

**RFP for Solid Waste Transportation and Disposal Services for Frederick County, Maryland
May 3, 2019**

May 3, 2019

Dear Proposer:

The purpose of this procurement is to seek proposals from experienced vendors who can provide waste transfer and disposal services, for non-recycled solid waste received at the Frederick County Transfer Station located at the Reich's Ford Road Landfill in Frederick County, Maryland (the "County"). The Northeast Maryland Waste Disposal Authority (the "Authority") is issuing this procurement on behalf of the County. 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 Service requested under this Request for Proposals (RFP) will commence on April 25, 2020 and end on June 30, 2025 with three 12-month renewal terms at the Authority's sole discretion.

Proposal due date is 3 p.m. (local time) on Wednesday, July 3, 2019 ("Due Date").

A pre-proposal meeting will be held on Wednesday, May 15, 2019 at 10:00 a.m. (local time) at the Reich's Ford Landfill Administration Building located at 9031 Reich's Ford Road, Frederick, MD 21704.

Please return executed copies of Form A-1 and Form A-2 of this RFP to the Authority to receive any written Addenda that describes any changes, interpretations, or clarifications in response to any Proposers' written questions. Proposers may mail or email (procurement@nmwda.org) the forms.

I look forward to reviewing your proposal.

Christopher W. Skaggs
Executive Director

**RFP FOR SOLID WASTE TRANSPORTATION AND DISPOSAL SERVICES
FOR FREDERICK COUNTY, MARYLAND
May 3, 2019**

Request for Proposals

for

SOLID WASTE TRANSPORTATION AND DISPOSAL SERVICES

for

Frederick County, Maryland

Issued: May 3, 2019

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DEFINITIONS

Authority	Northeast Maryland Waste Disposal Authority
County	Board of County Commissioners of Frederick County, Maryland, or Successors
CPI-U	Consumer Price Index All Urban Consumers All Items in Washington-Arlington-Alexandria, DC-VA-MD-WV 1982-84=100
FCLF	Frederick County Landfill, 9031 Reich's Ford Road, Frederick, MD 21704
MDOT	Maryland Department of Transportation
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
TRANSPORTATION AND DISPOSAL SERVICES
REQUEST FOR PROPOSALS (RFP)**

1. BACKGROUND AND PURPOSE

Frederick 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 processing and marketing of recyclable material received at the Reich's Ford Landfill Transfer Station. The Authority currently has one Frederick County Waste export contract with Waste Connections of Maryland and one recycling contract with Waste Management Recycle America. The Waste export contract with Waste Connections of Maryland will terminate on April 24, 2020. The Authority is seeking to enter into a contract with one Company for the Service to begin on April 25, 2020.

The Frederick County Solid Waste Management Plan goals are the following:

- Protect the health and welfare of citizens and the environment
- Conserve natural resources
- Be financially self-sufficient
- Develop multi-jurisdictional solutions for solid waste management
- Educate the public about solid waste management and planning issues
- Maintain the solid waste program

This RFP is seeking transportation and disposal of non-recycled Waste.. Operations shall commence on April 25, 2020 (Operations Date) and continue with a fixed term, with options to renew at the Authority's sole discretion. There will be no tonnage guarantee to the Company for the transfer and disposal of Acceptable Waste.

The Company will accept Waste in the County owned Transfer Station. The County will load the Acceptable Waste in the Company's trailers. The Company will be responsible for the jockeying of trailers.

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

2. GENERAL INFORMATION

The County began to conserve Landfill space by the continued exportation of Waste in 2005. The transition to a Waste recycling and export system meets the recommendations of the County's SWMP. Currently the majority of incoming waste and single stream recyclables are directed to the Transfer Station located at 9031 Reich's Ford Road for loading, transportation, recycling, and disposal. The County owns and operates the Transfer Station at the Landfill. The Transfer Station has a permitted capacity of 720,000 Tons Per Year. The County will not modify the Transfer Station to meet special requirements of the Company.

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.

The Authority reserves and has the sole discretion to:

- Award a single Service Agreement.
- To reject any and all technical and cost proposals that do not meet minimum qualifications.
- Supplement, amend, or otherwise modify this RFP, or to cancel this RFP without substitution.
- Waive any or all informalities in the technical and cost proposal, or immaterial failures to comply with the RFP requirements.
- Request further information from Proposers as needed to support the Authority's selection of a preferred Contractor.
- Allow other member jurisdictions to adopt this procurement.
- Conduct simultaneous negotiations with two or more Companies deemed to be qualified through this RFP.

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

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May 3, 2019**

2.3 PRE-PROPOSAL CONFERENCE

The Authority will hold a pre-proposal conference (includes a tour of the Transfer Station) on Wednesday, May 15, 2019 at 10:00 a.m. (Eastern Standard Time) at the Reich's Ford Road Landfill Administration Building, 9031 Reich's Ford Road, Frederick, MD 21704. 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 e-mailed to procurement@nmwda.org, on or before Tuesday, June 11, 2019.

Companies shall submit questions or requests for additional information to procurement@nmwda.org. Neither the County nor the Authority will accept potential vendor telephone calls or visits, other than the pre-proposal meeting, during the technical and cost proposal evaluation process.

Proposers shall notify the Authority 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 Tuesday, June 11, 2019

Proposers shall not initiate any communications related to this project with other Authority staff, the County Executive of Frederick County, Maryland, local elected officials, or local government staff. Any communications, other than the pre-proposal conference or procurement@nmwda.org, 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 Proposer's written questions. In order to receive these updates, Proposers must return Form A-1 to the Authority. The Proposer must also return an executed copy of Form A-2 to the Authority. The Authority will email or mail the Addenda to all parties submitting these forms. The Addenda will also be posted on the Authority website at <https://www.nmwda.org/procurement-opportunities/>. 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 a complete copy on a USB flash drive of their technical and cost proposal (including the completed Form B of this RFP). The proposal shall not be longer than 60 pages. Mail or deliver proposal packages to the attention of:

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

All technical and cost proposals shall be sealed in a package and identified as: “SOLID WASTE TRANSPORTATION AND DISPOSAL SERVICES FOR FREDERICK COUNTY, MARYLAND” on the outside of the sealed package. Proposals **may not** be submitted via fax or e-mail.

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, 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

Proposals submitted in response to this RFP are subject to the Maryland Public Information Act. Proposers should identify those portions of their proposals that they consider to contain confidential, proprietary commercial information or trade secrets. Proposers are advised that, upon request of this information from a third party, the Authority is required to make an independent determination whether the information can be withheld under the law. If the Authority determines that materials marked as confidential must be disclosed under the law, the Authority will notify the Proposer in advance of releasing the information to permit the Proposer to take independent action to protect the information. Proposers agree that the Authority has no liability for release of information it determines in good faith must be disclosed under the law.

2.7 EQUAL EMPLOYMENT OPPORTUNITY

Proposers shall comply with all applicable federal, state, and local laws and regulations pertaining to non-discrimination and 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 Vendor must hold firm the prices provided in and on the Cost Proposal Form (Form B of this RFP), which they submit, for a period of one hundred and eighty (180) days from the Proposal Closing date, or, if modified during negotiations pursuant to the Notice for the RFP, for a period of one hundred and eighty (180) 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 one Company that submits a responsive technical and cost proposal, deemed by the Authority to represent the "best value" to the Authority.

The Northeast Maryland Waste Disposal Authority requests technical and cost proposals from qualified vendors for the transportation and disposal of Waste delivered to the County's Transfer Station at the Frederick County Landfill, located at 9031 Reich's Ford Road, Frederick, MD, 21704, to an approved offsite Disposal Facility.

3.2 ACCEPTABLE WASTE TRANSPORT AND DISPOSAL

The County Transfer Station has an area for the spotting of trailers (full or empty) overnight to ensure continuity of service for Waste transfer. The Company will provide trailers and a truck AND driver for jockeying trailers for the term of the Service. Exhibit B to Appendix C is a diagram of the primary roads for ingress and egress from the FCLF. The County will provide loading and weighing of all transfer trailers for the operations at the Landfill.

More detailed requirements are set forth in the Draft Service Agreements in Appendix B to this RFP.

3.3 QUANTITIES

The Authority does not guarantee a specific amount of Acceptable Waste, nor provide any minimum nor maximum guarantees for the volume of current or anticipated future Acceptable Waste received at the Transfer Station. The Authority shall have no financial responsibility in the event the amount of Acceptable Waste falls short of or exceeds current or projected quantities. The Company shall accept all Acceptable Waste delivered by the Authority.

The Authority will direct all Acceptable Waste delivered to the Transfer Station (except as noted in the Service Agreement) to the Company. The Proposal shall address the pricing for the proposed service on the appropriate form attached hereto (Form B).

Exhibit A of Appendix A contains historical Frederick County Waste transfer tonnage data. **The Authority provides historical information for reference only and not as a guarantee of future deliveries.** The Proposer is solely responsible for developing estimates for future Waste quantities as part of their technical and cost proposal. The Company should consider historical information presented in current and previous County SWMPs, industry trends in regional Waste volumes, and the transfer data provided in Appendix A.

3.4 EQUIPMENT

Equipment used to transport Acceptable Waste shall be provided by the Company. The Authority will not provide transport equipment. The Company's equipment must be suitable for the proposed transport method and must be rigid, durable, corrosion resistant, nonabsorbent, easily cleanable and suitable for handling with no sharp edges or other hazardous conditions. The Company's equipment must be capable of withstanding the hard use typically associated with handling Solid Waste, and must be designed, engineered and rated to perform satisfactorily and safely at all times in accordance with generally accepted Waste industry procedures. Trailers must have a minimum height of 12 feet 6 inches, a minimum length of 48 feet and a minimum capacity of 120 cubic yards.

All of the vehicles proposed to be used for the performance of the transfer for this project must have a suitable water tight, leak proof, metal body designed for the collection of Solid Waste and have a suitable tightly fitting, waterproof cover which shall be in place at all times, except when loading or unloading. The body shall be so mounted on the chassis that when fully loaded, the axle load shall fall within the maximum axle load limit prescribed by law. The vendor will be responsible for any litter falling out of the transfer vehicles on the grounds of the Landfill and all public roads used for the Service.

The Company shall accept Acceptable Waste at the Transfer Station, deliver empty trailers, and may store empty and loaded trailers. Loaded trailers must be covered and may be stored at a staging area for a maximum of 24 hours. The Company may store a maximum of 15 empty and loaded trailers in the staging area at any one time.

The Authority provides front end loaders and permanently fixed materials handling cranes at each pit for distribution of Acceptable Waste in the transfer trailers. The Authority will be responsible for the operation and maintenance of the Transfer Station and loading of Waste into the Company's trailers. (See Exhibits C of Appendix C for design documents.)

3.5 DISPOSAL SITE(S)

Disposal sites shall, at a minimum be sited, designed, and constructed and available to receive Acceptable Waste by the Operations Date. Disposal sites shall be sited, constructed, operated, monitored, closed and otherwise maintained in a manner that is protective of human health and the environment and are operated in compliance with Applicable Laws.

The Company shall not dispose of Acceptable Waste in a landfill, or an expansion cell next to an existing landfill, that is, or is proposed to be, on the National Priority List of the Federal Superfund Program (40CRF Part 300), or that is, or is proposed to be, on a similar list under a similar program for any state.

If a Disposal Facility is located in a jurisdiction that is required to prepare a Comprehensive Solid Waste Management Plan (or its equivalent if the Facility is located outside the State of Maryland) the plan of the receiving jurisdiction shall allow Waste import from other States to the Disposal Facility.

3.6 SERVICE FEE

The Company's monthly Service Fees cover payment to the Company for all services rendered. The monthly Service Fees shall consist of a rate per Ton for transportation of Acceptable Waste delivered to the Company and a rate per Ton for disposal of Acceptable Waste delivered to the Company.

The monthly Service Fees shall be calculated per Schedule III of the Service Agreement using Form B inserted. The Authority will pay the Company monthly (with an allowance of 30 days from the date of receipt of a correct invoice before payment is received) for all Acceptable Waste transferred from the Transfer Station for disposal.

3.7 ANNUAL ADJUSTMENT OF RATES

The Authority will adjust the Service Fees as defined in Article III of the Service Agreement.

3.8 CONTRACT TERM

The term of the contract will begin on the Operations Date (April 25, 2020) and end on June 30, 2025, with three 12-month renewal terms at the Authority's sole discretion. Proposers shall propose pricing in Article VII of the Service Agreement. Proposers should fill in Form B.

3.9 SECURITY FOR PERFORMANCE OF PROPOSER

In order to provide security to the Authority in form and substance acceptable to the Authority guaranteeing performance by the Proposer of its obligations under the Agreement, the Proposer must submit either a Performance Bond or Letter of Credit in the forms provided in Schedule 5 of the Service Agreement. The amount of the Performance Bond or Letter of Credit shall be in an amount described in Section 2.7(c) of the Service Agreement.

4. MINIMUM QUALIFICATIONS

The following describes the minimum qualifications required of the Company.

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

4.1 MINIMUM QUALIFICATIONS

4.1(a) ACCEPTABLE WASTE TRANSPORT AND DISPOSAL

- Provide evidence of Project staff with at least five years management experience developing and operating a Waste transfer system that handles at least an average of 400 Tons of Solid Waste per day;
- At least five 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 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 site.

5. REQUIRED CONTENT OF PROPOSALS

This section includes the Authority's requirements for the content of proposals. 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 Draft Service Agreement for the specific contract(s) being proposed upon:

- Name of Proposed Firm.
- Business Address.
- Type of Organization.
- Proposer's authorized representative and contact information including telephone and Email information.
- The number of years the Proposed Firm has been in business under the present name.
- Proof of Proposer's status of Good Standing with the Maryland State Department of Assessment and Taxation.
- 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 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. 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 that may perform more than ten percent of the project value.

5.2 EXPERIENCE DESCRIPTION

The proposal must address the experience of the Company in transporting and disposing of Municipal Solid Waste. The Company is required to provide facilities, equipment, maintenance, fees and labor to transport Acceptable Waste from the Transfer Station to a permitted Disposal Facility outside of the County. The Company shall determine and present in their technical and cost proposal the method of transport and the location of final disposal.

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

(a) Proposer's Acceptable Waste Transport and Disposal Experience

Provide the following information for projects that clearly demonstrates the Proposed Firm's experience in very similar projects involving waste transport and disposal, including management of short-haul and long-haul systems, compliance with Maryland Department of Transportation (MDOT) transport regulations; and operating, maintaining, permitting, and monitoring solid waste facilities. Provide up to five 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 over 30 years; and
- Description of Proposer's involvement in landfill and/or waste to energy operations and compliance.

Description of Proposer's involvement in the project with respect to long-haul transport, mode of transport, 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;

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- 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 PROPOSAL

This section presents the requirements for the Service proposal.

(a) Technical and Cost Proposal Requirements

The Cost Proposal must be submitted on Form B of this RFP. Along with the Cost Proposal on Form B, Proposers must submit the following information:

(1) Waste Transport and Disposal

- Disposal Site and Alternate Disposal Site
 - Location;
 - Ownership (or legal basis for use);
 - Status of required permits (land-use, environmental, etc.);
 - Copies of original permits including permit renewals and modifications;
 - Permitted Design Capacity
 - Remaining Capacity
 - Average current daily tonnage volume and the maximum daily tonnage volume allowed per permit
 - Daily tonnage capacity available exclusively for this Service
 - List of jurisdictions in which disposal site is located
 - Host Community Agreement (if one exists); and

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- Transportation:
 - Describe all transportation phases such as short-haul leg, intermodal Facility(s), transportation method, etc.;
 - Describe backup transportation modes during emergencies, strikes, inclement weather, etc.;
 - Describe the trailer types and compaction methods they intend to use for transfer operations;
 - Describe the ownership of transportation equipment and facilities, or the legal basis for use of such equipment and facilities;
 - Status of permits required; and
 - Copies of permits (if issued) or draft permits with schedule for obtaining permits.

- 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 that affects transportation to the Disposal Facility or Alternate Disposal Facility (if located in same State as primary Disposal Facility), 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 (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 site.

5.4 FINANCIAL QUALIFICATIONS

The Proposed Firm shall provide the following information for all companies, subsidiaries and/or parent companies that will work on the project. The Authority shall have sole discretion to determine the adequacy of proposed companies, subsidiaries or subcontractors. Information shall be submitted in a form which is in accordance with generally accepted accounting principles.

- A letter or similar document from surety or financial institution committing to the issuance of the Performance Bond or Letter of Credit required in Section 2.7(c) of the Service Agreement. The letter or similar document shall indicate that the amount required in Section 2.7(c) of the Service Agreement will be met.

- 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):

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- 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 not 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); and
 - Other sources of guarantees that may exist.

5.5 PROPOSAL BOND

Each technical and cost proposal shall be accompanied by a Proposal Bond of \$100,000. The Proposal Bond shall not be conditioned in any way to modify the amount required. Firms not selected will have their bonds released after successful execution of the Service Agreement.

5.6 AUTHORITY REVIEW OF PROPOSALS

The Authority will use the technical proposal and cost proposal forms to evaluate the merits of each technical and cost proposal received. Each technical and cost proposal will be considered against the evaluation criteria described in Section 6.

If the technical and cost proposal is incomplete or fails to address the questions the technical and cost 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.

5.7 EXCEPTIONS TO TERMS AND CONDITIONS

Proposer must submit technical and cost proposals that conform to the terms and conditions set forth in this RFP and the Draft Service Agreement. The Proposer may not attach to their technical and cost proposal a list of proposed exceptions or clarifications to the terms and conditions of this RFP and the Draft Service Agreement. Any proposed exceptions to the Service Agreement shall be submitted by **Tuesday, June 11, 2019** via email to procurement@nmwda.org. If the Authority determines to make a change in the terms of the Service Agreement in response to proposed exceptions submitted by **June 11, 2019**, all such changes will be distributed to potential Proposers via addendum issued prior to the Due Date. Proposals that take exception to any terms in the Service Agreement 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.

6. EVALUATION PROCESS AND CRITERIA

6.1 EVALUATION PROCESS

The Authority will establish an evaluation committee to review qualified technical and cost proposals. The evaluation 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 evaluation committee in order of “best value” to the Authority. The evaluation committee will make a recommendation for award to the Executive Director of the Authority. The Executive Director will make a recommendation for award to the Authority’s Members.

The tonnage transfer data in Appendix A of this RFP for years 2014 through 2019 will be used in evaluating proposals.

6.2 EVALUATION CRITERIA

The Authority will select the proposal or proposals that are deemed to be the most advantageous to the Authority. The Authority 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; equally weighing the responses in A and B below:

- A. **Total Cost of Services:** The total cost of the services provided on the basis of the Proposer's technical and cost proposal for the proposed Service.
- B. **Technical Qualifications:** The proposed Company's experience including operation and maintenance of transport and disposal facilities for the required Waste stream, and management of the electrical generation facilities, including:
 - i. Management
 - Delivering very similar services at very similar facilities;
 - 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, 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.
 - Evidence of disposal capacity for 30 years from start of the operations.

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ii. Prior Experience

- Meeting or exceeding performance measures at very similar facilities.

Performance history of the proposed disposal 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 Frederick County Waste identified in this RFP

iii. Finance

- Evidence of financial capability to implement the project(s).
- Ownership or effective control of the proposed disposal site(s)

iv. Staff

- Evidence of labor resources to implement the project(s).
- Resumes and qualifications of proposed key staff for this project(s).

v. Sub-Contractors

- List of Subcontractors and Subcontractor qualifications.

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**FORM A-1
PROPOSER'S CONTACT INFORMATION FORM**

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

(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:

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

FORM A-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

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**FORM B
COST PROPOSAL FORM**

**Service Fees
Initial Term of Five Years, with Three One-Year Extensions**

Acceptable Waste: No Guarantee Tonnage

Transportation Fee _____ \$/ton

Disposal Fee _____ \$/ton

*The Authority will adjust the Service Fees as defined in Article III of the Service Agreement.

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APPENDIX A

EXHIBIT A: WASTE TRANSFER TONNAGE DATA

	2014	2015	2016	2017	2018	2019
JANUARY	11,299	10,990	10,192	12,355	13,397	15,278
FEBRUARY	9,808	9,890	12,543	11,122	12,200	13,806
MARCH	11,820	13,061	13,706	12,716	14,522	15,528
APRIL	13,158	10,863	13,394	13,010	15,291	18,626
MAY	13,106	12,743	13,944	15,609	18,174	
JUNE	12,337	16,149	14,246	15,514	17,248	
JULY	14,677	12,550	10,800	11,284	10,900	
AUGUST	13,808	11,226	10,415	14,073	18,590	
SEPTEMBER	11,934	11,626	9,882	11,856	15,346	
OCTOBER	13,059	14,969	12,800	13,692	19,611	
NOVEMBER	10,477	13,240	12,832	14,324	16,270	
DECEMBER	13,451	14,191	12,569	12,214	15,641	
TOTAL	148,934	151,498	147,323	157,769	187,190	

**APPENDIX A
EXHIBIT B: POPULATION INFORMATION**

**Frederick County
Population Projections
1980-2020***

	Census 1980	Census 1990	Census 2000	Projected 2010	Projected 2020
Frederick County	114,792	150,208	195,277	243,220	287,913
Source: Frederick County Government, Division of Planning					

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APPENDIX B

DRAFT SERVICE AGREEMENT

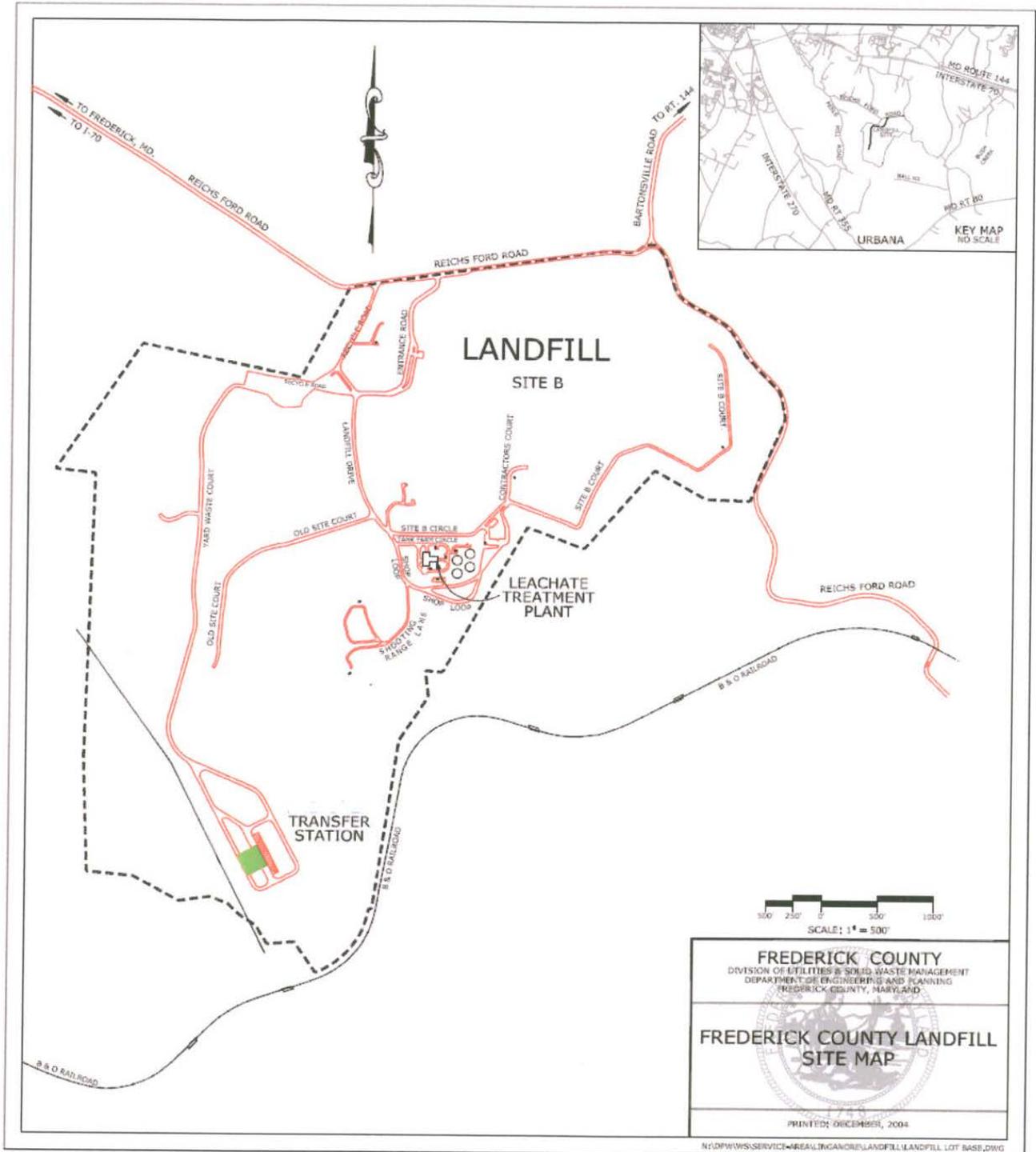
APPENDIX C

MAPS/DRAWINGS OF FREDERICK COUNTY LANDFILL AND TRANSFER STATION

- Exhibit A:** Map of Landfill
- Exhibit B:** Map of Routes to be used during service period
- Exhibit C1:** Site Plan of Transfer Station
- Exhibit C2:** Interior of Transfer Station

APPENDIX C

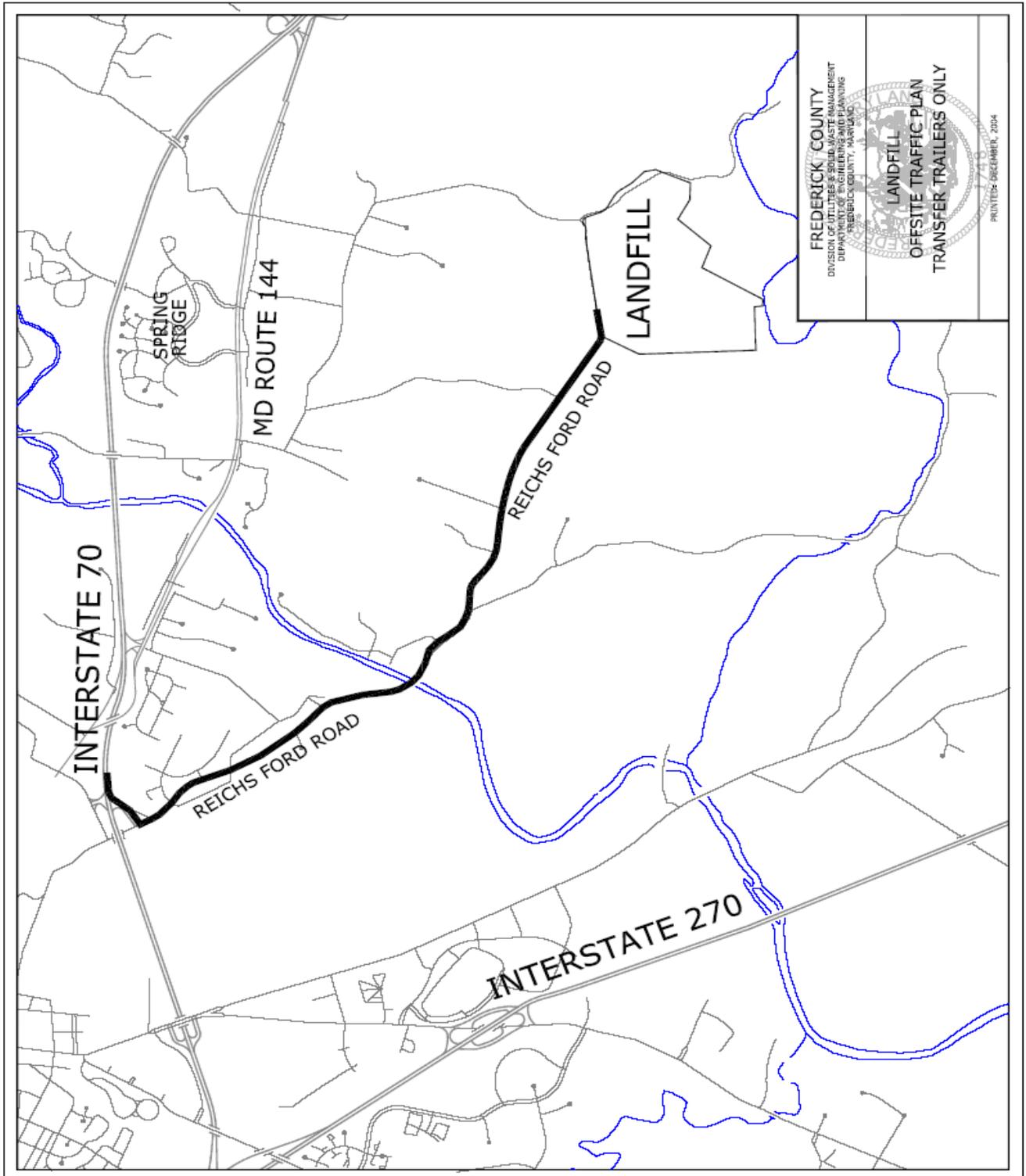
Exhibit A: Map of Landfill



* Note that the above map was printed in December 2004. The Transfer Station is currently in operation.

APPENDIX C

Exhibit B: Map of Routes to be used during service period



APPENDIX C

Exhibit C1: Site Plan Transfer Station

