

**Authority Meeting Minutes  
374<sup>th</sup> Meeting  
February 6, 2024 at 12:00 p.m.**

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

**Other Participants:** Antwan Byrd (Baltimore City)  
Denise McCoy (Baltimore City)  
Andrew Kays (NMWDA)  
Kim Gordon (NMWDA)  
John Schott (NMWDA)  
Traci Baker (NMWDA)

**Public access via livestream at the following link:**

<https://youtube.com/live/ygLXHTCFNyE?feature=share>. *This stream was turned on at 12:02 p.m. local time.*

Board Chairman, Joseph Siemek opened the meeting at 12:02 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, Traci Baker and John Schott (Authority Staff), and guests Antwan Byrd and Denise McCoy (Baltimore City).

Mr. Siemek noted consideration of the minutes of the previous Board Meeting on December 5, 2023 and that such minutes were approved and posted on the Authority website.

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. 2024-1-1 – Award of Independent Auditing Financial Services Contract**

A motion was made by Willie Wainer and seconded by D’Andrea Walker to approve this item.

Kim Gordon explained that in accordance with COMAR Section 14.13.01.03 A (4), the Authority would like to adopt Carroll County’s auditing procurement and award a contract to CliftonLarsenAllen, LLP (“CLA”) for the Authority’s independent audit for Fiscal Years 2024 through 2027, with a two-year renewal option period pending satisfactory performance and the availability of funds. CLA’s proposed rates are based on the procured contract rates for Carroll County and CLA’s knowledge of the effort involved in the Authority’s annual audit. The CLA proposed fee of \$32,800 for the Authority’s Fiscal Year 2024 will be adjusted by a maximum not to exceed 8% net increase in accordance with CLA’s proposal. Any significant changes in the operations, resulting in increases to the auditing effort will be negotiated at the time of occurrence based on the rates provided.

Staff is requesting approval for the Authority to enter into a contract with CLA substantially in the form as provided to the Board and made available on the Authority’s website.

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. 2024-1-2 – Award of Frederick County Recovered Materials Transportation Services Contract**

A motion was made by Cliff Engle and seconded by Mark DeLuca to approve this item.

John Schott explained that on behalf of Frederick County, Maryland (the “County”), the Authority issued an Invitation for Bids (“IFB”) on November 21, 2023 for a qualified contractor to provide transportation of single stream recovered materials from the Frederick County Transfer Station (“TS”) to a processing facility that is less than 100 road miles from the TS. The initial term of contract is for one year commencing on July 1, 2024, with an option to extend the contract for five, twelve-month renewal terms at the Authority’s sole option. The IFB allows the County to load certain cardboard separately from single stream for transfer to an Authority designated processing Facility. The IFB also included a County option for the Contractor to backhaul residue from the processing facility to the TS.

Mr. Schott further explained that the IFB was advertised on the Authority’s website, eMaryland Marketplace, and sent to vendors that have provided similar services in the region.

An addendum was issued on December 15, 2023 to respond to vendor requests for clarifications, including questions from the Pre-Bid meeting.

The following four companies submitted bids in response to the IFB:

- Bousum
- Consolidated Commercial Services
- Graceful Connections
- WB Services

An unofficial summary of the procurement was posted to the Authority’s website on January 5, 2024.

Mr. Schott noted that the IFB award was based upon the lowest responsive bid for single stream transportation, which is most advantageous to Frederick County.

Mr. Schott explained that Consolidated Commercial Services and Graceful Connections were deemed non-responsive as their operating status stated “Not Authorized” under the US Department of Transportation Safety and Fitness Electronic Records (SAFER) System as of 01/02/2024. Having a “Not Authorized” status means the carrier does not have any operating authority and is not authorized to operate as an interstate, for-hire carrier. The company awarded this contract may be required to transfer acceptable material to a Processing Facility that may be located out of State and within 100 road miles from the Frederick County Transfer Station.

Bousum and WB Services are authorized to operate as an interstate, for-hire carrier, and provided all documentation and references as required of IFB, except that WB (misstated as “IFB”) did not provide a project description for each reference. The required documentation included (1) a certificate of good standing with the State Department of Assessments and Taxation (2) copies of MBE/WBE/MFD certifications held in the state of Maryland, if applicable (3) Project/Contract Description for each reference (4) Evidence of ability to obtain the required insurance; and (5) evidence of the ability to obtain the performance bond in the required amount from a qualified financial institution.

Bousum provided the lowest responsive bid for single stream transportation in the amount of \$0.92 per ton per mile. Bousum was also the lowest bid for loose cardboard in the amount of \$0.82 per ton per mile and the lowest bid for the backhauling of residue in the amount of \$0.38 per ton per mile. Bousum was deemed by representatives from the County and the Authority (“the evaluation team”) to be most advantageous to Frederick County. Bousum is the current transportation contractor for Frederick County’s single stream and waste transfer operations.

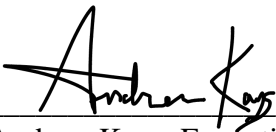
Staff requests approval of the selection of Bousum and to authorize the Executive Director to execute the contract with Bousum in substantially the form of the draft agreement provided for review and as made publicly available on the Authority’s website. Execution of this contract will be contingent upon approval from Frederick County.

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 expressed his thanks 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 "Andrew Kays", written over a horizontal line.

Andrew Kays, Executive Director