

**AUTHORITY MEETING AGENDA**  
**368<sup>th</sup> Meeting**  
**February 7, 2023 at 12:00 p.m.**

<b>ACTION ITEM NO.</b>	<b>DESCRIPTION</b>
	Consideration of Approved Minutes of Previous Meeting
2023-1-1	On-Call Contract Amendments
2023-1-2	Budget Amendments
2023-1-3	Approval of Award of Revised Master Service Agreement for Textile Collection and Reuse/Recycling Services

**Discussion Item:** Legislative Update

**Notes:**

- 1. The meeting will be conducted via Webex and accessible to the public via livestream at the following link: [https://youtu.be/j0e\\_0QYJdkQ](https://youtu.be/j0e_0QYJdkQ).*
- 2. Portions of this meeting are permitted to be held in closed session in accordance with the General Provisions Article of the Maryland Annotated Code, Title 3 – Open Meetings Act. Authority for the closed session is Section 3-305(b)(1), to discuss (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or (ii) any other personnel matter that affects one or more specific individuals. However, the Authority does not intend to hold a closed session for this meeting.*
- 3. Agendas are subject to change up to and during the meetings. Agenda changes confirmed up to one day prior to a meeting will be posted in advance of the meeting. Agenda changes occurring subsequent to posting will be reflected in the minutes.*

410.333.2730 / 410.333.2721 fax / [authority@nmwda.org](mailto:authority@nmwda.org)  
[nmwda.org](http://nmwda.org) / Business-to-Business Recycling: [mdrecycles.org](http://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 / 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



**ACTION ITEM NO. 2023-1-1 – On-Call Contract Amendments**

1. Pinnacle: Anne Arundel County and Baltimore County are utilizing Pinnacle for their respective communication and advertising efforts in connection with solid waste planning. An increase in the amount of \$150,000 is needed for the Pinnacle contract to fund such efforts and other anticipated efforts for the Member Jurisdictions.
2. SCS Engineers (SCS): Montgomery County is utilizing SCS for work associated with water processing at the RRF. Additionally, other Member Jurisdictions are anticipating using SCS for various efforts. An increase in the amount of \$400,000 is needed for the SCS contract to fund such efforts.

Staff is requesting increases for the Pinnacle and SCS contracts in the respective amounts as set forth above.

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Authority Action – The above referenced Item was:

Approved	Disapproved	Deferred	Withdrawn
With Amendment		Without Amendment	

February 7, 2023

**ACTION ITEM NO. 2023-1-2 – Budget Amendments**

1. Source of Funding: Baltimore County Purchase Order.

Baltimore County General Account: Staff is requesting an increase in the amount of \$200,000 to support procurement services work performed by Gershman, Brickner & Bratton, Inc. (GBB) in connection with the County’s Transfer Stations.

2. Source of Funding: (a) Montgomery County will reimburse the Authority under the Waste Disposal Agreement for the water effort; and (b) funding for transfer station planning efforts will be through the issuance of a Purchase Order, as set forth below.

(a) Montgomery County RRF Account: Staff is requesting an increase to the account in the amount of \$50,000. The budget needs to be increased by \$50,000 in support of the work for the water processing effort set forth in Action Item 2023-1-1(2), and

(b) Montgomery County General Account: Staff is requesting an increase to the account in the amount of \$50,000 for the transfer station planning efforts.

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Authority Action – The above referenced Item was:

Approved	Disapproved	Deferred	Withdrawn
With Amendment		Without Amendment	

February 7, 2023

## **ACTION ITEM NO. 2023-1-3 – Approval of Award of Revised Master Service Agreement for Textile Collection and Reuse/Recycling Services**

On December 6, 2022, the Authority’s Board awarded a sole source Master Service Agreement (“Master Service Agreement” or “MSA”) for Textile Collection and Reuse/Recycling Services to Reclathing, LLC, doing business as (“DBA”) HELPSY, (the “Contractor”). The Master Service Agreement was approved substantially in the form as provided to the Board.

After award of the Master Service Agreement, during the signature process, Helpsy requested several substantial changes to the contract that they missed during their review process. The Authority staff reviewed and distributed the requested revisions to the Member Jurisdictions (“Members”), and those jurisdictions interested in this service provided their review and approval. It should be noted that there are no changes to the pricing for the services under the MSA.

More specifically, most of these changes are tied to the fact that the Contractor is not able to base payments by weighing their collection trucks at the Member Jurisdiction Designated Collection Sites or at their own facilities, since the trucks will not necessarily be empty upon arrival and may contain textiles collected from other sites. Accordingly, the payment (revenue) calculations were revised to be based on both the bag counts documented at the pickup points and on an average weight per bag established for certain periods of time. Members retain the right to request weight verifications under the MSA and require the Contractor to weigh in and out of Member scales, if requested, for internal Member tracking purposes. Members can request revised payments (i.e., more revenue) based on these Member tracked weights, if desired.

More specifically, net weights are calculated when the Acceptable Material is unloaded and weighed at the Contractor’s warehouses and during the outbound shipping process to buyers. The Contractor converts bag counts into pounds by dividing total net weight collected by the number of bags collected, to establish a set weight per bag for invoicing purposes. The weight per bag will then be multiplied by the number of bags for each location to determine that location’s per-pound payments for the applicable reporting period. Regularly (usually every quarter), the Contractor will compare the total net weight collected by the Contractor from each Designated Collection Site and the reported bag counts of each Designated Collection Site in order to recalculate average weight per bag by location. Any discrepancies noted for bag counts/weight, identified in writing by the Member Jurisdiction or the Authority, will be investigated, resolved and the payments recalculated to the satisfaction of the Member Jurisdiction and the Authority.

Additional revisions include the removal of certain Acceptable Material items due to limited markets, and changes to allow more flexibility, per the approval of the applicable Member Jurisdiction, regarding the reporting and payment requirements.

The Authority presents the revised form of the Master Service Agreement to the Authority’s Board for final approval, as the Authority has concluded these requested changes are within the industry standard for textile reuse/recycling operations and practices. Helpsy has confirmed that there will be no additional changes requested during the signature and contract execution process.

Therefore, the Authority recommends awarding a sole source Master Service Agreement (substantially in the revised form provided to the Board and made publicly available on the Authority’s website) to Reclathing, LLC.

In accordance with COMAR Section 14.13.01.11, the Board is asked to approve the sole source procurement and to authorize the Executive Director to execute the Master Service Agreement with HELPSY, for a term from the effective date per contract execution (anticipated to be in February 2023) through June 30, 2027. Member Jurisdictions utilizing the Reuse/Recycling Services will enter into Confirmations with the Contractor as set forth in the Master Service Agreement.

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Authority Action – The above referenced Item was:

Approved	Disapproved	Deferred	Withdrawn
With Amendment		Without Amendment	

February 7, 2023