

**Authority Meeting Minutes
366th Meeting (via Conference Call)
October 24, 2022 at 12 p.m.**

Members Present: Joseph J. Siemek
Rhody Holthaus
Guillermo (“Willie”) Wainer
Dr. Charles Glass
Phil Harris
Mark DeLuca
D’Andrea Walker
Cliff Engle

Other Participants: Andrew Kays (NMWDA)
Kim Gordon (NMWDA)

Public access via livestream at the following link: <https://youtu.be/U1AXJ8NkfcE>. *This stream was turned on at 12:03 p.m. local time.*

Board Chairman, Joseph Siemek opened the meeting at 12:03 p.m. local time after confirming the presence of a quorum. Mr. Siemek noted that the instructions for the public to view the meeting were provided in advance and that there were no plans for any portion of the meeting to be held in closed session. Mr. Siemek requested that Members identify themselves when speaking and confirmed the presence of a quorum.

Mr. Siemek noted consideration of the minutes of the previous Board Meeting on September 16, 2022, and that such minutes were approved and posted on the Authority website.

ACTION ITEM NO. 2022-5-1 – Award of Contract for Carroll County Master Plan (and mirror County Agreement)

A motion was made by Willie Wainer and seconded by Dr. Charles Glass to approve this item.

Andrew Kays noted that the Source of Funding for this effort is a Carroll County Purchase Order.

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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 / Clifford J. Engle, 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



Mr. Kays explained that on April 1, 2022, the Authority issued a Request for Proposals (“RFP”) for a Resource Recovery Park conceptual design and landfill expansion at the Northern Landfill on behalf of Carroll County, Maryland. The RFP included a request for a qualified design engineer or team to develop an overall site master plan to guide planning, design, and construction improvements at the Resource Recovery Park, Northern Landfill. The scope of the RFP was developed with Carroll County staff.

The scope includes: (a) data collection, site observations, and projection of facility usage; (b) one hundred percent construction level landfill Cell four design, permitting, and procurement support; (c) up to one hundred percent level transfer station construction design, permitting, bid support, and construction quality assurance; (d) a new landfill cell expansion design and permitting package; (e) a 75% level Resource Recovery Park master plan design; (f) develop an overall site master plan; and (g) a stakeholder engagement task

The Authority held a Pre-bid meeting and site tour on April 22, 2022 to discuss the requirements of the RFP. Site tours were also offered to interested firms on April 25th, April 27th, and April 29th. Addenda were issued on April 26, 2022 and June 8, 2022 in response to requests for clarifications and modifications to scope.

Mr. Kays explained that the following firms or design engineer teams (in alphabetical order, and referencing only the Prime team member) responded to the RFP:

- ARM Group LLC
- EA Engineering, Science, and Technology, Inc, PBC
- Geosyntec Consultants
- SCS Engineers
- Tetra Tech

On August 19, 2022, the Authority sent a written request for clarifications including a best and final offer request to each Offeror. The request for clarifications included an expansion of scope related to design level of Transfer Station, Consolidated Homeowner’s drop-off area, new scales and scale house, equipment maintenance facility, and further landfill expansion analysis, as requested by Carroll County. All Offerors responded to the Authority’s request for clarifications. Mr. Kays noted that the review team consisted of Andrew Kays and John Schott from the Northeast Maryland Waste Disposal Authority and Clifford Engle and Eric Burdine, from Carroll County, MD. The review team independently reviewed the proposals based on compliance with the requirements of RFP (inclusive of addenda) as well as the following factors:

- 1) Qualifications and Experience of the Offeror including subcontractors

- 2) Work Plan and project schedule, including but not limited to Offeror's approach to project management and staff integration, performance of the project work with respect to all Tasks, identification and verification of permitting and regulatory requirements, quality assurance and quality control of the project work, and the duration of the project schedule.
- 3) Offeror's Price Proposal
- 4) Proposed key individuals that are local because of resulting lower travel costs
- 5) References

The evaluation team independently scored each proposer on their qualifications on the basis of 0-3 points for each factor above with 3 being the highest possible score. The scores were totaled and averaged for each factor. The technical qualifications of the selected firms were weighed at 80% of the final score, with the balance of 20% reflecting price (average rates of the more expensive class positions) and location (as a function of costs). Below is the evaluation score summary represented as a percent of total available points.

SCORE SUMMARY					
	ARM	EA	GEOSYNTEC	SCS	TETRATECH
Score*	82%	93%	78%	86%	59%

*Percent of total available points

Staff requested approval to enter into a contract with EA Engineering Science and Technology, Inc. and a mirror contract with Carroll County, Maryland. Such contracts will be substantially in the forms provided to the Board Members and available on the Authority's website, and subject to final approval by Carroll County. The contract will have a not to exceed value of \$4,177,949.49.

Joseph Siemek asked if there were any questions or matters for discussion. There being no other questions or matters for discussion, a vote was taken. The item was unanimously approved by the voting Board Members.

ACTION ITEM NO. 2022-5-2 – On-Call Contract Amendments

A motion was made by D'Andrea Walker and seconded by Mark DeLuca to approve this item.

Andrew Kays explained as follows:

1. SCS Engineers: Baltimore City has been utilizing SCS Engineers for compliance work under its compliance Memorandum of Understanding (funding source) with the Authority. The City is extending the services to be performed from six months to one year. An increase in the amount of \$200,000 is needed for the SCS Engineers contract to fund such additional efforts. Additionally, Carroll County will be utilizing SCS Engineers for landfill gas related work. An increase in the amount of \$140,000 is needed for the SCS Engineers contract to fund such additional efforts. Accordingly, an increase in the total amount of \$340,000 is requested for the SCS Engineers contract.

2. Geosyntec: Baltimore City has been utilizing Geosyntec for compliance work under its compliance Memorandum of Understanding (funding source) with the Authority. The City is extending the services to be performed from six months to one year. An increase in the amount of \$150,000 is needed for the Geosyntec contract to fund such additional efforts. Additionally, the City may use Geosyntec's services in connection with the City's ten-year solid waste planning effort. An increase in the amount of \$150,000 is needed for the Geosyntec contract to fund such efforts and other anticipated efforts for the Member Jurisdictions. Accordingly, an increase in the total amount of \$300,000 is requested for the Geosyntec contract. See Action item 2022-5-3.
3. EA Engineering: Baltimore City may use EA Engineering's services in connection with the City's ten-year solid waste planning effort. An increase in the amount of \$150,000 is needed for the EA Engineering contract to fund such efforts and other anticipated efforts for the Member Jurisdictions. See Action item 2022-5-3.
4. ARM Group: Baltimore City has been utilizing ARM Group for compliance work under its compliance Memorandum of Understanding with the Authority. ARM will be leading time sensitive compliance related work at Quarantine Road Landfill. Accordingly, an increase in the total amount of \$450,000 is requested for the ARM contract.

Staff requested increases for the on-call contracts in the respective amounts, as set forth above.

Joseph Siemek asked if there were any questions or matters for discussion. Dr. Charles Glass noted that he would be abstaining from the vote. There being no other questions or matters for discussion, a vote was taken. The item was unanimously approved (noting the abstention by Dr. Glass) by the voting Board Members.

ACTION ITEM NO. 2022-5-3 – Budget Amendments

A motion was made by Dr. Charles Glass and seconded by Phil Harris to approve this item.

Andrew Kays explained that Staff is seeking amendments to the Authority's budget as follows:

1. Source of Funding: Baltimore City Dedicated Funds.

Baltimore City General Account: Staff is requesting an increase in the amount of \$96,196.66 to allow, on a temporary basis, for expenses incurred in connection with the City's recycling contract for the month of August 2022. An additional \$150,000 increase is requested to support the City in the updating of the 10-Year Solid Waste Management Plan as required by MDE. The total increase requested is \$246,196.66.

2. Source of Funding: Carroll County Purchase Orders

Carroll County Landfill Account: Staff is requesting an increase in the amount of \$140,000 to support the County's required LFG monitoring and reporting for FY 23. Additionally, staff is requesting an increase in the amount of \$4,177,950 for the Resource Recovery Park conceptual design and landfill expansion at the Northern Landfill project under Action Item 2022-5-1, for a total increase of \$4,317,950.

3. Source of Funding: Howard County Purchase Order

Howard County General Account: Staff is requesting an increase in the amount of \$30,000 to support the County's upcoming single season waste sort.

Joseph Siemek asked if there were any questions or matters for discussion. There being no other questions or matters for discussion, a vote was taken. The item was unanimously approved by the voting Board Members.

ACTION ITEM NO. 2022-5-4 – Award of Contract for Frederick County Compost Pad Project

A motion was made by Rhody Holthaus and seconded by Cliff Engle to approve this item.

Andrew Kays explained that the Authority worked with Frederick County to develop specifications for a contractor to resurface the compost pad located at the Reichs Ford Yard Waste Recycling Site in Frederick County, Maryland. On September 7, 2022, the Authority issued an Invitation for Bids (IFB) for these services. The IFB was advertised on the Authority's website, eMaryland Marketplace, and sent to vendors that have provided similar services in the region.

ARM Group, through its on-call contract with the Authority, prepared the design documentation, bid support, and will provide the Quality Assurance services for construction.

An addendum was issued on September 23, 2022 amending the contract documents and to respond to vendors' request for clarifications, including questions from the Pre-bid meeting held on September 15, 2022.

The following five firms (listed in alphabetical order) submitted bids in response to the IFB:

CJ Miller, Francis O. Day, Kibler Construction, Pleasants Construction, and Ross Contracting. An unofficial summary of the procurement was posted to the Authority's website on October 6, 2022, in lieu of a public bid meeting. Pricing supplied by the firms is set forth below:

Firm	CJ Miller	Francis O. Day	Kibler Construction	Pleasants Construction	Ross Contracting
Total Bid Amount	\$1,851,524.00	\$2,050,004.58	\$1,775,270.10	\$1,925,775.30	\$2,241,032.00

Kibler Construction provided the lowest overall bid. However, the IFB states that the required references for similar projects must have started in the preceding 24 months. Two of the three references that Kibler provided were from 2015; substantially outside the 24-month requirement. CJ Miller was the next lowest bidder and met the contract requirements, providing references from 2019, 2021, and 2022. Given the pandemic and the close proximity to the required date for references, CJ Miller was deemed to qualify.

Based on qualifications and pricing, staff requests approval to enter into a contract with CJ Miller substantially in the form of the IFB provided to the Board Members and available on the Authority's website, subject to written approval by Frederick County.

Joseph Siemek asked if there were any questions or matters for discussion. Dr. Charles Glass inquired about the two-year period for the reference requirement. Andrew Kays explained that the requirement was determined in consultation with ARM Group (as the Design Engineer) and Frederick County to ensure that the responding firms had recent experience that met the qualifications. Dr. Glass further inquired if the two-year period took into account recent economic conditions. Mr. Kays confirmed that that recent economic conditions were considered as responding firms needed to show that they had recent experience, as well as the capacity and ability to perform the work, including current work forces and equipment. Mr. Siemek asked if there were any additional questions or matters for discussion. There being no other questions or matters for discussion, a vote was taken. The item was unanimously approved by the voting Board Members.

Mr. Siemek asked if there were any additional items to discuss at this time.

There being no additional comments or discussion items, the meeting adjourned at 12:21 p.m.

TRUE TEST COPY

A handwritten signature in black ink, appearing to read 'Andrew Kays', is written over a horizontal line. The signature is stylized and extends to the right of the line.

Andrew Kays, Executive Director