

REQUEST

FOR

PROPOSALS

FOR

AERIAL SERVICES

Northeast Maryland Waste Disposal Authority

Issued: October 29, 2020

**REQUEST FOR PROPOSALS
FOR AERIAL SERVICES
NORTHEAST MARYLAND WASTE DISPOSAL AUTHORITY**

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Request for Proposals for Aerial Services
October 29, 2020

Proposal Due Date: **November 20, 2020**
Proposal Due Time: 4:00 p.m.

**REQUEST FOR PROPOSALS
FOR AERIAL SERVICES
NORTHEAST MARYLAND WASTE DISPOSAL AUTHORITY**

The Northeast Maryland Waste Disposal Authority (the “Authority”), is soliciting proposals for aerial services on behalf of the Authority’s member jurisdictions (“Members or Jurisdictions”). The Authority is seeking proposals that demonstrate savings to the eight participating Jurisdictions through the aggregation of the Jurisdictions’ requirements into one contract.

The Authority was established as a public corporation by Chapter 871, Acts of 1980 to assist its participating political Jurisdictions of Maryland and other public entities in providing adequate solid waste disposal facilities, including facilities for the generation of steam, electricity or fuels and recovery of materials that are derived from or are otherwise related to waste disposal. Landfills are part of the Jurisdictions’ integrated waste management system. Participating Jurisdictions include Baltimore City and Anne Arundel, Baltimore, Carroll, Frederick, Harford, Howard and Montgomery Counties. Maryland Environmental Service, also an instrumentality of the State of Maryland, is an ex-officio member. The Authority acts as a coordinating and management agency and a financing provider for solid waste management projects.

Copies of the Solicitation packages are available from the Northeast Maryland Waste Disposal Authority free of charge. Electronic Proposals are due **November 20, 2020 at 4:00 p.m. at procurement@nmwda.org**. All references to time in this Request for Proposals reflect local time.

Requests for Proposals may be obtained by contacting the Authority as follows:

Northeast Maryland Waste Disposal Authority
Tower II - Suite 402
100 South Charles Street
Baltimore, MD 21201-2705
E-mail: procurement@nmwda.org
Tel.: 410-333-2730
Fax: 410-333-2721

REQUEST FOR PROPOSALS

Proposers are invited to submit proposals in conformance with the requirements described below:

PART I - PROPOSAL INFORMATION

1.1 PURPOSE:

The purpose of this Request for Proposals (“RFP”) is to invite Proposers experienced in the field of aerial photography, landfill surveying, and volumetric analysis to submit proposals to the Northeast Maryland Waste Disposal Authority (the “Authority”), an instrumentality of the State of Maryland, outlining in detail their ability to provide these services to the Authority’s participating Member Jurisdictions (Baltimore City, Anne Arundel, Baltimore, Carroll, Frederick, Harford, Howard and Montgomery Counties) in accordance with Sections 3-901 et seq. of the Natural Resources Article of the Annotated Code of Maryland, as amended.

The Authority may select one Contractor for all the Sites stated within EXHIBIT A (Price Proposals – Response Sheets) of this RFP or separate Contractors for each Site.

1.2 CONTACT PERSON:

Any communication regarding this RFP must be made in writing or e-mail and directed to the attention of ‘RFP for Aerial Survey Services,’ Northeast Maryland Waste Disposal Authority, Tower II – Suite 402, 100 South Charles Street, Baltimore, Maryland 21201-2705, procurement@nmwda.org, or 410.333.2730.

1.3 PRE-PROPOSAL CONFERENCE:

There will be no pre-proposal conference for this RFP.

1.4 WRITTEN QUESTIONS:

Prospective Proposers may submit written questions. The Authority will endeavor to respond in writing to requests for information submitted by **November 13, 2020**; however, the Authority makes no assurance that written responses will be tendered if, in the opinion of the Authority, such information is evident in the RFP or goes beyond the intended scope of this solicitation. Any written responses to questions made shall be mailed to all prospective Proposers who requested a copy of this RFP or who submitted EXHIBIT B, the Proposers Information Form, to the Authority. The Authority will as necessary, issue written Addenda that describe changes, interpretations, or clarifications in response to Proposers written questions. The Authority will deliver the Addenda via mail or email 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.

1.5 AMENDMENT OR CANCELLATION OF THIS RFP:

If this RFP requires amendment, written notice of the amendment will be given to all prospective Proposers identified in Section 1.4. Receipt of amendments must be acknowledged in writing by prospective Proposers to the Authority. Acknowledgment by e-mail is permitted. The Authority reserves the right to modify, amend or cancel this RFP if the Authority determines, in its sole discretion, that it is in the best interest of the Authority to do so.

1.6 SUBMISSION REQUIREMENTS:

Proposals are required to be submitted in three formats as follows: electronic copy (email), paper copy, and on flash drive. In an effort to provide Proposers with more flexibility with respect to the timing of the submission, the deadline for the submission will be in two parts as set forth below. The date for email submission via electronic copy of the Proposal is no later than 4:00 p.m. local time on **November 20, 2020** (the “Closing Date”) to procurement@nmwda.org. An original and four paper copies, and a minimum of three flash drives of the Proposal must be submitted in two parts, each in its own sealed envelope, entitled “Technical Proposal – Aerial Services” and “Price Proposal – Aerial Services” respectively. The Price Proposal must include EXHIBIT A. The paper copies and flash drives of the Proposal must be submitted to the attention of the Executive Director of the Authority no later than 4:00 p.m. Local Time on **November 24, 2020**. Proposals **may not** be submitted via fax.

The address for the paper copies and the flash drive submission is as follows:

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

Proposals **may not** be submitted via fax.

1.7 DISCLOSURE:

Proposals submitted in response to this RFP are subject to disclosure pursuant to the Maryland Public Information Act, Section 10-611 et seq. of the State Government Article of the Annotated Code of Maryland. Proposers must identify specifically those portions of their proposals, if any, which they deem contain confidential or proprietary information or trade secrets. Proposers are advised that, upon request for 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.

1.8 INCURRED EXPENSES:

The Authority is not responsible for any expenses which Proposers may incur in preparing and submitting proposals. The Authority will not return proposals following the review and selection process.

1.9 ACCEPTANCE OF TERMS AND CONDITIONS:

By submitting a proposal in response to this RFP, the Proposer accepts all of the terms and conditions set forth in this RFP, including EXHIBIT A (Price Proposals – Response Sheets) and EXHIBIT C (Draft Contractor Agreement). If the Authority determines to make a change in the terms of the Draft Contractor Agreement in response to proposed exceptions submitted by **November 13, 2020**, 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 Draft Contractor Agreement may be rejected without further evaluation. The Authority does have the option, after Proposals are submitted, to request best and final offers from Proposers. 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.

1.10 PROCUREMENT REGULATIONS:

This RFP, and any contract entered into as a result thereof, is not subject to the provisions of the State Finance and Procurement Article of the Annotated Code of Maryland, but is governed by Section 3-921 of the Natural Resources Article of the Annotated Code of Maryland and COMAR 14.13.01.01 et seq.

1.11 NON-DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY:

Proposers must comply with all applicable federal, state and local laws and regulations pertaining to non-discrimination and equal employment opportunity.

PART II - CONTRACT INFORMATION AND PROPOSED CONTRACT PROVISIONS

2.1 PARTIES TO THE CONTRACT:

The Contract and all EXHIBITS thereto to be entered into as a result of this RFP (“the Contract”) shall be by and between the Proposer as Contractor (the “Contractor”) and the Authority.

2.2 CONTRACT TERM:

The Contract term shall commence on or about January 10, 2021 or as of the date specified in the Contract and shall end June 30, 2023 or upon completion of all work authorized on or before the expiration date, unless sooner terminated in accordance with the Contract. At the sole option of the Authority, the Contract may be renewed for up to two additional one-year terms, exercisable at the sole discretion of the Authority. The services indicated on the Price Proposals – Response Sheets (EXHIBIT A) are not a guarantee of work; rather the Contract will contain prices for the services and the individual Member Jurisdictions will have the opportunity to select those services that best suit their respective needs.

2.3 PRICE ADJUSTMENT

The Authority will allow for escalation of price proposals per Section 206 of the Draft Contractor Agreement (EXHIBIT C).

2.4 COMPENSATION:

See Article II under Draft Contractor Agreement (EXHIBIT C).

2.5 SCOPE OF CONTRACT:

It is anticipated that the Contractor will perform the work and provide the services described in Part IV below, as set forth in more detail in the Draft Contractor Agreement (EXHIBIT C).

PART III - PROPOSER'S MINIMUM QUALIFICATIONS

3.1 CONTRACTOR QUALIFICATIONS AND PRIOR EXPERIENCE:

3.1.1 The Contractor and its employees must have been actively engaged in the aerial photography field for a period of no less than two years.

3.1.2 No Contract will be awarded except to responsible Contractors capable of performing the service specified.

3.1.3 During the term of the Contract, the Authority's Member Jurisdictions reserve the right to inspect the Contractor's equipment and to perform such investigations as may be deemed necessary to insure that competent personnel and management will be utilized in the performance of the Contract.

3.2 GENERAL LIABILITY INSURANCE:

The Proposer shall agree to maintain in full force and effect during the term of the Contract general liability insurance as detailed in EXHIBIT C, Schedule II in the Draft Contractor

Agreement. The Company performing the flight services would be the only company required to meet the Aircraft Liability insurance

3.3 PROPOSER'S CAPACITY:

Each Proposer must demonstrate the capability of performing the potential volume and type of services as required by the Authority described in Part IV below. The Proposer must be available at the times specified in this RFP to render services under the Contract.

3.4 LICENSES:

Proposers must have licenses required by applicable local, State and Federal regulations.

PART IV - SCOPE OF SERVICES REQUIRED

4.1 PURPOSE:

The Authority is seeking to retain a Contractor to provide aerial services for the Authority's Member Jurisdictions.

4.2 SERVICES:

Scope of Services are included in Article I under Draft Contractor Agreement (EXHIBIT C) and within the Price Proposals – Response Sheets (EXHIBIT A).

PART V - TECHNICAL PROPOSAL FORMAT

5.1 GENERAL:

All technical proposals shall be prepared with a concise description of the Proposers' capabilities to satisfy the requirements of this RFP and specifically the requirements of Part III and IV, above, and Section 5.3 below. The Technical Proposal shall be submitted separately from the Pricing Proposal.

5.2 LENGTH:

No technical proposal may exceed 20 pages (double-sided), including attached résumés. The 20-page technical proposal limit does not include the cover letter and table of contents.

5.3 REQUIRED INFORMATION:

The proposal shall contain the information described below.

A. Proposer's Prior Experience:

1. General Experience

Provide a detailed description of the Proposer's experience in the field of aerial surveying and landfill volumetric measurements. Proposals should include qualifications and curriculum vitae for all key staff connected to the performance of the Contract.

2. List of three references (including scope, and current contact information) from projects in the past five (5) years.

B. Photogrammetric and Volume Analysis Services Teams (Specific Individuals Responsible for Performance of Contract).

1. Provide a detailed description of the personnel, including subcontractors, to be assigned to perform the Contractor's duties, including the following information:

- a. Experience
- b. Résumé(s)
- c. Professional certifications (where applicable)

C. Use of Subcontractors

Subcontractors may only be used with the express written consent of the Authority and must be included in the proposal. Proposals should include résumé(s) of subcontractors to be used in the performance of the Contract.

D. List of Available Equipment – Dates of certification for all photographic equipment (conventional photography, i.e. film based, or digital); or evidence that the camera and lens assembly earns an acceptable rating when tested by the United States Geological Survey or approved testing facility (in accordance to the Standard Specifications for Aerial Photography for Photogrammetric Mapping (USGS; Rev. Ed. 1972) or later updated, as applicable.

E. Experience and Methods used for Landfill Volume Analysis and Calculations

E. Other

Any other information which the Proposer considers relevant to a fair evaluation of its experience and capabilities. This may include any new technologies or methodologies that the Proposer may propose to use to perform the work; for example, the use of unmanned aircraft.

PART VI - PRICE PROPOSAL FORMAT AND PROCEDURE

6.1 RATES OF COMPENSATION:

The Proposer must submit the Price Proposal separately from the Technical Proposal. The Price Proposal shall include:

- A. The detailed prices for the services listed on the specifications page for each Jurisdictions, found in EXHIBIT A.
- B. The Proposer shall indicate any volume-based discounts that the Jurisdictions may realize through the aggregation of multiple sites.
- C. The Proposer must submit, as part of the price proposal, mark-ups for any sub-contracting services in the Proposer's proposal.

6.2 IRREVOCABILITY OF PRICE PROPOSAL:

The Proposer must hold firm the prices provided in its Price Proposal – Response Sheet Forms (EXHIBIT A) for a period of ninety (90) days from the Proposal Date, or, if modified during negotiations for a period of ninety (90) days from the date such modified proposal prices are proposed by Proposer.

PART VII - EVALUATION PROCEDURE

7.1 EVALUATION COMMITTEE:

The Authority will establish an evaluation committee to review technical and cost proposals that are reasonably susceptible of award. The evaluation committee will consider the materials submitted with respect to the evaluation criteria set forth, herein. Proposals will be qualitatively evaluated and ranked by the evaluation committee in order of “best value” to the Authority and its Member Jurisdictions. 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 Member Jurisdictions.

7.2 DISCRETION IN DETERMINING DEVIATIONS AND COMPLIANCE:

The Authority reserves and assigns to the Executive Director the right to determine which of the Proposers have met the minimum qualifications of Part III of this RFP. The Executive Director shall have the sole right to determine whether any deviation from the requirements of this RFP is substantive in nature, and the Executive Director may reject proposals that are not reasonably susceptible of being selected for Contract award. In addition, 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.

7.3 EVALUATION CONSIDERATIONS:

The Authority will establish an evaluation committee for reviewing qualified technical and cost proposals with respect to the evaluation criteria set forth herein giving relatively more weight to the technical proposal than the price proposal. The Evaluation Committee will evaluate the proposals on the basis of the following factors:

- A. Technical Qualifications
 - a. Proposers experience in providing similar aerial services
 - b. Specific Individuals Responsible for Performance of the Contract: Qualifications, expertise and references of proposed managers who will be primarily responsible for the performance of the Contract – Résumés of proposed key staff
 - c. Methods proposed to be used in performing the work
 - d. List of available photographic equipment
 - e. Proposer's past expertise in the fields of aerial surveying/mapping and landfill volumetric measurements
 - f. Subcontractors – List of subcontractors and subcontractor qualifications
 - g. An evaluation of the clarity, completeness and responsiveness of the Proposer's written proposal as required by this RFP will be made
- B. Total Cost of Services: The total cost of services provided on the basis of the Proposer's technical and price proposal for the proposed aerial services

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October 29, 2020

EXHIBIT A

PRICE PROPOSALS - RESPONSE SHEETS

EXHIBIT B

PROPOSER'S CONTACT INFORMATION FORM

**REQUEST FOR PROPOSALS
FOR AERIAL SERVICES**

(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

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EXHIBIT C
DRAFT CONTRACTOR AGREEMENT