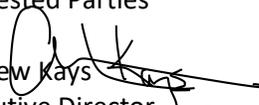


MEMORANDUM

TO: Interested Parties

FROM: Andrew Kays 
Executive Director

DATE: January 4, 2022

SUBJECT: Addendum No. 1 to RFP for On-Call Consulting, Engineering, Management and Construction Services, issued on November 23, 2021

Note that some questions were broken apart as indicated by [] for ease of responding, or have administrative clarifications. Responses below are to questions generally received up to December 16, 2021. Questions received after that date, and up to December 28, 2021, will be addressed as necessary in a follow-up addendum.

.....

PROPOSALS ARE NOW DUE ONLY AS ELECTRONIC FILES TO procurement@nmwda.org, AND NO LATER THAN 4:00 PM LOCAL TIME ON JANUARY 28, 2022. HARDCOPIES ARE NO LONGER REQUIRED.

The pagination limit for the RFP response has not changed. Vendors should use professional judgement to present their proposals in a font that is legible in terms of type and size (for example Times New Roman, 10-size font, or Calibri, 11-size font).

Question 1: We are reviewing Attachment C-1 – General Format Guidelines for the Presentation of Key Projects. The form requests the total value of the project and also the total value of the offeror’s efforts. Can you clarify the difference?

Answer: The intent of this part of the form is to determine the value of the work that the Offeror performed for the reference project. For example, the Offeror may have performed all of the services with its forces for a \$500,000 project. In this case the values presented would be the same. There may be a case when the Offeror used subcontracted forces to complete the work. For example, the total value of the project was \$500,000, and the Offeror performed \$350,000 of the work. The balance of the work was performed by others.

410.333.2730 / 410.333.2721 fax / authority@nmwda.org
nmwda.org / Business-to-Business Recycling: mdrecycles.org
Tower II – Suite 402, 100 S. Charles Street, Baltimore, MD 21201-2705

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



Question 2: Hi, we have a question regarding the referenced RFP. On page 8, 1.6 SUBMISSION REQUIREMENTS, it states that Section 8 of the proposal must include Statements of Non-Segregated Facilities yet this form is not included in the RFP. Please tell us where we can secure this form to complete. Thank you.

Answer: *The Offeror is to include a statement on its letterhead, signed by an authorized officer of the company, that it is compliant with federal and state laws regarding non-segregated facilities. Example text is attached hereto at Exhibit A.*

Question 3: I am reviewing your Request for Proposals for Consulting, Engineering, Management and Construction Services issued Nov. 23, 2021. In Section 109 of the form contract, you are asking for contractors to have an on-staff engineer "in an appropriate field." As an engineer working in the field for 22 years, I would like to know what engineering skills/training you require for each of the 27 criteria in the General Solid Waste, Planning and Recycling/Diversion Category.

Answer: *Generally, the Offeror is to provide evidence of experience in the noted categories under each of the broader categories in the RFP. This could be demonstrated with examples of work, either the design, permitting or construction oversight of relevant structures/facilities reflecting the areas for consideration, or documented experience for the planning components of the section. For example, demonstrating experience with Waste generation and/or characterization studies (residential/commercial) would not include a P.E. requirement, but rather examples of studies that were undertaken by the Offeror.*

More specifically, as noted in Section 1.1 of the RFP, a firm or team that would be tasked with the design related efforts (note, this does include evaluation of existing systems for the status of operations, as well as the design for repair, replacement, installation or removal) of a project generally under this category would require P.E. license in the appropriate discipline. For example, if the assigned task is to prepare the feasibility study and conceptual design for a resource recovery park, the Offeror would need to have staff (either its own forces or an approved sub-contractor) that can provide analysis, design (possibly including, but not limited to, mechanical, electrical, stormwater and civil) and permitting support for the facility. In this case, the Offeror should include those team members that have Maryland Licensure for disciplines typically required in the solid waste/recycling industry in the proposal.

For further example, the category of Traffic studies and design for solid waste and recycling facilities may require a P.E. if the project requires the design and potential permitting for improvements to the roadwork at a facility. However, the review of traffic loading at a site (e.g., a traffic count) would not lead to the requirement of a P.E. In both cases the Offeror is to demonstrate experience for evaluation under that sub-category.

Question 4: What landfills are part of the contract?

Answer: *The Authority's members each have landfills that they are responsible for maintaining (if closed) and, save for Montgomery County, operating. The list of operating landfills for the members is below. The list of closed landfills follows. Please note that neither the active list, nor the closed facility list, represent a guarantee of work. Each is provided for information purposes only.*

Active Landfills

Anne Arundel County: Millersville Landfill and Resource Recovery Facility
Baltimore County: Eastern Sanitary Landfill
Baltimore City: Quarantine Road Landfill
Carroll County: Northern Resource Recovery Park
Frederick County: Reichs Ford Road Landfill
Harford County: Harford Waste Disposal Center
Howard County: Alpha Ridge Landfill

Closed Landfills

Anne Arundel County: Glen Burnie, Sudley Road
Baltimore County: Parkton, Hernwood, Texas
Baltimore City: Millennium, Monument Street, Pennington Street, Reed Bird, Bowley's Lane
Carroll County: John Owens, Hoods Mill,
Frederick County: Reichs Ford Road Landfill, Site B
Harford County: Bush Valley, Tollgate Road
Howard County: New Cut Road, Carrs Mill Landfill
Montgomery County: Oaks, Gude

Question 5: What % of minority participation is requested?

Answer: *From the RFP at Section 1.11*

'The Authority requires the Offerors to include minority participation, as applicable under the regulations and rules of the Member Jurisdictions. Offerors should describe how the firm would meet specific minority business enterprises (MBE), woman business enterprises (WBE) and small business enterprises (SBE) requirements typical to Federal, State, and Local Government contracting in the event that a project requires outreach and work to be assigned to certified MBE/WBE/SBE firms.'

Question 6:

- [A] Please confirm if this is the process for submitting a Reference Form in Attachment E:
- a. We complete Part A;
 - b. We send the form to the Reference;
 - c. The Reference completes Part B;
 - d. The Reference sends the completed form directly to NMWDA via email to procurement@nmwda.org by January 18, 2022.

Answer: *This is correct, as amended above and below for the revised submission date for proposals.*

[B] Also, please confirm that in Section 5 of our proposal, we need to include copies of what we sent to our References.

Answer: *This is correct. The Authority may reach out to references to clarify responses.*

Question 7: Our understanding is that for each scope element for which we seek to qualify, we must submit three or more reference projects using the format in Attachment C-1.

[A] Can you please explain if every project we submit as a qualification is required to have a completed reference form in order to be considered? [B] For example, if a Reference failed to return the form by the due date, would that project still be considered for qualification?

[A] **Answer:** *The Offeror is to provide a minimum of three reference projects for the areas (read general categories) that it plans to show experience in. The projects may reflect several of the subcategory elements. For instance, under Landfill Service, the reference project may encompass several, if not most, of the 20 subcategories listed. The Offerors are encouraged to provide those reference projects that reflect the broadest application of the experiences and skills that the proposed team can bring to bear. If the Offeror has more than the three required examples, additional projects can be included in the submission, with projects that are similar in nature listed in a shorter manner.*

[B] **Answer:** *Failure to provide the required reference form[s] would disqualify those related reference[s] and they would not count towards the Offeror's minimum number of references required. See 7. A. response above.*

Question 8: Please confirm if the services provided on a project by an Offeror were completed prior to January 18, 2017, the project cannot be used in support of the Offeror's qualifications.

Answer: *Please see at 3.2; the key projects (e.g., those required to be presented on the forms), cannot be older than January 1, 2017. These projects will be used in the evaluation. However, older projects can be listed to bolster the overall presentation of experience, but must include current, confirmed contact information.*

Question 9: Can NWMDA provide the names of the firms qualified in the previous procurement for on-call engineering services and, if any difference, those to whom extensions were granted?

Answer: *The following firms were selected during the 2017 procurement. All contracts were extended.*

List in alphabetical order

ARM Group, LLC (ARM)

BAI Group, Inc (BAI)

EA Engineering, Science, and Technology, Inc., PBC (EA Engineering)

Gershman, Brickner and Bratton, Inc (GBB)

Geosyntec Consultants (Geosyntec)

HDR, Inc. (HDR)

KCI Technologies, Inc. (KCI)

Kessler Consulting, Inc. (Kessler)

MSW Consultants (MSW)

Stearns, Conrad and Schmidt Engineers (SCS)

Question 10: Section 1.6 states that, “The key projects shall be presented using the general format included in this RFP at Attachment C-1.” Please clarify if the format in Attachment C-1 is a form, in the true sense of the word, or if the same information may be presented similarly but without using this exact format.

***Answer:** The Authority is providing this form to make sure that all Offerors provide certain information for evaluation purposes. The layout facilitates review since the information requested from various Offerors is presented in the same format. Accordingly, the exact form, as presented, should be used.*

Question 11: Please confirm if all key projects offered as qualifications must be presented using the format in Attachment C-1 or only the key/reference projects? (RRT Design & Construction 12/15/2021)

***Answer:** Please see the responses to Questions 7, 8 and 10 above.*

Question 12: [A] Regarding the discussion in Section 1.11, Minority Participation, can NWMDA clarify if possession of MBE/WBE/SBE status will be given a preference? [B] Can NWMDA discuss if a satisfactory description of an Offeror’s willingness and ability to meet a potential future requirement for Minority Participation will be given the same scoring as possession of such status by the Offeror?

*[A] **Answer:** Selection will be based on responses to the requirements in the RFP.*

*[B] **Answer:** Please see the response to Question 5 above.*

Question 13: Section 1.6 gives specific instructions on the use of paper to prepare the hard copies of the proposal. Does NMWDA have a preference regarding the binding of the documents?

***Answer:** Please see the above introduction and the below response to Question 18, no hardcopies are required for submission and no specific bindings of the documents are required.*

Question 14: Section 3.5 describes the possibility of extending the pricing, terms, and conditions of the On-call Services contract to the Maryland Environmental Service (MES). Can NMWDA share with what frequency over the previous contract cycle MES has availed itself of this option, and generally what size and scope were the assignments?

***Answer:** There have been other government entities (including MES) that have adopted the contracts from the previous procurement, however the Authority does not track this information.*

Question 15: Section 4.4 states, “Preference will be given to firms who have proposed key individuals that are local because of resulting lower travel costs.” The Scoring rubric in Attachment D appears to specify the quality of being “local” as the staff member(s) having their primary work location located in the State of Maryland. There are locations in West Virginia, Virginia, and Pennsylvania, however, which are adjacent to Member localities and would not necessitate overnight accommodation or commercial travel to perform local work for them. Would NWMDA attribute as “local” staff with their primary work location in such locations?

Answer: *Please identify those staff members that you consider local to the member jurisdictions. Travel time is a qualitative measure.*

Question 16: Can NMWDA clarify or correct whether if the Offeror meets the requirements regarding projects with proper references and then also provides information on additional projects, but without the accompanying reference forms, will those additional projects be reflected in the scoring?

Answer: *Please see the responses to Questions 7 and 8 above.*

Question 17: Thank you for your response [here acknowledging receipt of the question]. As an addition to my earlier information request, would you also clarify what "an appropriate field" would be for an engineer interested in responding to the "Biosolids and Organics Management Service Category," please.

Answer: *Generally, the Offeror is to provide evidence of experience in the noted sub-categories under each of the broader categories in the RFP. This could be demonstrated with examples of work, either the design, permitting or construction oversight of relevant structures/facilities reflecting the areas for consideration, or documented experience for the planning/evaluation components of the section. For example, demonstrating experience with Marketing and distribution of biosolids finished product would not include a P.E. requirement, but rather examples of studies/plans that were undertaken by the Offeror.*

More specifically, as noted in Section 1.1 of the RFP, a firm or team that would be tasked with the design related efforts (note, this does include evaluation of existing systems for the status of operations, as well as the design for repair, replacement, installation or removal) of a project generally under this category would require P.E. license in the appropriate discipline. For example, if the assigned task is to prepare the feasibility study and conceptual design for a composting facility, the Offeror would need to have staff (either its own forces or an approved sub-contractor) that can provide analysis, design (possibly including, but not limited to, mechanical, electrical, stormwater and civil) and permitting support for the facility. In this case, the Offeror should include those team members that have Maryland Licensure for disciplines typically required in the solid waste/recycling industry in the proposal.

For further example, the category of Organics treatment technologies such as composting or anaerobic digestion, for yard material, food scraps, etc. may require a P.E. if the project requires the design and potential permitting for the development of a facility. However, the review of existing operations at a site (e.g., a materials flow and processing, and mass balance calculations) would not lead to the requirement of a P.E. In both cases the Offeror is to demonstrate experience for evaluation under that sub-category.

Question 18: In light of prevailing Covid concerns, are you open to an electronic only submission for this proposal?

Answer: *As noted in the above introduction, proposals are now due by 4 PM local time on January 28, 2022 to procurement@nmwda.org. No hard copies of the proposals are required. Please replace the current language in the first two paragraphs of Section 1.6 of the RFP with the following:*

'An electronic copy of the proposal as a PDF must be sent to procurement@nmwda.org no later than 4:00 PM local time on January **28**, 2022 (the "Closing Date"). Any proposals received after this time will not be considered. A facsimile of the proposal will not be accepted.

Proposals will be a maximum of 100 pages in length, including Sections 1 through 6 described below. If the proposal is longer than 100 pages for Sections 1 through 6, it will be considered non-responsive. Comments on the contract will not be counted towards the 100-page maximum length of the proposal. In addition, documents related to additional rate classes listed in Section 6, Sections 7 and 8, the Offeror's Contact Information Form, and Table of Contents of the proposal, will not count towards the maximum page count.'

The remainder of the section remains unchanged.

Question 19: Shall we include Reference Forms (Part A to be completed by us and Part B completed by each reference) within our proposal as PDFs attached to our submission? [this question was formatted for the responses below]

Answer: *No, please see below. The Offeror should not provide the completely filled out (BOTH A and B sections) form. Only forms with Part A should be supplied by the Offeror in the proposal.*

a. Or do we only include only Part A of each Reference Form for each reference project in our submission (as a PDF) and Part B needs to be emailed separately to Procurement@nmwda.org by the references themselves?

Answer: *This is the intended process for the Reference Forms.*

b. Or should our references email Part A & Part B of their Reference Forms together as one document to Procurement@nmwda.org, and perhaps we only include a list of our references in our submission that NMWDA should have received references from on our behalf?

Answer: *No, please see above*

c. Some combination of the above or something else?

Answer: *Please see the responses for Questions 19 A and B above.*

Question 20: How many references from Key Subcontractors will NMWDA be expecting? Is there a minimum per category or per subcontractor? (GBB 12/16/2021)

Answer: *A Key Subcontractor should have at least two references for review. These may be for the same key projects presented by the Offeror.*

EXHIBIT A

[CERTIFICATION OF NONSEGREGATED FACILITIES \(udel.edu\)](#)

CERTIFICATION OF NONSEGREGATED FACILITIES

(Applicable to contracts, subcontracts, and agreements with applicants who are themselves performing federally assisted construction contracts exceeding \$10,000, which are not exempt from the provisions of the Equal Opportunity clause.)

By the submission of this bid, the bidder, offerer, applicant, or subcontractor certifies that he does not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location under his control where segregated facilities are maintained. He certifies further that he will not maintain or provide for his employees any segregated facilities at any of his establishments, and that he will not permit his employees to perform their services at any location under his control where segregated facilities are maintained. The bidder, offerer, applicant, or subcontractor agrees that a breach of this certification is a violation of the Equal Opportunity clause in this proposed contract. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, rest rooms and wash rooms, restaurants, and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive, or are in fact segregated on the basis of race, creed, color, or national origin because of habit, local custom, or otherwise. He further agrees that (except where he has obtained identical certifications from proposed subcontractors for specific time periods) he will obtain identical certifications from proposed contractors for prior to the award of subcontracts exceeding \$10,000 which are not exempt from his provisions of the Equal Opportunity clause; that he will retain such certifications in files; and that he will forward the following notice to such proposed subcontractors (except where the proposed subcontractors have submitted identical certifications for specific time periods):

NOTICE TO PROSPECTIVE SUBCONTRACTORS OF REQUIREMENT FOR
CERTIFICATION OF NONSEGREGATED FACILITIES

A Certification of Nonsegregated Facilities, as required by the May 9, 1967, order (32 F.R. 7439, May 19, 1967) on Elimination of Segregated Facilities by the Secretary of Labor, must be submitted prior to the award of a subcontract exceeding \$10,000 which is not exempt from the provisions of the Equal Opportunity Clause. The certification may be submitted either for each subcontract or for all subcontracts during a period (i.e., quarterly, or annually).

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

Respectfully submitted,

By: _____

Print: _____

Title: _____

Business Address: _____
