

**RFP for Processing and Recycling Services  
January 22, 2020**

January 22, 2020

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 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) will commence on July 1, 2020 and end June 30, 2022 with three 12-month renewal terms at the Authority’s sole discretion.

The Proposal due date is **4:00 p.m. (local time) on Thursday, February 27, 2020** (“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.

Christopher W. Skaggs  
Executive Director

**Request for Proposals**

**for**

**the PROCESSING and  
RECYCLING of RECOVERED  
MATERIALS**

**for**

**Carroll County, Maryland and  
Frederick County, Maryland**

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**APPENDICES:**

- APPENDIX A: Historical Recovered Materials**
- APPENDIX B: Addenda Receipt Form**
- APPENDIX C: Cost Proposal and Commodity Share Percentages**
- APPENDIX D: Proposer's Contact Information Form and Waiver of Damages**
- APPENDIX E: Service Agreement**

## **PROCESSING AND RECYCLING SERVICES REQUEST FOR PROPOSALS (RFP)**

### **1. BACKGROUND AND PURPOSE**

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 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 their respective landfills (Carroll County Northern Landfill and the Frederick County Reichs Ford Sanitary Landfill, individually referred to as the “Landfill”, or together, referred to as the “Landfills”). The Member Jurisdictions’ contracts to provide recycling services expire June 30, 2020.

The Authority is soliciting proposals for the processing and recycling of single stream Recovered Materials in accordance with the attached draft Service Agreement (Appendix E). The Company will accept, process, and recycle all Recovered Materials transferred to the Company by the Authority’s transportation contractor. Schedule 1 to the attached draft Service Agreement (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 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 recyclables received at the Member Jurisdictions' Landfills are directed to a Transfer Station on site for the unloading, screening of nonprocessables, 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 the sole discretion to:

- Award a single Service Agreement.
- 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 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, Fax (410) 333-2721  
E-mail: [procurement@nmwda.org](mailto:procurement@nmwda.org)

### **2.3 PRE-PROPOSAL CONFERENCE**

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

## **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 emailed to [procurement@nmwda.org](mailto:procurement@nmwda.org) on or before 5:00 p.m. (local time) on Wednesday, February 12, 2020.

Companies shall submit questions or requests for additional information to [procurement@nmwda.org](mailto:procurement@nmwda.org). Neither the County nor the Authority will accept potential vendor telephone calls or visits during the technical and cost proposal evaluation process.

Proposers shall notify the Authority in writing of any conflicts, errors, omissions or discrepancies in this RFP prior to this time. The Authority reserves the right not to respond to questions received after 5:00 p.m. (local time) on Wednesday, February 12, 2020.

Prior to award of this contract, Proposers shall not initiate any communications related to this project with other Authority staff; 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 Proposers' written questions. The Authority will mail or deliver 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 three printed copies (double-sided and on recycled paper) and a complete copy on a USB flash drive of its technical and cost proposal (Appendix C-1). The technical proposal shall not be longer than fifty (50) pages. The proposal package shall be submitted to:

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

**The technical and cost proposal must be submitted on or before 4:00 p.m. (local time) on Thursday, February 27, 2020.**

**All technical and cost proposals shall be sealed in a package and identified as: “PROCESSING AND RECYCLING OF RECOVERED MATERIAL FOR CARROLL COUNTY, MARYLAND AND FREDERICK COUNTY, MARYLAND” on the outside of the sealed package.**

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

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

**2.6 CONFIDENTIAL INFORMATION**

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

**2.7 EQUAL EMPLOYMENT OPPORTUNITY**

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

**2.8 IRREVOCABILITY OF PRICE PROPOSAL**

The prices proposed will be irrevocable for a period of 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 a Service Agreement with the Company that submits a responsive technical and cost proposal, deemed by the Authority to represent the best value to the Authority. The Operations Date of the contract will be July 1, 2020.

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 delivered to the Landfills or satellite drop-off facility to the Transfer Stations for screening of nonprocessables and loading into Authority contractor trailers. The Authority 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 Agreement.

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

#### **3.3 CONTRACT TERM**

The initial term of the contract will begin on July 1, 2020 and, unless the Authority exercises its option to renew, will expire on June 30, 2022. The Authority will have the sole option to renew the Agreement for up to three 12-month periods.

#### **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 Agreement in Appendix E. Any proposed exceptions to the Service Agreement shall be submitted by 5:00 p.m. (local time) on Wednesday, February 12, 2020 via email to [procurement@nmwda.org](mailto: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 5:00 p.m. (local time) on Wednesday, February 12, 2020, 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.

## **5. REQUIRED CONTENT OF PROPOSALS**

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

### **5.1 GENERAL INFORMATION ABOUT PROPOSED FIRM**

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

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

## **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 demonstrates the Proposed Firm's experience in very 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 very 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 persons responsible for the following project functions and the percent of time committed to this project:

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

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.
- 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, 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.

**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 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):

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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 (3) years of financial statements are available, this information should be provided to the fullest extent possible.
- Copies of the latest quarterly financial report.
- A copy of the latest annual report.
- Information on any material changes in the mode of conducting business, bankruptcy proceedings, assignments of accounts or assets, corporate restructuring, and mergers or acquisitions within the past three years, including comparable information for related companies and company principals.
- Information on the firm's access to bank lines of credit, revolving credit agreements, or other sources of working capital funds.
- A copy of the prospectus and official statement, if any, for the firm's latest security offerings.
- The rating on outstanding corporate debt, if any has been issued, with recent copies of the rating agency reports on that outstanding corporate debt.
- A description of all financial commitments in excess of one million dollars (\$1,000,000) presently obligated, including completion guarantees on all construction projects and operating agreements and their bearing on the firm's financial ability to guarantee the performance and other requirements of this project.
- A description of any outstanding contractual arrangements, including off-balance sheet items, that may have a bearing on the ability of the firm to meet its obligations to the Authority, with respect to:
  - Corporate guarantees.
  - Affiliations.
  - Partnerships and/or joint ventures (describe assets and liabilities).
  - Other sources of guarantees that may exist.
- Evidence of the ability to obtain a performance bond in the amount required by the Service Agreement.
- 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 \$75,000. 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 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 consider the materials submitted with respect to the evaluation criteria set forth herein. Management and technical qualifications will be qualitatively evaluated and ranked by the selection committee in order of best value to the Authority.

### 6.2 EVALUATION CRITERIA

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

- A. **Total Cost of Services:** The total cost of the services provided on the basis of the Proposer's cost proposal.
  
- B. **Technical Qualifications:** The proposed Company's experience including operation and maintenance of recyclable processing facilities for the required material stream, 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
    - 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 very 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 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. 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.

**APPENDIX A**

**EXHIBIT A  
 HISTORICAL RECOVERED MATERIALS**

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

| <b>Month-Year</b> | <b>Frederick County<br/>Single Stream<br/>Material (tons)</b> | <b>Carroll County<br/>Single Stream<br/>Material (tons)</b> | <b>Carroll County<br/>Cardboard Material<br/>(delivered separate<br/>from single stream<br/>material)</b> |
|-------------------|---|---|---|
| January 2018      | 2,326   | 1,557   | 50  |
| February 2018     | 1,928   | 1,227   | 64  |
| March 2018        | 2,086   | 1,347   | 41  |
| April 2018        | 2,174   | 1,377   | 43  |
| May 2018          | 2,523   | 1,510   | 65  |
| June 2018         | 2,508   | 1,643   | 0   |
| July 2018         | 2,322   | 1,451   | 78  |
| August 2018       | 2,441   | 1,559   | 87  |
| September 2018    | 2,274   | 1,415   | 84  |
| October 2018      | 2,468   | 1,425   | 96  |
| November 2018     | 2,461   | 1,553   | 112   |
| December 2018     | 2,501   | 1,532   | 31  |
| January 2019      | 2,532   | 1,519   | 81  |
| February 2019     | 2,081   | 1,164   | 61  |
| March 2019        | 2,128   | 1,144   | 38  |
| April 2019        | 2,389   | 1,180   | 62  |
| May 2019          | 2,379   | 1,317   | 107   |
| June 2019         | 2,236   | 1,236   | 41  |
| July 2019         | 2,349   | 1,268   | 65  |
| August 2019       | 2,209   | 1,267   | 90  |
| September 2019    | 1,934   | 1,068   | 65  |
| October 2019      | 2,127   | 1,168   | 58  |

**APPENDIX B**

**ADDENDA RECEIPT FORM**

**Receipt of Addenda for the Request for Proposals for the  
PROCESSING and RECYCLING SERVICES  
for CARROLL COUNTY, MARYLAND and FREDERICK COUNTY, MARYLAND**

Please attach copies of faxed 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.

| <b>Addenda #</b> | <b>Date Received</b> | <b>Responding Official</b> | <b>Date Confirmation Sent</b> |
|------------------|----------------------|----------------------------|-------------------------------|
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**APPENDIX C**  
**COST PROPOSAL**  
**and**  
**COMMODITY SHARE PERCENTAGES**

**FORM C-1**  
**COST PROPOSAL<sup>1</sup>**

Proposers are required to submit a market-based cost proposal and a fixed base cost proposal for accepting all recyclables presented in Schedule 1 to Service Agreement. The selection of proposal (market or fixed) will be at the Authority's discretion for each Member Jurisdiction and will be applied for the term of the Service Agreement (including any renewal periods).

I. Market based Cost Proposal

- a) PROPOSAL REQUIRED - Company accepts all recovered material presented in Schedule 1 to Service Agreement
  - i. Member Jurisdictions (Carroll County, Maryland and Frederick County, Maryland) Processing Fee<sup>1</sup> \_\_\_\_\_ \$/ton
  - ii. Processing Facility Residue Transportation and Disposal Rate<sup>2</sup> \_\_\_\_\_ \$/ton
- b) PROPOSAL OPTIONAL - Company accepts source separated cardboard
  - i. Member Jurisdiction Cardboard Processing Fee<sup>3</sup> \_\_\_\_\_ \$/ton

II. Fixed based Cost Proposal

- a) PROPOSAL REQUIRED - Company accepts all recovered material presented in Schedule 1 to Service Agreement
  - i. Tip Fee<sup>4</sup> \_\_\_\_\_ \$/ton
- b) PROPOSAL OPTIONAL - Company accepts source separated cardboard
  - i. Member Jurisdiction Cardboard Tip Fee<sup>5</sup> \_\_\_\_\_ \$/ton

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- c) PROPOSAL OPTIONAL - Company accepts source separated glass
  - i. Member Jurisdiction Glass Tip Fee<sup>5</sup> \_\_\_\_\_\$/ton

III. Reduced Service Fee for removing certain items presented in the recovered material list presented in Schedule 1 to Service Agreement from the Member Jurisdiction(s) curbside recycling program [OPTIONAL]<sup>6</sup>

- a) PROPOSAL OPTIONAL – Market Based Processing Fee
  - i. Member Jurisdictions’ Reduced Processing Fee after removing mixed glass from the Member Jurisdiction(s) curbside recycling program \_\_\_\_\_\$/ton

- ii. Member Jurisdictions’ Reduced Processing Fee after removing [vendor: insert commodity here]\_\_\_\_\_ from the Member Jurisdiction(s) curbside recycling program \_\_\_\_\_\$/ton

- b) PROPOSAL OPTIONAL – Reduced Fixed Base Tip Fee
  - i. Member Jurisdictions’ Reduced Tip Fee after removing mixed glass from the Member Jurisdiction(s) curbside recycling program \_\_\_\_\_\$/ton

- ii. Member Jurisdictions’ Reduced Tip Fee after removing [vendor: insert commodity here]\_\_\_\_\_ from the Member Jurisdiction(s) curbside recycling program \_\_\_\_\_\$/ton

<sup>1</sup> See Service Agreement, 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 I (a) above). The proposed Processing Fee shall be the same for Carroll County, Maryland and Frederick County, Maryland. The Processing Fee may be adjusted per Section 2 c) of Service Agreement on an annual basis.

<sup>2</sup>The proposed Processing Facility Residue Transportation and Disposal Rate (under market-based cost proposal only) 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.

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<sup>3</sup> Proposer may 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 median Northeast region index for OCC (11) minus the proposed Member Jurisdiction Cardboard Processing Fee. The Processing Fee may be adjusted per Section 2 of Service Agreement on an annual basis.

<sup>4</sup> The Service Fee (or Tip Fee) under the fixed base cost proposal is an annual flat fee rate per ton of single stream recovered material delivered to the processing facility. The Tip Fee may be adjusted on an annual basis per Section 2 of Service Agreement.

<sup>5</sup> Proposer may propose a separate Tip Fee for loose cardboard and/or glass delivered separately from single stream material. The Tip Fee(s) may be adjusted per Section 2 of Service Agreement on an annual basis. Note that the Proposer may propose a zero or negative tip fee (\$/ton). A negative tip fee would be revenue (credit) to the Member Jurisdiction(s).

<sup>6</sup> Any item (e.g. glass) that is proposed to be removed from the Member Jurisdiction(s) recycling program will still be an acceptable item at the Company's processing facility and the item will not be considered residue under the market-based cost proposal. The applicable item(s) will have the market value (index) defined under the Service Agreement.

**FORM C-2**

**Commodity Share Percentages<sup>6</sup>**

(Applies only to Market-Based Cost Proposal)

| <b>CARROLL COUNTY<br/>November 20, 2019 Sort Test</b> |                            |
|---|----------------------------|
| <b>Item</b>   | <b>Percent Composition</b> |
| Mixed Paper 54  | 29.58%                     |
| OCC 11  | 25.15%                     |
| Aluminum  | 1.05%                      |
| Steel Cans  | 2.74%                      |
| Natural HDPE  | 0.87%                      |
| Colored HDPE  | 0.82%                      |
| PET   | 3.19%                      |
| Plastics (3-7)  | 5.30%                      |
| Mixed Rigid Plastics                                  | 1.34%                      |
| Mixed Glass   | 19.38%                     |
| Residue   | 10.58%                     |
| Scrap Metal   | 0.00%                      |
| <b>TOTAL</b>  | <b>100%</b>                |

| <b>FREDERICK COUNTY<br/>November 6, 2019 Sort Test</b> |                            |
|--|----------------------------|
| <b>Item</b>  | <b>Percent Composition</b> |
| Mixed Paper 54   | 35.03%                     |
| OCC 11   | 22.13%                     |
| Aluminum   | 1.38%                      |
| Tin  | 2.44%                      |
| Natural HDPE   | 1.18%                      |
| Colored HDPE   | 1.37%                      |
| PET  | 3.85%                      |
| Plastics (3-7)   | 5.25%                      |
| Mixed Rigid Plastics                                   | 0.32%                      |
| Mixed Glass  | 16.53%                     |
| Residue  | 10.07%                     |
| Scrap Metal  | 0.45%                      |
| <b>TOTAL</b>   | <b>100%</b>                |

<sup>6</sup> There will be no changes to the Commodity Share Percentages until a new Recycling Sort is performed.

APPENDIX D

FORM D-1

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

PROPOSER'S CONTACT INFORMATION FORM

(1<sup>st</sup>) Name: \_\_\_\_\_

Title: \_\_\_\_\_

(2<sup>nd</sup>) Name: \_\_\_\_\_

*(optional)*

Title: \_\_\_\_\_

*(optional)*

Company: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-mail (1<sup>st</sup>): \_\_\_\_\_

E-mail (2<sup>nd</sup>): \_\_\_\_\_

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

Please e-mail, fax 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](mailto: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 AGREEMENT**