

**Authority Meeting Minutes
361st Meeting (via Conference Call)
December 16, 2021 at 12 p.m.**

Members Present: Joseph J. Siemek
Jeffrey D. Castonguay
Rhody Holthaus
Guillermo (“Willie”) Wainer
Phil Harris
D’Andrea Walker

Other Participants: Andrew Kays (NMWDA) and Kim Gordon (NMWDA)

Public access via livestream at the following link: <https://youtu.be/qqx8vkfh3Ts>. After a technical difficulty, the stream was turned on at 12:11 p.m. local time.

Mr. Kays issued an apology to the Board and the viewers for the technical difficulty resulting in the delay of the meeting. Board Chairman, Joseph Siemek opened the meeting at 12:11 p.m. local time after confirming the presence of a quorum. Mr. Siemek noted that the instructions for the public to view the meeting were provided in advance and that there are no plans to go into a closed session. Mr. Siemek requested that Members identify themselves when speaking and confirmed the presence of a quorum.

ACTION ITEM NO. 2021-7-1 – Contract Award for Waste Composition Study at the Montgomery County Transfer Station

A motion was made by Jeff Castonguay and seconded by Rhody Holthaus to approve this item.

Andrew Kays explained that this Action Item is for the award of a waste composition study at the Montgomery County Transfer Station and that Montgomery County will pay the Authority via purchase order as the Source of Funding.

Mr. Kays further explained that Montgomery County requested that the Authority assist with the planning and execution of a multi-season municipal solid waste (MSW) composition study (the Study). The purpose of the Study is to determine the percent composition by weight for of the MSW stream received at the Transfer Station. The County will use the waste characterization data in planning programs related to waste reduction, reuse, recycling, and composting. The data will also be used to evaluate changes in the character, quantity, and sources of materials in the County's solid waste stream. The Contractor will conduct four quarterly studies during the term of this contract.

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 / D’Andrea L. Walker, Baltimore County / Jeffrey D. Castonguay, 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



The RFP was published on October 26, 2021 and advertised on the Authority's website, via the Solid Waste Association of North America (SWANA) listserv, and eMaryland Market Place, and an email blast to the Authority's on-call engineering consultants. Six organizations requested to participate in the pre-proposal meeting or the pre-proposal site visit, or submitted a contact form.

Mr. Kays noted that one Addendum was issued on November 16, 2021 to address technical questions related to the project and only one proposal was received by the required closing date, that of SCS Engineers (SCS).

The proposed cost is \$255,000 and meets the terms and conditions of the RFP.

Mr. Kays explained that SCS was the only proposer and the rates proposed are in line with the on-call pricing. County staff has reviewed the proposal and with the Authority staff is requesting approval to move forward with this project with SCS for a NTE of \$255,000, subject to final pricing and approval by Montgomery County. This will be a standalone contract between the Authority and SCS, substantially in the form as submitted to the Board.

Staff is requesting approval to enter into a contract with SCS as set forth above.

Joseph Siemek asked if there were any questions or matters for discussion. There being none, a vote was taken, and the item was unanimously approved.

ACTION ITEM NO. 2021-7-2 – On-Call Consultant Contract Amendment(s)

A motion was made by Jeff Castonguay and seconded by Willie Wainer to approve this item.

Andrew Kays explained that this Action Item is to approve increases to the following on-call consultant contracts:

(1). ARM Group, Inc. – Baltimore City has been utilizing ARM Group, Inc. to provide services in connection with improvements at the Quarantine Road Landfill. An increase in the amount on \$100,000 is needed for the ARM contract to fund anticipated additional efforts for Member Jurisdictions.

Staff is requesting an increase in ARM's contract in the amount of \$100,000 to fund such additional work.

(2). KCI Technologies, Inc. – Montgomery County has requested that KCI Technologies, Inc. provide additional roof analysis services for the Shady Grove Transfer Station. An increase in the amount of \$40,000 is needed for the KCI contract to fund this effort.

Staff is requesting an increase in KCI's contract in the amount of \$40,000 to fund this work.

Joseph Siemek asked if there were any questions or matters for discussion. There being none, a vote was taken, and the item was unanimously approved.

ACTION ITEM NO. 2021-7-3 – Frederick County Solar Facility O&M Contract

A motion was made by Jeff Castonguay and seconded by Rhody Holthaus to approve this item.

Andrew Kays explained that this Action Item is for the award of the O&M Contract for the Frederick County Solar Facility and that the Source of Funding will be a Frederick County Purchase Order.

The Authority issued the Request for Proposals (RFP) for Operations, Monitoring and Maintenance of the Photovoltaic Facility on November 9, 2021. Advertising took place on the Authority's website, eMaryland Marketplace and to its on-call engineers. The pre-proposal meeting was held November 17, 2021, at the array adjacent to the offices of the Frederick County Division of Water and Sewer Utilities in Frederick Maryland. This conference included a walking tour of the site. A subsequent site visit was held on November 23, 2021. Addenda for the RFP were issued on the following days:

- #1: November 16, 2021, to provide technical information
- #2: November 19, 2021, to offer a second site visit
- #3: November 29, 2021, to extend the proposal submission date to December 3, 2021
- #4: December 1, 2021, to provide technical information and respond to questions on the procurement. Sign in sheets for the pre-proposal conferences were also distributed.

Mr. Kays explained that a single proposal was received December 3, 2021, from Ameresco, Inc. (Ameresco) and that the other firms that attended the pre-proposal conferences have not responded to inquiries on their no-proposal status.

The proposal lists strong résumés, and is the incumbent for the installation of the array. There is project history of operating facilities of a similar size with both solar energy generation and battery backup capability. Of note, the proposal notes the on-line monitoring of the array performance as required by the Authority. The firm lists a Maryland office for the field support services. On the positive, the proposal shows that the firm currently performs O&M at its array at Ft. Detrick, so they should have local support staff in place for rapid response. The proposed local team includes electricians with experience/licensure in Maryland.

The cost of the performance bond is included in the pricing as requested. The pricing table for the requested service was provided to the Board. Mr. Kays noted that Ameresco plans to sub-contract the maintenance for the Battery Energy Storage System to the original equipment manufacturer, a plus as it pertains to the maintenance and operation of the system. Ameresco will be able to start work as soon as Notice to Proceed is issued.

Ameresco did respond to clarifying questions issued by the Authority after discussions with the County and A/E. The County and the Authority accepted the clarifications.

The Authority staff recommends award to Ameresco for the initial term of the contract for the Operations, Monitoring and Maintenance of the Photovoltaic Facility at the Ballenger-McKinney Wastewater Treatment Plant.

Staff is requesting approval to enter into a contract with Ameresco, pending final approval by Frederick County, under the terms in substantially the form as set forth in the draft O&M contract terms provided as part of the procurement.

Joseph Siemek asked if there were any questions or matters for discussion. There being none, a vote was taken, and the item was unanimously approved.

ACTION ITEM NO. 2021-7-4 – Budget Amendment

A motion was made by Willie Wainer and seconded by Jeff Castonguay to approve this item.

Andrew Kays explained this Action Item is for approval of a budget amendment for Montgomery County and that Montgomery County will pay the Authority via purchase order as the Source of Funding.

Staff is requesting an increase in the amount of \$295,000 for the Montgomery County General Account. This amount includes \$40,000 for additional roof analysis work at the Transfer Station in support of Action Item 2021-7-2 (2.) and \$255,000 for the work in connection with the waste composition study in support of Action Item 2021-7-1.

This amendment increases the Montgomery County General Account budget to \$8,168,771.

Joseph Siemek asked if there were any questions or matters for discussion. There being none, a vote was taken, and the item was unanimously approved.

ACTION ITEM NO. 2021-7-5 – Contract Award for Baltimore City Litter Fence

A motion was made by D'Andrea Walker and seconded by Rhody Holthaus to approve this item.

Andrew Kays explained that this Action Item is for approval of the contract award for the Baltimore City Litter Fence and that the Source of Funding is the Baltimore City Compliance Memorandum of Understanding (MOU), dated December 12, 2018, between the City and the Authority.

The Authority received a request from Baltimore City (City) for the Authority to procure, on behalf of the City, potable litter control fencing for use at the City Quarantine Road Landfill to assist in litter control at the site. The Authority issued two separate public procurements (through an Invitation for Bids (IFB)) for the litter fencing in calendar year 2021, using agreed to specifications as supplied by the City. The first public procurement was issued on May 3, 2021 and was amended on May 26, 2021 to address the pre-bid meeting and provide clarifications to the IFB. No viable bids were received for this procurement. The second procurement was issued on July 2, 2021 and

amended on July 15, 2021 to reflect the pre-bid meeting. A second amendment was issued with responses to questions on July 28, 2021. No viable bids were received for this procurement. The Authority then contacted three known industry vendors and provided specifications with a request for bids. Two firms responded with bids; those requests and bids are attached hereto. The third firm did not respond.

Mr. Kays further explained that the following Bids were received:

Metta Technologies (Bull Litter Fence with Canopy 2021): \$77,760.00

Southwestern Sales Co. (WindARMOR, PLF2415): \$83,642.50

In accordance with COMAR Section 14.13.01.10, the Board is asked to approve the competitive negotiations and to authorize the Executive Director to execute the purchase of this equipment at a cost of \$77,760.00 in accordance with the terms in substantially the form as set forth in the IFB included as part of this procurement. The estimate for the purchase as provided by Metta Technologies was provided to the Board and is the most advantageous for the Authority and the City. This purchase is subject to final approval of the Baltimore City Representative and the Authority will be reimbursed by the City under the MOU. Mr. Kays noted that the City's written acceptance of the same also was included in the information provided to the Board.

Joseph Siemek asked if there were any questions or matters for discussion. There being none, a vote was taken, and the item was unanimously approved.

There being no additional comments or discussion items, Mr. Siemek noted that this was the last Board meeting of the year and took the opportunity to thank the Board Members for their service and to wish everyone a safe, healthy, and happy holiday season.

The meeting adjourned at 12:25 p.m.

TRUE TEST COPY



Andrew Kays, Executive Director