


MEMORANDUM

TO: RFP Recipients

FROM: Andrew Kays   
Executive Director

DATE: October 29, 2024

SUBJECT: Addendum No. 1 to the Request for Proposals (“RFP”) for Solid Waste Disposal Services for Frederick County, Maryland (the “County”) issued October 3, 2024.

This Addendum No. 1 is to amend the RFP and answer Proposer questions that were submitted by the Question Submittal Date of October 21, 2024. Answers issued by written addenda will be binding on the Authority and the Proposers, including the answers provided below.

**The Proposal due date is 3:00 p.m. (local time) on Thursday, November 7, 2024.**

1. Can a minimum monthly and annual tonnage guarantee be added to the RFP and Service Agreement?

*Response: No. There will be no tonnage guarantee.*

2. Can we propose the use of two disposal sites, with separate pricing and daily tonnage limits for each site?

*Response: The Proposer may propose more than one primary disposal site(s) and/or alternate disposal site(s). Use and tonnage allocation for each disposal site(s) will be at the Authority’s (or County’s) discretion and coordinated with the County. If proposing more than one primary disposal site(s), the Proposer shall include in its proposal the maximum daily tonnage limit (for Frederick County Acceptable Waste) and the corresponding disposal price for each primary disposal site. The disposal price for the alternate disposal site(s) shall be the same as the primary disposal site. If there is more than one primary disposal site, the disposal price for the alternate disposal site(s) shall be the same as the lowest proposed disposal price of the primary site(s).*

3. Can a second rate per ton be proposed for the alternate disposal facility?

*Response: See response to Question 2 above. The disposal price for alternate disposal facilities must be the same as the primary disposal facility (with lowest disposal price applicable).*

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**Comprehensive Waste Management Through Recycling, Reuse, Resource Recovery and Landfill**

MEMBERS:

Rhody R. Holthaus, Anne Arundel County / Vacant, Baltimore City / Anthony Russell, Jr., 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



4. What were the total amount of penalty/ damage fee charges assessed on the current disposal site provider, separate of transportation penalty charges, during the term of the current contract period up to present?

*Response: \$0. All damages assessed by the Authority to the disposal company were due to transportation violations by the disposal company's transportation subcontractor. This RFP does not include transportation services.*

5. Can you please change the annual increase CPI table in the service agreement to Water/Sewer/Trash to more accurately reflect the disposal services being provided?

*Response: No*

6. Can the annual increase be 100% of the specified CPI index?

*Response: No*

7. Do you have designated dates or weeks of time when you internalize tons and limit the outbound volumes?

*Response: The County will coordinate with the Company awarded the contract. During Fiscal Year 2024, the County has landfilled the week of July 8, 2024, to July 13, 2024, and the week of October 28, 2024, to November 1, 2024.*

8. The RFP states annual internalization to be 8K-25K tons, will there be any change in these volumes during the full term of the contract?

*Response: The volume of annual tons landfilled at Reichs Ford Rd Landfill is expected to be within this range. See also response to Question 1 above.*

9. We ask that the last line in the first paragraph of Section 3.1, (a) be changed to reflect that "The calculation of the Service Fee will be the Disposal Fee multiplied by the difference in weight between a loaded and empty tractor-trailer based upon the tickets from the **Disposal Site's** scale." In addition, we ask that the third paragraph of the same section be removed and replaced with "**The contractor's designated disposal site scale shall be the basis for payment.**"

*Response: There will be no changes to Section 2.4 (Scales and Weighing Records) nor to Section 3.1 (Service Fees, Damages, and Payments).*

10. Are we correct in assuming that section 6.9 infers that any acceptable waste tons diverted from the primary disposal site to the alternate disposal site, for any reason, will incur the damage fee of \$200.00 a ton and be withheld from the monthly payment?

*Response: Section 6.9 of the Service Agreement will be modified as follows: "If the Company refuses or fails to accept and dispose of Acceptable Waste delivered to the Disposal Facilities (or*

*Alternate Disposal Facilities), damages of \$200 per ton will be assessed. These damages will be withheld from the monthly payment as set forth in Section 3.3.”*

11. Section 4.1 (a) 3<sup>rd</sup> bullet point states “If the Disposal Facility is a landfill, the landfill must have sufficient airspace available for the disposal of Acceptable Waste over a ten-year period.” Whereas, Section 6.2 (B) (I) 5<sup>th</sup> bullet point states that the technical qualifications require “Evidence of disposal capacity for 30 years from start of operations.” Please clarify if the requirement and qualification for the capacity commitment is the 10-year life of the contract, or 30-years of life from the start of operations?

*Response: Evidence of disposal capacity, for Section 6.2 B (i), 5<sup>th</sup> bullet (Evaluation Criteria) of the RFP, is amended to 10 years from start of operations. The capacity commitment is the 10-year life of the contract (which includes any applicable option years).*

12. How many tippers are required by the Disposal Site to be deemed adequately meeting the service expectations of the Authority with the estimated 40 trailer loads per day?

*Response: There is no minimum requirement. However, the number of landfill tippers for each proposed site will be considered by the Authority during the evaluation process. The unloading at disposal facility impacts the turnaround times of trailers for additional County loading at the Frederick County Transfer Station.*

13. The Request for Proposals requires Proof of Proposer’s status of Good Standing with the Maryland State Department of Assessment and Taxation. The landfill facilities to be proposed are not located in Maryland and are not Maryland taxpayers (an affiliated landfill is located in Maryland and is in good standing with MD Dept of Assessment and Taxation - but this facility will not be part of the proposal). Can the proposer satisfy this requirement with a statement that its proposed landfills are not located in Maryland? If not, is there another way for the proposer to satisfy this requirement?

*Response. The Proposer must provide an equivalent certification from the State(s) where the disposal facilities are located.*

14. The Request for Proposals contains a 50-page limit, excluding permits. Does this limit include other supporting documents, such as copies of host community agreements, county waste management plans and financial statements? If so, can the proposer provide a list of such documents as part of its proposal and make the documents available on request?

*Response: The 50-page limit does not include permitting, host community agreements, or financial statements.*