

MEMORANDUM

TO: RFP Recipients

FROM: Kitty McIlroy
Project Manager *KM*

DATE: March 13, 2023

SUBJECT: Addendum No. 4 to the Request for Proposals (“RFP”) for Electronic Materials Collection and Reuse/Recycling Services, dated December 1, 2022.

This Addendum No. 4 is to answer Proposer Questions submitted in writing after the Question Submittal Date of January 4, 2023. Answers issued by written addenda will be binding on the Authority and the Proposers, including the answers provided below.

- 1) **Question:** In regards to the electronics recycling RFP: Will there be multiple rounds of bidding considered by the Authority/Member Jurisdictions? Or will there be one price submittal for each responder?

Answer: Per Section 2.1 of the RFP: “The Authority reserves the right and has the sole discretion to...waive any or all informalities in the technical and cost proposal, or failures to comply with the RFP requirements that are determined by the Authority in its discretion to be insignificant or immaterial [and] request further information from Proposers as needed to support the Authority’s selection of a Proposer.” Additionally, per Section 5.8 of the RFP: “The Authority does have the option, after Proposals are submitted, to request best and final offers. 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.” The Authority does not intend to do multiple rounds of Proposal requests from each Proposer, unless deemed necessary, so the Proposer should submit its technical and cost proposal as if they will not have the opportunity to revise it.

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 / 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



- 2) **Question:** In regards to the electronics recycling RFP: Will the Authority and Member Jurisdictions keep responders company financial reports (submitted with the RFP response) confidential if they are marked confidential and even if they are requested to provided as part of a freedom of information request?

Answer: Per Section 2.5 of the RFP: "Proposals submitted in response to this RFP are subject to the Maryland Public Information Act. Proposers should specifically identify those portions of their proposals that they consider to contain confidential, proprietary commercial information, or trade secrets by marking the applicable pages "CONFIDENTIAL." Proposers are advised that, upon request for this information from a third party, the Authority is required to make an independent determination as to whether the information must be disclosed 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." The Authority intends to keep any confidential information included in Proposer financial reports confidential, even if requested by a third party under the Maryland Public Information Act.

- 3) **Question:** I would like to request clarification on 6.2, A. of the Evaluation Criteria in RFP Electronic Materials Collection & Reuse/Recycling Services. Will the Authority evaluate the average total cost of all jurisdictions combined or will the jurisdictions, each requiring a different frequency of pickups, be evaluated individually?

Answer: As part of their review, the Authority and Evaluation Committee will independently evaluate the cost proposals submitted for each Member Jurisdiction, in order to determine the cost proposal that is in the best interest for each specific Member Jurisdiction. Per Section 2.1 of the RFP "the Authority reserves the right and has the sole discretion to: award a Master Service Agreement to one or more Proposers" in part based on the cost proposals that represent the best value for each Member Jurisdiction. Please note, the technical proposal must also be complete, in order for the Authority to award based on the cost proposal submitted.