

AUTHORITY MEETING AGENDA
379th Meeting
December 3, 2024 at 12:00 p.m.

**ACTION
ITEM NO.**

DESCRIPTION

ACTION ITEM NO.	DESCRIPTION
	Consideration of Approved Minutes of Previous Meeting
2024-6-1	Approval of Audited Financial Statements
2024-6-2	On-Call Contract Amendment(s)
2024-6-3	Budget Amendments
2024-6-4	Approval of Emergency Procurement for Montgomery County Service Agreement Extension

Notes:

- 1. The meeting will be conducted via Webex and accessible to the public via livestream at the following link: <https://youtube.com/live/snh3H4Sy-zM?feature=share>*
- 2. Portions of this meeting are permitted to be held in closed session in accordance with the General Provisions Article of the Maryland Annotated Code, Title 3 – Open Meetings Act. Authority for the closed session is Section 3-305(b)(1), to discuss (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) any other personnel matter that affects one or more specific individuals. However, the Authority does not intend to hold a closed session for this meeting.*
- 3. Agendas are subject to change up to and during the meetings. Agenda changes confirmed up to one day prior to a meeting will be posted in advance of the meeting. Agenda changes occurring subsequent to posting will be reflected in the minutes.*

410.333.2730 / 410.333.2721 fax / authority@nmwda.org
nmwda.org / Business-to-Business Recycling: mdrecycles.org
Tower II – Suite 402, 100 S. Charles Street, Baltimore, MD 21201-2705

Comprehensive Waste Management Through Recycling, Reuse, Resource Recovery and Landfill

MEMBERS:

Rhody R. Holthaus, Anne Arundel County / Vacant, Baltimore City / Anthony Russell, Jr., Baltimore County / Clifford J. Engle, Carroll County
Phillip S. Harris, Frederick County / Joseph J. Siemek, Harford County / Mark A. DeLuca, Howard County / Guillermo Wainer, Montgomery County
Charles Glass, Maryland Environmental Service / Andrew Kays, Executive Director



**ACTION ITEM NO. 2024-6-1 - Approval of Audited Financial Statements
(June 30, 2024 and 2023)**

The Authority’s Audited Financial Statements for June 30, 2024 and 2023 as provided to the Board for review were prepared by CliftonLarsonAllen LLP. There are no changes to the audited financial statements since the draft audited financial statements were submitted to the Board for review on November 7, 2024.

Staff is requesting approval of the Audited Financial Statements for June 30, 2024 and 2023.

Authority Action – The above referenced Item was:

Approved	Disapproved	Deferred	Withdrawn
With Amendment		Without Amendment	

December 3, 2024

ACTION ITEM NO. 2024-6-2 - On-Call Contract Amendment(s)

1. SCS Engineers (SCS) – An increase in the total amount of \$560,000 is needed for the SCS contract, of which \$210,000 is needed for landfill gas services for Carroll County, and \$350,000 is needed for minor repairs at the Kane Street Sanitation Yard for Baltimore City.

Authority Action – The above referenced Item was:

Approved	Disapproved	Deferred	Withdrawn
With Amendment		Without Amendment	

December 3, 2024

ACTION ITEM NO. 2024-6-3 - Budget Amendments

- (1) Carroll County Landfill Account - A budget increase in the amount of \$210,000 is needed for the Carroll County Landfill Account to support Action Item 2024-6-2. The County will pay the Authority via purchase order, as and when approved by the County.

- (2) Frederick County – Reichs Ford Landfill Account – A budget increase in the amount of \$98,950 is needed for the Frederick County Reichs Ford Landfill Account to support efforts in connection with the Continued Methane Rule Compliance Support. The County will pay the Authority via purchase order, as and when approved by the County.

Authority Action – The above referenced Item was:

Approved	Disapproved	Deferred	Withdrawn
With Amendment		Without Amendment	

December 3, 2024

ACTION ITEM NO. 2024-6-4 - Approval of Emergency Procurement for Montgomery County Service Agreement Extension

On May 31, 2024, the Montgomery County Office of the County Executive sent a written directive (“May 31 County Executive Letter”) to the Authority to seek an emergency extension (pursuant to COMAR 14.13.01.12) of the Resource Recovery Facility (“RRF”) and Transfer Station (“TS”) Service Agreement with Reworld Montgomery, Inc. (“Reworld”) on behalf of Montgomery County, Maryland (the “County”). The County intended to provide for municipal solid waste (“MSW”) processing technology alternatives that differ from the current waste management operations at the TS and RRF by April 2026, which is when the current Service Agreement for the operation of the facilities expires. Such alternatives are in active evaluation and procurement. However, due to unexpected conditions and circumstances beyond the County’s control (including the pandemic, global/national economic forces and challenges in global supply chains that have impacted staffing activities, and the development/procurement of advanced MSW processing and diversion systems in the County), which the County could not reasonably foresee, such alternatives and their resulting contracts will not be in place by April 2026.

The County, led by the Department of Environmental Protection (DEP), and the Authority recently reached an agreement in principle (as evidenced by the letter from the County Executive dated November 20, 2024 (“November 20 County Executive Letter”), for a short-term extension of the current Service Agreement with Reworld for continued operations of the County’s RRF and TS for the acceptance, transfer, processing, and disposal of MSW generated in the County. The extension will be through April 1, 2031. The Authority will issue a Notice of Intent (NOI) for this extension to County Council and the County Executive, as required under Maryland Code Natural Resources § 3-920.

Staff is requesting approval to enter into a contract for the extension of the Service Agreement, substantially in the form of the draft Change Order provided to the Board for review and made publicly available on the Authority’s website, as well as the extension of any contracts related to the Service Agreement that will be necessary for continued operations at the RRF and TS through April 1, 2031. The approval to enter into the Service Agreement extension (as well as any extensions for related documents) is subject to the County’s approval of the NOI, and the written direction of the County to proceed.

The draft Change Order, the May 31 County Executive Letter, and the November 20, 2024 County Executive Letter were provided to the Board as part of the November 1, 2024 transmittal memoranda to Montgomery County, and made publicly available on the Authority’s website, as attachments to the draft Change Order to extend the Service Agreement.

Authority Action – The above referenced Item was:

Approved Disapproved Deferred Withdrawn

With Amendment
December 3, 2024

Without Amendment