

February 20, 2025

Dear Proposer:

The purpose of this procurement is to seek proposals from experienced vendors for the processing and recycling of single stream recyclable materials. The Northeast Maryland Waste Disposal Authority (the “Authority”) is issuing this procurement on behalf of Baltimore City, Maryland, Carroll County, Maryland, and Frederick County, Maryland. The Northeast Maryland Waste Disposal Authority is a multi-jurisdictional agency created by the State of Maryland to assist its Member Jurisdictions with their integrated solid waste and recycling needs.

The services requested under this Request for Proposals (RFP) for Carroll and Frederick Counties will commence on July 1, 2025, and end June 30, 2030, with five 12-month renewal terms at the Authority’s sole discretion. The services requested for Baltimore City will commence on July 1, 2026, and end June 30, 2030, with five 12-month renewals terms at the Authority’s sole discretion.

The Proposal due date is **3:00 p.m. (local time) on Monday, March 31, 2025** (“Due Date”).

Please return executed copies of Form D-1 and Form D-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 D-1.

I look forward to reviewing your proposal.

John F. Schott III
Sr. Project Manager

Request for Proposals

for

**the PROCESSING and
RECYCLING of RECOVERED
MATERIALS**

for

**Baltimore City, Carroll County, and
Frederick County, Maryland**

TABLE OF CONTENTS

1. BACKGROUND AND PURPOSE	5
2. GENERAL INFORMATION	6
2.1 PROCUREMENT	6
2.2 RFP AVAILABILITY	6
2.3 PRE-PROPOSAL CONFERENCE	6
2.4 INFORMATION OR CLARIFICATION REQUESTS	6
2.5 SUBMITTAL REQUIREMENTS	7
2.6 CONFIDENTIAL INFORMATION	8
2.7 EQUAL EMPLOYMENT OPPORTUNITY	8
2.8 IRREVOCABILITY OF PRICE PROPOSAL	8
3. SCOPE OF SERVICE	9
3.1 PROJECT DESCRIPTION	9
3.2 TRANSFER AND PROCESSING OF RECOVERED MATERIAL	9
3.3 CONTRACT TERM	9
3.4 ACCEPTANCE OF TERMS OF SERVICE AGREEMENT	9
3.5 PAYMENT METHOD	10
4. MINIMUM QUALIFICATIONS	11
5. REQUIRED CONTENT OF PROPOSALS	12
5.1 GENERAL INFORMATION ABOUT THE PROPOSED FIRM	12
5.2 EXPERIENCE WITH THE PROCESSING OF RECOVERED MATERIAL	13
5.3 RECYCLING PROPOSAL REQUIREMENTS	14
5.4 FINANCIAL QUALIFICATIONS	15
5.5 PROPOSAL BOND	16
5.6 OTHER PROPOSAL REQUIREMENTS	16
6. EVALUATION PROCESS AND CRITERIA	18
6.1 EVALUATION PROCESS	18
6.2 EVALUATION CRITERIA	18
6.3 PROCUREMENT METHOD	19
6.4 DISCRETION IN DETERMINING DEVIATIONS AND COMPLIANCE	19
7. ADA COMPLIANCE	19
7.1 ALTERNATIVE FORMS	19
APPENDIX A	20
EXHIBIT A	20
HISTORICAL RECOVERED MATERIALS	20
APPENDIX B	21
ADDENDA RECEIPT FORM	21

APPENDIX C	22
COST PROPOSAL	22
and	22
COMMODITY SHARE PERCENTAGES	22
FORM C-1	23
COST PROPOSAL¹	23
FORM C-2	25
COMMODITY SHARE PERCENTAGES⁵	25
APPENDIX D	26
FORM D-1 - PROPOSER'S CONTACT INFORMATION FORM	26
APPENDIX D	27
FORM D-2	27
WAIVER OF DAMAGES	27
APPENDIX E	28
SERVICE AGREEMENTS	28
APPENDIX F	29
PROPOSAL CHECKLIST	29

PROCESSING AND RECYCLING SERVICES REQUEST FOR PROPOSALS (RFP)

1. BACKGROUND AND PURPOSE

Baltimore City, Maryland, Carroll County, Maryland and Frederick County, Maryland (individually referred to as a “Member Jurisdiction” or together, referred to as the “Member Jurisdictions”) currently have an export-based recycling system that results in the processing and marketing of recyclable material received at their respective facilities (Baltimore City Northwest Transfer Station or other municipal facility within the City as designated in writing, Carroll County Northern Landfill Transfer Station, and the Frederick County Reichs Ford Sanitary Landfill Transfer Station, individually referred to as the “Transfer Station”, as applicable, or together, referred to as the “Transfer Stations”). The Member Jurisdictions operate under a single stream recycling program and collect recyclables from single-family residences, small businesses, offices, and schools. The Authority’s contracts to provide recycling services on behalf of the Member Jurisdictions expire June 30, 2025. The Authority does have the option to extend its current contract for Baltimore City processing and recycling services through June 30, 2026. The current Baltimore City processing fee prior to revenue share is \$110.96. The current Carroll and Frederick Counties processing fee prior to revenue share is \$115.35 for single stream and \$58.28 for source separated cardboard.

The Authority is soliciting proposals for the processing and recycling of single stream Recovered Materials in accordance with the attached draft Service Agreements (Appendix E). The Company will accept, process, and recycle all Recovered Materials transferred to the Company by the Member Jurisdiction and/or the Authority’s transportation contractor. Schedule 1 to the attached draft Service Agreements (Appendix E) is a list of the Member Jurisdictions’ acceptable materials.

The Authority reserves the right to offer the terms in the selected vendor’s contract to other Authority member jurisdictions (not included in this RFP) after award and execution of the Agreement, if approved by the Company.

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

2. GENERAL INFORMATION

Currently all incoming Member Jurisdictions' collected recyclables are directed to a Transfer Station for the unloading, screening of non-processables, and loading of recyclables into transfer trailers for transportation to a processing facility.

The Authority will evaluate the Company's technical and financial qualifications, and the technical and cost proposals (Appendix C-1) 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 sole discretion to:

- Award Service Agreements with one Company on behalf of one or more Jurisdictions.
- 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 contractor.
- Allow other Authority member jurisdictions to adopt this procurement, upon approval from the Company.

2.2 RFP AVAILABILITY

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

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

2.3 PRE-PROPOSAL CONFERENCE

There will be no pre-proposal conference. If a proposer is interested in a tour of one or more Member Jurisdiction Transfer Station, please submit a request per Section 2.4 (Information or Clarification Requests).

2.4 INFORMATION OR CLARIFICATION REQUESTS

All contact relative to this solicitation, including requests for information as well as questions concerning these instructions, shall be **emailed to procurement@nmwda.org on or before 3:00 p.m. (local time) on Monday, March 10, 2025.**

Companies shall submit questions or requests for additional information to procurement@nmwda.org. Neither the Member Jurisdiction(s) nor the Authority will accept potential vendor telephone calls 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 **3:00 p.m. (local time) on March 10, 2025.**

Prior to award of this contract, Proposers shall not initiate any communications related to this project with other Authority staff; Mayor and City Council of Baltimore, County Executive of Frederick County, Maryland; Carroll County Board of Commissioners; 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 Member Jurisdictions in response to the Proposers' written questions. The Authority will mail or deliver (including by publicly posting on the Authority's website at nmwda.org) the Addenda to all parties recorded by the Authority as having received the RFP documents. 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 an electronic copy of its technical and cost proposal (Appendix C-1) via email to procurement@nmwda.org with the subject line "RFP for the Processing and Recycling of Recovered Materials". The technical proposal shall not be longer than fifty (50) pages.

The technical and cost proposal must be submitted on or before 3:00 p.m. (local time) on Monday, March 31, 2025.

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 the 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 one hundred twenty days from the Due Date, or, if modified during negotiations, for a period of one hundred twenty 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 Service Agreement(s) with one 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, 2025, for Carroll and Frederick Counties and July 1, 2026, for Baltimore City.

The Authority requests technical and cost proposals from qualified vendors, as described in Section 4 below, to accept, process, and recycle Recovered Materials delivered to the Company's Processing Facility.

The Company's scope of work will not include the operation of the Member Jurisdictions' respective Transfer Stations or the transportation of Recovered Materials to the Company's Processing Facility.

3.2 TRANSFER AND PROCESSING OF RECOVERED MATERIAL

Member Jurisdictions will direct single stream material and Recovered Material to their respective Transfer Stations or satellite drop-off facilities for minimal screening of non-processables by staff and loading into Member Jurisdiction(s) trailers or Authority contractor trailers. The Authority or Member Jurisdiction(s) will transfer the Recovered Material to the Company's Processing Facility. The Authority makes no representation or guarantee as to the quantity of recyclables delivered under the Service Agreements.

The requirements are set forth in the Service Agreements in Appendix E to this RFP.

3.3 CONTRACT TERM

The initial term of the contract for Carroll County and Frederick County services will begin on July 1, 2025, and, unless the Authority exercises its option to renew, will expire on June 30, 2030. The initial term of the contract for Baltimore City services will begin on July 1, 2026, and unless the Authority exercises its option to renew, will expire on June 30, 2030. The Authority will have the sole option to renew the Agreements on behalf of the Member Jurisdictions for up to five 12-month periods. *Renewal terms will not be mutual. The Authority's rules and regulations (see Northeast Maryland Waste Disposal Authority Act Sec. 3-921, Annotated Code of Maryland), require a competitive bidding process for contracts. Once the Authority enters a contract, it must be able to rely on the receipt of services for its Member Jurisdictions.*

3.4 ACCEPTANCE OF TERMS OF SERVICE AGREEMENT

By submitting a proposal, a Proposer agrees to accept the terms **substantially in the form of the** Service Agreements in Appendix E. Any proposed exceptions to the Service Agreements shall be submitted by **3:00 p.m. (local time) on Monday, March 10, 2025 via email to procurement@nmwda.org**. If the Authority determines to make a change in the terms of the Service Agreements in response to proposed exceptions submitted by **3:00 p.m. (local time) on Monday, March 10, 2025**, all such changes will be distributed to potential Proposers via addendum issued prior to the Due Date. 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.

3.5 PAYMENT METHOD

Proposers are required to propose service fees as set forth in Appendix C (Form C-1).

4. MINIMUM QUALIFICATIONS

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

- Project staff with at least three (3) years' management experience developing and operating a recycling system.
- At least five (5) years of corporate experience managing a recycling processing system, utilizing methods proposed by the Proposer.
- Evidence of access to a primary Materials Recovery Facility with the capacity to receive all acceptable Material projected to be exported from the Transfer Stations over the term of the Service Agreement, including any option period.
- Evidence of the ability to access a secondary or backup Materials Recovery Facility.
- Experience in performing multiple MRF audits or sorts of single stream recyclables.

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 THE 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 has been in business under the current name.
- List any other names under which your firm has done business during the past ten (10) 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 all subcontractors.
- Copies of current MBE/WBE certification documents

5.2 EXPERIENCE WITH THE PROCESSING OF RECOVERED MATERIAL

The proposal must address the experience of the Company in processing and recycling recovered material.

(a) Proposer's Experience with processing of recovered material

Provide the following information for projects that clearly demonstrate the Proposed Firm's experience in similar projects involving Recovered Material processing, recycling, operating, maintaining, permitting, and monitoring. Provide up to three single page descriptions of the projects performed in the past ten years that are similar to the project described in this RFP. Project descriptions should, at a minimum, provide the following information:

- Name and location of Materials Recovery 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 and capacity

(b) Résumés of Key Officers and Project Team Leaders

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

- Project manager (and primary contact person if different).
- Contract Administrator.
- Finance Manager.
- Equipment, procurement, and installation.
- Operations.
- Maintenance.
- Records and administration.

(c) Organization Chart

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

5.3 RECYCLING PROPOSAL REQUIREMENTS

The proposer shall submit a completed cost proposal and technical proposal. The technical proposal shall be no more than fifty (50) pages.

(a) Cost Proposal Requirement

The Proposer's cost proposal must be submitted on Form C-1 in Appendix C to the RFP.

(b) Technical Proposal Requirements - Recyclable Material Processing

- Identify processing locations and the operating hours of the processing facilities.
- Describe the transfer and disposal of residuals from the processing location, including disposal site(s). The Company's proposed residue price (used within blended value calculation of market-based proposal per Service Agreement) shall be based on the proposed transportation and disposal method and the distance to the primary disposal site.
- Describe contingencies for backup methods for the processing of recyclables in the event of work stoppage, natural or man-made disaster, extreme weather event, lack of access to processing facilities or declines in market values of recycling commodities.
- Proposers must provide information on their proposed backup recycling and disposal site. The contingency plan shall demonstrate the availability of the recycling and disposal site for use by the Company and that the backup recycling and backup disposal site meets the requirements of the proposed recycling and proposed disposal site.
- Provide evidence that the proposed recycling and disposal facilities are currently meeting all applicable regulatory requirements under applicable law and provide a compliance history (last five years) for each facility.
- Proposers must provide a description of at least one material audit/sort protocol performed at their processing facility on behalf of a local municipality.
- Proposers must provide a description of the general locations it intends to market the Member Jurisdictions' Recovered Material for each commodity. Local markets shall be prioritized if available.
- Proposers must provide a description or report of the Processing Facilities' key performance indicators (daily, monthly, and/or annually) the Company tracks for operating efficiency and to maximize recovery of recyclables. Proposers shall include the Processing Facilities operation manuals and detailed description of personnel training (for safely identifying and managing the different commodities/recyclables and residue from incoming loads).
- Proposers shall include a description of their standard operating protocol for heavily contaminated loads (based on visual volumetric basis) delivered to its Processing Facilities. This protocol shall be mutually beneficial to both Parties and should at minimum include the following:
 - Contamination level that would trigger a rejection of a full or partial load.

- Reasonable real time notification to the Authority and applicable Member Jurisdiction.
- Photo documentation of the applicable load and pertinent information on the delivery vehicle, such as scale ticket, truck number, contractor name, etc.
- Proposed transfer and disposal rate for the rejected tonnage. The proposer should provide the mileage from the Processing Facility to the Disposal Facility. The residue rate for the rejected tonnage shall be no more than the residue rate proposed in the blended commodity calculation. There will be no annual inflation adjustment to the transfer and disposal rate for rejected tonnage. There will be no additional or excess fees for managing residue other than the proposed transfer and disposal rate (applied to rejected tonnage and included within the blended commodity calculation).
- Assistance with Member Jurisdictions' outreach education at the Authority's request. The Company shall provide an outreach payment per Section 1(e) of Service Agreements.

5.4 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 (may provide link to website) filed with the U.S. Securities and Exchange Commission (SEC) and all 10-Ks 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 (may provide link to website) 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 fewer than three (3) years of financial statements are available, this information should be provided to the fullest extent possible.
- Copies of the latest quarterly financial report (may provide link to website).
- A copy of the latest annual report (may provide link to website).
- 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, which 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.
- A letter or similar document from surety or financial institution committing to the issuance of the Performance Bond or Letters of Credit required for each Service Agreement.
- 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.

5.5 PROPOSAL BOND

Each technical and cost proposal shall be accompanied by a proposal bond of \$200,000. The proposal bond shall not be conditioned in any way to modify the amount required.

5.6 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, the Baltimore City, Department of Public Works (Bureau of Solid Waste), Carroll County Bureau of Solid Waste, and the Frederick County Department of Solid Waste Management will establish a selection committee to review qualified technical and cost proposals. The selection committee will be composed of Authority staff, staff from the Member Jurisdictions, and any other person as designated by the Authority. 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. The selection committee will make a recommendation for award to the Executive Director of the Authority. The Executive Director will make a recommendation to the Authority's Members.

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 and maintenance of recyclable processing facilities for the required material stream, including:
 - i. Management
 - Delivering very similar single stream recycling services to other jurisdictions.
 - Resumes 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, loader failure, fire, temporary loss of access to proposed transportation routes.
 - The ability to provide a backup recyclable Materials Recovery Facility permitted and operating in accordance with federal, state, and local law.
 - ii. Prior Experience
 - Meeting or exceeding performance measures at similar facilities.
 - Performance history of the proposed recycling site(s). This includes compliance and adherence to federal, state, and local laws and regulations and clear evidence that the facility(s) are permitted to accept Recovered Material identified in this RFP.
 - iii. Finance
 - Evidence of financial ability to implement the project.
 - Ownership or effective control of the proposed recycling and disposal site(s).
 - iv. Staff
 - Evidence of labor resources and training to implement the project.

- Resumes and qualifications of proposed key staff for this project.
- v. Subcontractors
- List of Subcontractors and Subcontractor qualifications

6.3 PROCUREMENT METHOD

The Authority will employ the method of competitive negotiation to select a contractor(s). 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

EXHIBIT A HISTORICAL RECOVERED MATERIALS

Historic data provided by Baltimore City and the Counties is not a guarantee of future delivery quantities. All values are in Tons.

Month-Year	Baltimore City Single Stream Material (tons)	Frederick County Single Stream Material (tons)	Carroll County Single Stream Material (tons)	Carroll County Cardboard Material (delivered separate from single stream material)
July 2023	1,463	1,911	1,085	61
August 2023	1,531	1,933	1,151	84
September 2023	1,116	1,856	1,055	68
October 2023	1,180	1,849	1,067	81
November 2023	1,383	1,904	1,078	73
December 2023	1,999	2,191	1,216	71
January 2024	2,325	2,149	1,227	70
February 2024	1,964	1,861	1,008	78
March 2024	2,352	1,877	1,012	93
April 2024	2,655	1,874	1,089	125
May 2024	2,509	1,969	1,169	126
June 2024	2,106	1,933	1,024	76

APPENDIX B

ADDENDA RECEIPT FORM

**Receipt of Addenda for the Request for Proposals for the
PROCESSING and RECYCLING SERVICES
for BALTIMORE CITY, MARYLAND, CARROLL COUNTY, MARYLAND and
FREDERICK 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 #	Date Received	Responding Official	Date Confirmation Sent

APPENDIX C

COST PROPOSAL

and

COMMODITY SHARE PERCENTAGES

FORM C-1

COST PROPOSAL¹

Proposers are required to submit a market-based cost proposal for accepting all recyclables presented in Schedule 1 to Service Agreements. Proposers may provide pricing for more than one processing facility.

- a) Company accepts single stream material presented in Schedule 1 to Service Agreement delivered by the Member Jurisdictions:
 - i. Member Jurisdictions Processing Fee¹ _____ \$/ton
 - ii. Processing Facility Residue Transportation and Disposal Rate² _____ \$/ton

- b) Company accepts source separated cardboard delivered from the Member Jurisdictions:
 - i. Member Jurisdictions Cardboard Processing Fee³ _____ \$/ton

- c) Proposed Transfer and Disposal Rate for rejected tonnage under the Company proposed standard operating protocol for heavily contaminated loads (based on visual volumetric basis) delivered to the Processing Facilities:
 - i. Transfer and Disposal Rate for rejected tonnage⁴ _____ \$/ton

¹ See Service Agreements, Appendix E, for explanation as to how market-based contract payments will be calculated. The Service Fee for single stream material shall be 75% (Member Jurisdictions revenue share) of the Member Jurisdictions' blended commodity value based on the Member Jurisdictions' commodity compositions (Form E-2 below) and the applicable commodity market indices (defined under Section 2 of Service Agreement) minus the proposed Processing Fee (Item a)i. above). The proposed Processing Fee shall be the same for Carroll County, Maryland, Frederick County, Maryland, and Baltimore City, Maryland. The Processing Fee may be adjusted per Section 2 c) of Service Agreements on an annual basis.

² The proposed Processing Facility Residue Transportation and Disposal Rate is the residue rate to be applied to the blended commodity value calculation for the term of Service Agreement (including renewal periods). There will be no annual inflation adjustment to the residue rate.

³ Proposer is required to propose a separate processing fee for loose cardboard delivered separately from single stream material. The Service Fee for source-separated cardboard shall be 75% of the high Northeast region index for OCC (11) minus the proposed Member Jurisdictions' Cardboard Processing Fee. The Processing Fee may be adjusted per Section 2 of Service Agreements on an annual basis.

⁴The transfer and disposal rate for rejected tonnage shall be no more than the residue rate proposed in the blended calculation for the applicable jurisdiction. There will be no annual inflation adjustment to the transfer and disposal rate for rejected tonnage.

FORM C-2

COMMODITY SHARE PERCENTAGES⁵

Item	Baltimore City	Carroll County	Frederick County
Mixed Paper 54	17.41%	29.58%	35.03%
OCC 11	25.32%	25.15%	22.13%
Aluminum	1.34%	1.05%	1.38%
Steel Cans	1.57%	2.74%	2.44%
Natural HDPE	0.64%	0.87%	1.18%
Colored HDPE	0.86%	0.82%	1.37%
PET	3.81%	3.19%	3.85%
Plastics (3-7)	8.83%	5.30%	5.25%
Mixed Rigid Plastics	0.76%	1.34%	0.32%
Mixed Glass	17.89%	19.38%	16.53%
Residue	21.11%	10.58%	10.07%
Scrap Metal	0.46%	0.00%	0.45%
TOTAL	100%	100%	100%

⁵There will be no changes to the Commodity Share Percentages until a new Recycling Sort is performed. Commodity percentages are not rounded.

APPENDIX D

FORM D-1 - PROPOSER'S CONTACT INFORMATION FORM

**Processing and Recycling Services for Baltimore City, Carroll County, and Frederick
County, Maryland
REQUEST FOR PROPOSALS**

(1st) Name: _____

Title: _____

(2nd) Name: _____

(optional)

Title: _____

(optional)

Company: _____

Address: _____

Telephone Number: _____

E-mail (1st): _____

E-mail (2nd): _____

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

Please e-mail or mail completed form to:

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

APPENDIX D

FORM D-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 E

SERVICE AGREEMENTS

APPENDIX F

PROPOSAL CHECKLIST

This list is to assist the Proposer. The list does not relieve the Proposer from the responsibility of carefully reading the RFP and determining the responses regarding the submission of the proposal. The Proposer is advised to check off items as completed to avoid overlooking requirements.

Checklist items

- Form D1 – Proposer’s Contact Information
- Form D2 – Waiver of Damages
- Form C1 – Cost Proposal
- General Information about Proposed Firm per Section 5.1
- Provide up to three single page descriptions of project performed in the past per Section 5.2(a)
- Resumes of key officers and project team leader per Section 5.2(b)
- Organizational Chart
- Technical Proposal Requirement per Section 5.3(b) including descriptions of processing locations, transfer and disposal of residuals, contingency plans, and evidence that the proposed recycling and disposal facilities are currently meeting all applicable regulatory requirements, description of a material audit, general market locations Proposer intends to market the Recovered Material, and Processing Facilities key performance indicators
- Financial Qualifications per 5.4 including evidence of the ability to obtain a performance bond in the amount required by Service Agreement
- Proposal Bond in the amount of \$200,000 per Section 5.5
- Addenda Receipt Form, Appendix B
- Copies of current SDAT certificates
- Copies of MBE/WBE certifications, if claiming for the Proposer or any subcontractors