

MEMORANDUM

TO: RFP Recipients

FROM: Kitty McIlroy *KM*

DATE: November 10, 2021

SUBJECT: Addendum No. 3 to the Request for Proposals (“RFP”) for Regional Non-Recycled Municipal Solid Waste Acceptance, Processing, Transportation and Disposal Services by Northeast Maryland Waste Disposal Authority on Behalf of Anne Arundel County, Maryland and Howard County, Maryland, dated July 1, 2021.

This Addendum No. 3 is to extend the Proposal Submission Due Date from 4:00 p.m. local time Monday, November 15, 2021 to 4:00 p.m. local time Wednesday, December 1, 2021.

This Addendum No. 3 is to also issue amendments to the RFP and answer some Proposer Questions submitted in writing by the question submittal due date of October 1, 2021. Answers issued by written addenda will be binding on the Authority, including the answers provided below.

1. **Question:** Schedule II: Can the Authority remove tires from Acceptable Waste? We cannot accept tires.

Answer: *Yes, tires are removed from the definition of Acceptable Material per Schedule II to the Service Agreement of Exhibit III to the RFP.*

Please note, per the Acceptable Material definition per Schedule II to the Service Agreement of Exhibit III to the RFP, “[large] automobile parts, tires” shall be removed from this definition.

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Comprehensive Waste Management Through Recycling, Reuse, Resource Recovery and Landfill

MEMBERS:

Rhody R. Holthaus, Anne Arundel County / Vacant, Baltimore City / D’Andrea L. Walker, Baltimore County / Jeffrey D. Castonguay, Carroll County
Phillip S. Harris, Frederick County / Joseph J. Siemek, Harford County / Mark A. DeLuca, Howard County / Guillermo Wainer, Montgomery County
Charles Glass, Maryland Environmental Service / Andrew Kays, Executive Director



Please note, per Schedule II to the Service Agreement of Exhibit III to the RFP, and as amended in the answer to Question #2 below: Unacceptable Material includes “Large items of machinery, equipment and mechanical parts, such as motor vehicles and major components thereof, large automobile and vehicular parts, including tires (unless the tire(s) are incidental tires and not intentionally included in the Acceptable Material load (i.e., up to and including five (5) tires per Acceptable Material load can count as incidental), trailers, agricultural equipment, marine vessels, or any other related large item of Waste.”

2. **Question:** Schedule II: Can the Authority add language that Ashes and other Special Wastes can be subject to environmental testing prior to disposal?

Answer: *No, ashes and other special wastes shall not be subject to environmental testing by the Members or Authority under this RFP and resulting Service Agreement.*

Please note, per Schedule II to the Service Agreement of Exhibit III to the RFP, Non-Processible Waste shall be replaced with the following definition:

“means Acceptable Material that cannot be processed by incineration or waste to energy, and must be landfilled, including the following: (a) dirt, concrete and other construction material and demolition debris; (b) refrigerators, washing machines, large appliances and similar material (“White Goods”); (c) incinerator residue, ashes and foundry sands disposed of as Wastes; and (d) any other Acceptable Materials the receipt and combustion of which is likely to cause damage to or otherwise materially and adversely affect the operation of the Facility, constitute a material threat to health or safety, or violate or cause the violation of any Applicable Law or any Governmental Approval.”

*Additionally, per Schedule II to the Service Agreement of Exhibit III to the RFP, **Unacceptable Material shall be replaced with the following definition:***

“means

(A) Hazardous Waste;

(B) That portion of Solid Waste the disposal of which (i) may present a substantial endangerment to public health or safety, or (ii) would cause Applicable Law to be violated, or (iii) is likely to materially adversely affect the operation of a Facility; provided, however, that if such Unacceptable Material (other than Hazardous Waste) is delivered in quantities and concentrations as determined by the Authority and as part of normal collections so as not to have the effect described in clauses (i), (ii) and (iii) above it shall constitute Acceptable Material unless otherwise directed by State or Federal regulatory authorities. The Unacceptable Material described in this paragraph (b) shall include:

- (1) Pathological and biological waste, explosives, medical and infectious Waste, cesspool and other human Waste, sewage sludge, human and animal remains;*
- (2) Large items of machinery, equipment and mechanical parts, such as motor vehicles and major components thereof, large automobile and vehicular parts, including tires (unless the tire(s) are incidental tires and not intentionally included in the Acceptable Material load (i.e., up to and including five (5) tires per Acceptable Material load can count as incidental), trailers, agricultural equipment, marine vessels, or any other related large item of Waste;*
- (3) Oil sludge, other sludge, sewage, Wastewater and septic, cesspool, human, animal, offal and other liquid wastes;*
- (4) Radioactive wastes as defined in COMAR 26.15.02; and*
- (5) Oils, paints, acids, caustics, poisons, asbestos, chemicals, highly ignitable substances, explosives and ordnance materials.*

(C) Does not include Acceptable Material set forth by the appropriate permits and orders contained in Section 2.10 of this Agreement.

3. **Question:** Schedule II: Can the Authority clarify that Acceptable Waste does not include any “non-processible waste?”

Answer: *Please see the answer to Question #2 above.*