

**Authority Meeting Minutes
372nd Meeting (via Conference Call)
October 18, 2023 at 12 p.m.**

Members Present: Joseph J. Siemek
Rhody Holthaus
Willie Wainer
Phil Harris
D'Andrea Walker
Cliff Engle
Dr. Charles Glass*

Other Participants: Craig Jeter (Baltimore City)
Andrew Kays (NMWDA)
Kim Gordon (NMWDA)
John Schott (NMWDA)

*Joined approximately 12:08 p.m.

Public access via livestream at the following link:

<https://youtube.com/live/7YPFuEPazG0?feature=share>. *This stream was turned on at 12:04 p.m. local time.*

Board Chairman, Joseph Siemek opened the meeting at 12:04 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.

Andrew Kays identified the non-Board Members present at the meeting as follows: Andrew Kays, Kim Gordon and John Schott (Authority Staff) and Craig Jeter (Baltimore City)

Mr. Siemek noted consideration of the minutes of the previous Board Meeting on October 3, 2023, and that such minutes were approved and posted on the Authority website.

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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. 2023-5-1 – Award of Contract for Carroll County Transfer Station Repairs and Improvements

A motion was made by Phil Harris and seconded by Rhody Holthaus to approve this item.

John Schott explained that the Authority worked with Carroll County and Geosyntec Consultants to develop specifications for tipping floor repairs and improvements at the Northern Landfill Transfer Station in Carroll County, Maryland. On August 29, 2023, 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.

Geosyntec Consultants, through its on-call contract with the Authority, prepared the design documentation, bid support, and will assist with the Quality Assurance services for construction.

Mr. Schott noted that the work includes the following:

1. demolishing existing concrete slab across the entire transfer station tipping floor;
2. Replacing compacted soil subbase and aggregate subbase;
3. Constructing 12-inch thick concrete tipping floor slab across the entire tipping floor; and
4. Constructing Bollards.

Additionally, at the County's option, the work may include constructing a 12-inch thick concrete apron, and a tacked-on stormwater diversion curb.

An addendum was issued on September 14, 2023 amending the contract documents and to respond to vendors' request for clarifications, including questions from the Pre-bid Meeting.

Mr. Schott explained that six firms submitted bids in response to the IFB:

AJT Homes, LLC (AJT Homes), Concrete Protection and Restoration, Inc. (CP&R), Frank J. Goettner Construction Co., Inc. (Goettner Co.), INL Construction, LLC (INL), Restoration East, LLC (Restoration East), and Superior Facilities Management Services, LLC (SFMS).

An unofficial summary of the procurement was posted to the Authority's website on September 26, 2023. Mr. Schott explained that CP&R was deemed non-responsive as they did not provide references as required by the IFB, nor did they provide evidence of their ability to provide a performance bond. CP&R also submitted their bid response late and added many contract exclusions which included a delayed start date.

Requests for clarifications were sent to the bidders on September 29, 2023, except for CP&R. The Authority requested clarifications related to Maryland State Department of Assessments & Taxation (SDAT) certification, insurance, mobilization and demobilization, crew size for construction, means and methods for demolition of the existing slab, planned concrete mix, and

names of planned concrete and aggregate suppliers. All bidders responded to the Authority's request for clarifications.

SFMS, the low bidder, confirmed that their bid did not include costs for aggregate. The technical specifications of IFB required the contractor to supply and place aggregate subbase. SFMS also did not mention steel fiber reinforcement in response to the planned concrete mix. The aggregate and concrete are important elements for the successful completion of the tipping floor repairs. As such, SFMS was deemed non-responsive to the scope of work. The other bidders provided the requisite specific concrete mixes in their responses.

John Schott further explained that the contract award under this IFB is based upon the lowest responsive and responsible bidder who submits a responsive bid. INL submitted the lowest responsive bid in the amount of \$465,191, and was deemed by representatives from Carroll County, Geosyntec, and the Authority ("the evaluation team") to be most advantageous to Carroll County.

INL provided all documentation and references as required of IFB including SDAT certification and evidence of its ability to obtain the required insurance and performance bond. INL also provided the proposal from its concrete supplier with the specific concrete specifications which were acceptable to the evaluation team and consistent with the requirements of the IFB. INL has also performed concrete work for the Carroll County Department of Recreation & Parks.

Based on qualifications and pricing, staff requests approval to enter into a contract with INL Construction LLC substantially in the form of the IFB in the amount of \$465,191, subject to approval by the Board of Carroll County Commissioners.

Joseph Siemek asked if there were any questions or matters for discussion.

There being none, a vote was taken, and the item was unanimously approved.

ACTION ITEM NO. 2023-5-2 – Budget Amendment

A motion was made by Willie Wainer and seconded by Cliff Engle to approve this item.

Montgomery County Ash Account – Andrew Kays explained that the Service Agreement between the Authority and BFI Waste Systems of Virginia, LLC, dated February 9, 2017, has been assigned to Montgomery County, effective as of October 9, 2023. Accordingly, the Authority requests to reduce the Authority's budget for the Montgomery County Ash Contract Account by \$8,000,000. The balance of the funds under that account will be used to cover the Authority's obligation for invoicing ash through October 9th. The Authority plans to completely close out the budget item at the December Board Meeting.

Joseph Siemek asked if there were any questions or matters for discussion. There being none, a vote was taken, and the item was unanimously approved.

Joseph Siemek thanked Mr. Kays and asked if there were any additional matters for discussion. There being no additional comments or discussion items, the meeting adjourned at 12:12 p.m.

TRUE TEST COPY

A handwritten signature in black ink, appearing to read 'AK', is written above a horizontal line.

Andrew Kays, Executive Director