- Proposers shall provide a Draft Operations and Maintenance Plan sufficient to fully comply with the County's Transfer Station permit conditions. Requirements of the operation and maintenance of Transfer Station are stated in Section 2.1 of Service Agreement. Appendix F to this RFP includes a copy of the County's Transfer Station permit issued by the Maryland Department of the Environment. The Proposer awarded contract will be expected to finalize the Operations and Maintenance Plan with the Authority prior to the Operations Date.
- Proposed Staffing Plan to specifically address:
 - Operators, maintenance workers, site mangers, site supervisors and laborers;
 - Interior cleaning personnel (e.g., custodial staff); and
 - Litter and spill prevention and remediation

5.5 FINANCIAL QUALIFICATIONS

The Proposer shall provide the following information for all companies, subsidiaries and/or parent companies that will work on the project. Information shall be submitted in a form which is in accordance with generally accepted accounting principles.

- Copies of most recent 10-Ks filed with the U.S. Securities and Exchange Commission (SEC) and all 10-Qs since the last 10-K; or, if a 10-K Form is not filed with the SEC, the following (Note: In addition to the following information, a Company may be required to submit additional financial information to satisfy other governmental reporting and disclosure rules):
 - Certified audited financial statements or annual financial reports for the past three fiscal years to include at a minimum, income statements, balance sheets, and statements of changes in financial position. If less than three years of financial statements are available,

this information should be provided to the fullest extent possible.

- Copies of the latest quarterly financial report.
- A copy of the latest annual report.
- Information on any material changes in the mode of conducting business, bankruptcy proceedings, assignments of accounts or assets, corporate restructuring, and mergers or acquisitions within the past three years, including comparable information for related companies and company principals.
- Information on the firm's access to bank lines of credit, revolving credit agreements, or other sources of working capital funds.
- A copy of the prospectus and official statement, if any, for the firm's latest security offerings.
- The rating on outstanding corporate debt, if any has been issued, with recent copies of the rating agency reports on that outstanding corporate debt.
- A description of all financial commitments in excess of one million dollars (\$1,000,000) presently obligated, including completion guarantees on all construction projects and operating agreements and their bearing on the firm's financial ability to guarantee the performance and other requirements of this project.
- A description of any outstanding contractual arrangements, including off-balance sheet items, that may have a bearing on the ability of the firm to meet its obligations to the Authority, with respect to:
 - Corporate guarantees.
 - Affiliations.
 - Partnerships and/or joint ventures (describe assets and liabilities).
 - Other sources of guarantees that may exist.
- Evidence of the ability to obtain a performance bond in the amount required by the Service Agreement. This includes a letter from the Proposer's Surety or Financial Institution proving that the Company has the ability to provide the performance bond or letter of credit in accordance with the Service Agreement, attached as Appendix B to this RFP.
- Pending or potential legal actions that would materially affect the firm's financial situation and/or its ability to meet its contractual obligations to Authority.
- Current Maryland State Department of Assessments and Taxation certification that all companies that will perform work on the project are qualified to do business in the State of Maryland, or provide information establishing that companies will be so qualified before the start of the contract.

The Authority reserves the right, in its sole discretion, to require a corporate guaranty if the Authority determines that one is required because of the structure or finances of a Proposer.

5.6 PROPOSAL BOND

Each technical and cost proposal shall be accompanied by a proposal bond of \$50,000. The proposal bond shall not be conditioned in any way to modify the amount required. The Northeast Maryland Waste Disposal Authority shall be the obligee under the proposal bond. The proposal bond will only be used in the event that the selected vendor fails to negotiate in good faith. Non-selected Proposers will have the proposal bond released upon execution of the Service Agreement or cancellation of the RFP.

5.7 OTHER PROPOSAL REQUIREMENTS

If the technical or cost proposal is incomplete or fails to address the requirements of this RFP, the proposal may be deemed not reasonably susceptible of award and may be rejected. Each Proposer is responsible for reviewing technical and cost proposal requirements and preparing its responses in a clearly organized submittal.

Each technical and cost proposal is required to be in accordance with the terms of this RFP and shall be signed by an executive officer of the proposing organization, and, where applicable, a corporate officer of the parent organization, recognizing that both will have authority to bind the proponent.

Technical and cost proposals shall consider and be reflective of all federal, state, and local laws, statutes, ordinances, regulations, and other applicable laws that may affect cost, permitting, progress, performance or furnishing of the project including, but not limited to, applicable regulations concerning minimum wage rates, nondiscrimination in the employment of labor, protection of public and employee safety and health, environmental protection, protection of natural resources, fire protection, solid waste handling facility standards and permits, other permits, fees, and similar subjects.

6. EVALUATION PROCESS AND CRITERIA

6.1 EVALUATION PROCESS

The Authority and the Carroll County Bureau of Solid Waste will establish a selection committee to review qualified technical and cost proposals. The selection committee will consider the materials submitted with respect to the evaluation criteria set forth herein. Management and technical qualifications will be qualitatively evaluated and ranked by the selection committee in order of best value to the Authority.

6.2 EVALUATION CRITERIA

The selection committee will first evaluate all technical and cost proposals against the minimum qualifications identified in Section 4. The technical and cost proposals considered to meet the minimum qualifications will be evaluated according to the following evaluation criteria. Cost and technical criteria will be weighed approximately equally:

- A. **Total Cost of Services:** The total cost of the services provided on the basis of the Proposer's cost proposal.
- B. **Technical Qualifications:** The proposed Company's experience including operation of transfer stations, disposal facilities (landfill and/or waste to energy), transportation and disposal of solid waste, including sludge.
 - i. Management
 - Delivering very similar services at very similar facilities.
 - Résumés and qualifications of proposed managers for this project.
 - Descriptions of contingencies in the event operations fail for any of the service components, including but not limited to, equipment failure, fire, temporary loss of access to proposed transportation routes, failures of the scales provided by the County.
 - The nature of the proposed transfer plans, including ability of the proposed transfer operation to meet performance standards.
 - Ability to provide a backup Disposal Facility permitted and operating in accordance with Federal, State and local law.
 - ii. Prior Experience
 - Meeting or exceeding performance measures at very similar facilities.
 - Performance history of the proposed waste disposal facility(ies). This includes compliance and adherence to federal, state, and local laws and regulations and clear evidence that the facility(ies) are permitted to accept Carroll County wastes.
 - iii. Finance
 - Evidence of financial ability to implement the project.
 - Ownership or effective control of the proposed disposal site(s).
 - iv. Staff
 - Evidence of labor resources to implement the project.
 - Résumés and qualifications of proposed key staff for this project.

- v. Sub-Contractors
 - List of Subcontractors and Subcontractor qualifications.

6.3 PROCUREMENT METHOD

The Authority will employ the method of competitive negotiation to select a contractor. The Authority reserves the right to make an award based on the initial proposals submitted, without oral presentations or best and final offers. If the Executive Director determines that multi-step negotiations are in the best interests of the Authority, the Executive Director will advise Proposers whose proposals are determined to be reasonably susceptible of award as to how such negotiations will be conducted. The Authority may establish a competitive range of proposals and conduct negotiations only with those Proposers within the competitive range, and may request best and final Offers. Proposers whose proposals are not selected will be so notified in writing.

6.4 DISCRETION IN DETERMINING DEVIATIONS AND COMPLIANCE

The Executive Director has the right and responsibility to determine which of the Proposers have met the requirements of this RFP, to determine whether any deviation from the requirements of this RFP is substantive in nature, and to reject proposals that are not reasonably susceptible of being selected for award. The Executive Director may waive minor irregularities in proposals, may allow a Proposer to correct minor irregularities, and may negotiate with responsible Proposers in any manner deemed necessary to serve the best interests of the Authority.

7. ADA COMPLIANCE

7.1 ALTERNATIVE FORMS

Alternative forms of this RFP will be provided upon request.

**APPENDIX A
HISTORICAL ACCEPTABLE MATERIALS**

EXHIBIT 1

Data provided by Carroll County. Historic data is not a guarantee of future delivery quantities. All values are in Tons.

FISCAL YEAR 2017

	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
Waste	8,048	6,932	4,399	5,379	6,512	8,070
Sludge	210	205	207	225	245	200
	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE
Waste	7,328	6,105	7,146	6,750	6,985	7,565
Sludge	228	255	282	213	263	264

APPENDIX A

EXHIBIT 2

Inbound and Outbound Transactions

Attached

APPENDIX A

EXHIBIT 3

Sludge Generator Facility Tonnages

Attached

APPENDIX B
SERVICE AGREEMENT

APPENDIX C

ADDENDA RECEIPT FORM

Receipt of Addenda for the Request for Proposals for

**WASTE AND SLUDGE SERVICES
FOR CARROLL COUNTY, MARYLAND**

Please attach copies of addenda receipt confirmation to this form. On this form track the date the addenda were received (if any) and the initials of the responding company official.

Addenda No.	Date Received	Responding Official	Date Confirmation Sent

APPENDIX D

PRICE PROPOSAL

[Prices to be Inserted by the Vendor]

PROPOSERS ARE REQUIRED TO PROPOSE ON ALL SERVICES

1.) WASTE SERVICE FEES:

Proposers are required to propose Waste Service Fees under a 50,000 Tonnage Guarantee and a 40,000 Tonnage Guarantee.

a.) 50,000 Tonnage Guarantee

Waste Deliveries (tons)	Waste Operations Fee (\$/ton)	Waste Transportation Fee (\$/ton)	Waste Disposal Fee (\$/ton)
50,000 to 74,999			
75,000 to 100,000			
Over 100,000			

b.) 40,000 Tonnage Guarantee

Waste Deliveries (tons)	Waste Operations Fee (\$/ton)	Waste Transportation Fee (\$/ton)	Waste Disposal Fee (\$/ton)
40,000 to 74,999			
75,000 to 100,000			
Over 100,000			

2.) SLUDGE SERVICE FEES:

a. SLUDGE TRANSPORTATION FEE (for Company disposal at Company's Disposal Facility)

Manchester WWTP _____\$/TON

Mount Airy WWTP _____\$/TON

Westminster WWTP _____\$/TON

b. SLUDGE DISPOSAL FEE (for Company disposal at Company's Disposal Facility)

_____\$/TON

c. SLUDGE TRANSPORTATION FEE (for Authority disposal at Northern Landfill)

Manchester WWTP _____\$/TON

Mount Airy WWTP _____\$/TON

Westminster WWTP _____\$/TON

APPENDIX E

FORM E-1

**Carroll County Transfer and Disposal Services
REQUEST FOR PROPOSALS**

PROPOSER'S CONTACT INFORMATION FORM

(1st) Name: _____

Title: _____

(2nd) Name: _____

(optional)

Title: _____

(optional)

Company: _____

Address: _____

Telephone Number: _____

Fax Number: _____

E-mail (1st): _____

E-mail (2nd): _____

I / we prefer to be contacted by: *(circle one)* U.S. Mail, telephone, fax, e-mail

I / we prefer correspondence to be sent by: *(circle one)* U.S. Mail, fax, e-mail

Please fax, e-mail or mail completed form to:

Carroll County Recycling Procurement
Northeast Maryland Waste Disposal Authority
Tower II – Suite 402
100 South Charles Street
Baltimore, MD 21201-2705
Fax. (410) 333-2721
Email: procurement@nmwda.org

APPENDIX E

FORM E-2

WAIVER OF DAMAGES

The Proposer and all affiliates understand that by submitting a proposal, the Proposer is acting at its own risk and the Proposer and all affiliates hereby waive any rights any of them may have to receive any damages for any liability, claim, loss or injury resulting or to result from any action or inaction on the part of the Authority concerning the evaluation and selection of proposals by the Authority, any agreement entered into for the services described in the RFP, or any award or non-award of a contract, pursuant thereto.

Attached is a letter authorizing the following person to sign this form, and the Proposal, on behalf of the Company.

Proposer:

Signature of Authorized Official

Typed Name

Title

Date

APPENDIX F

NORTHERN LANDFILL TRANSFER STATION PERMIT

(ATTACHED)

APPENDIX G

SLUDGE ANALYSIS REPORTS

(ATTACHED)

- Mt Airy Sludge Totals Analysis
- Mt Airy Sludge PCB Analysis
- Westminster Sludge Totals and PCB Analysis
- Westminster Sludge TCLP Analysis
- Manchester Sludge Analysis