

**RFP for Solid Waste Disposal Services for Frederick County, Maryland  
October 3, 2024**

October 3, 2024

Dear Proposer:

The purpose of this procurement is to seek proposals from experienced vendors who can provide waste disposal services, for non-recycled solid waste received at the Frederick County Transfer Station located at the Reich's Ford Road Landfill in Frederick County, Maryland (the "County"). The Northeast Maryland Waste Disposal Authority (the "Authority") is issuing this procurement on behalf of the County. The Northeast Maryland Waste Disposal Authority is a multi-jurisdictional agency created by the State of Maryland to assist its Member Jurisdictions with their integrated solid waste and recycling needs.

The Service requested under this Request for Proposals (RFP) will commence on July 1, 2025 and end on June 30, 2030, with five 12-month renewal terms at the Authority's sole discretion.

Proposal due date is 3:00 p.m. (local time) on Thursday, November 7, 2024 ("Due Date"). There will be no pre-proposal meeting.

Please return executed copies of Form A-1 and Form A-2 of this RFP to the Authority to receive any written Addenda that describes any changes, interpretations, or clarifications in response to any Proposers' written questions. Proposers may mail or email ([procurement@nmwda.org](mailto:procurement@nmwda.org)) the forms.

I look forward to reviewing your proposal.

Andrew Kays  
Executive Director

**RFP FOR SOLID WASTE DISPOSAL SERVICES  
FOR FREDERICK COUNTY, MARYLAND  
October 3, 2024**

# **Request for Proposals**

**for**

## **SOLID WASTE DISPOSAL SERVICES**

**for**

**Frederick County, Maryland**

**Issued: October 3, 2024**

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**DEFINITIONS**

Authority	Northeast Maryland Waste Disposal Authority
County	Frederick County, Maryland
CPI-U	Consumer Price Index All Urban Consumers All Items in Washington-Arlington-Alexandria, DC-VA-MD-WV 1982-84=100
FCLF	Frederick County Landfill, 9031 Reich's Ford Road, Frederick, MD 21704
MDOT	Maryland Department of Transportation
MSW	Municipal Solid Waste
RFP	Request for Proposals
SEC	U.S. Securities and Exchange Commission
SWMP	Solid Waste Management Plan

**SOLID WASTE  
DISPOSAL SERVICES  
REQUEST FOR PROPOSALS (RFP)**

**1. BACKGROUND AND PURPOSE**

Frederick County, Maryland currently has an export-based disposal and recycling system that results in the disposal of current and anticipated future waste streams and the processing and marketing of recyclable material received at the Reich's Ford Landfill Transfer Station. The Authority currently has one Frederick County waste export contract with Blue Ridge Landfill and one recycling contract with Waste Management Recycle America. The initial term of the waste export contract with Blue Ridge Landfill will terminate on June 30, 2025. The Authority is seeking to enter into a waste disposal contract with one Company for the Service to begin on July 1, 2025. The Authority does have three one-year renewal options available at its sole discretion under its current contract for transportation and disposal with Blue Ridge Landfill. Frederick County currently pays \$37.97/ton for disposal at the Blue Ridge Landfill located in Chambersburg, Pennsylvania.

The Frederick County Solid Waste Management Plan goals are the following:

- Protect the health and welfare of citizens and the environment
- Conserve natural resources
- Be financially self-sufficient
- Develop multi-jurisdictional solutions for solid waste management
- Educate the public about solid waste management and planning issues
- Maintain the solid waste program

This RFP is seeking a permitted facility for the acceptance and disposal of non-recycled Frederick County MSW. Operations shall commence on July 1, 2025 (Operations Date) and continue with a fixed term, with options to renew at the Authority's sole discretion. There will be no tonnage guarantee to the Company for the disposal of Acceptable Waste.

The Company will accept Waste from the Authority's transportation subcontractor(s).

All Capitalized terms not defined herein have the meanings set forth in Schedule 2 of the Draft Service Agreement, attached as Appendix B to this Request for Proposals.

## **2. GENERAL INFORMATION**

The County began to conserve Landfill space by the continued exportation of Waste in 2005. The transition to a Waste recycling and export system meets the recommendations of the County's SWMP. Currently, the majority of incoming waste and single stream recyclables are directed to the Transfer Station located at 9031 Reich's Ford Road for loading, transportation, recycling, and disposal. The County owns and operates the Transfer Station at the Landfill. The Transfer Station has a permitted capacity of 720,000 Tons Per Year. The County will not modify the Transfer Station to meet special requirements of the Company. The County's loading hours at the Transfer Station are from 7:00 a.m. until 4:30 p.m. Monday through Saturday (except Holidays), however the County will continue loadout into the evening as needed until the Transfer Station floor is clean.

### **2.1 PROCUREMENT**

The Authority is soliciting technical and cost proposals in accordance with the requirements and allowances set forth in Code of Maryland Regulations 14.13.01.

The Authority reserves and has the sole discretion to:

- Award a single Service Agreement.
- To reject any and all technical and cost proposals that do not meet minimum qualifications.
- Supplement, amend, modify, or to cancel this RFP without substitution. Additionally, the Authority has the option to renew its current contract with Blue Ridge Landfill for 12-month periods through June 30, 2028.
- Waive any or all informalities in the technical and cost proposal, or immaterial failures to comply with the RFP requirements.
- Request further information from Proposers as needed to support the Authority's selection of a preferred Contractor.
- Allow other member jurisdictions to adopt this procurement.
- Conduct simultaneous negotiations with two or more Companies deemed to be qualified through this RFP.

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**2.2 RFP AVAILABILITY**

An electronic or paper copy of the RFP may be obtained at no charge from:

Northeast Maryland Waste Disposal Authority  
Tower II - Suite 402  
100 South Charles Street  
Baltimore, Maryland 21201-2705  
Tel. (410) 333-2730  
E-mail: [procurement@nmwda.org](mailto:procurement@nmwda.org)

**2.3 ACCEPTANCE OF TERMS AND CONDITIONS**

By submitting a proposal in response to this RFP, the Proposer accepts all terms and conditions set forth in this RFP, including the attached Exhibits, unless otherwise agreed to, in writing, during the question and clarification period.

**2.4 INFORMATION OR CLARIFICATION REQUESTS**

All contacts relative to this solicitation, including requests for information as well as questions concerning these instructions shall be e-mailed to [procurement@nmwda.org](mailto:procurement@nmwda.org), on or before 3:00 p.m., Monday, October 21, 2024. There will be no pre-proposal conference.

Companies shall submit questions or requests for additional information to [procurement@nmwda.org](mailto:procurement@nmwda.org). Neither the County nor the Authority will accept potential vendor telephone calls or visits.

Proposers shall notify the Authority of any conflicts, errors, omissions, or discrepancies in this RFP prior to this time. The Authority reserves the right not to respond to questions received after 3:00 p.m. on Monday, October 21, 2024.

Proposers shall not initiate any communications related to this project with other Authority staff, the County Executive of Frederick County, Maryland, local elected officials, or local government staff. Any communications, other than through [procurement@nmwda.org](mailto:procurement@nmwda.org), may result in the disqualification of the Proposer's technical and cost proposal.

The Authority will, as necessary, issue written Addenda that describe changes, interpretations, or clarifications considered necessary by the County in response to Proposer's written questions. To receive these updates, Proposers must return Form A-1 to the Authority. The Proposer must also return an executed copy of Form A-2 to the Authority. The Authority will email or mail the Addenda to all parties submitting these forms. The Addenda will also be posted on the Authority website at <https://www.nmwda.org/procurement-opportunities/>. Only answers issued by formal written Addenda will be binding on the Authority. Oral and other interpretations or clarifications will be without legal effect.



## **2.5 SUBMITTAL REQUIREMENTS**

Each Proposer shall submit three printed copies (double-sided) and a complete copy on a USB flash drive of their technical and cost proposal (including the completed Form B of this RFP). The proposal shall not be longer than 50 double-sided pages (not including permits). Mail or deliver proposal packages to the attention of:

Mr. Andrew Kays  
Northeast Maryland Waste Disposal Authority  
Tower II – Suite 402  
100 South Charles Street  
Baltimore, MD 21201-2705

**All technical and cost proposals shall be sealed in a package and identified as: “SOLID WASTE DISPOSAL SERVICES FOR FREDERICK COUNTY, MARYLAND” on the outside of the sealed package.** Proposals **may not** be submitted via fax or e-mail.

The Proposer shall be responsible entirely and exclusively for all costs incurred by the Proposer associated with technical and cost proposal preparation and subsequent negotiations, which may or may not lead to execution of a Service Agreement.

Any technical and cost proposals received after the indicated time and date will not be considered. The Authority reserves the right to issue an addendum that extends the original Due Date for technical and cost proposals. The Authority will not return the technical and cost proposals following the review and selection process.

## **2.6 CONFIDENTIAL INFORMATION**

Proposals submitted in response to this RFP are subject to the Maryland Public Information Act. Proposers should identify those portions of their proposals that they consider to contain confidential, proprietary commercial information or trade secrets. Proposers are advised that, upon request of this information from a third party, the Authority is required to make an independent determination whether the information can be withheld 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.

## **2.7 EQUAL EMPLOYMENT OPPORTUNITY**

Proposers shall comply with all applicable federal, state, and local laws and regulations pertaining to non-discrimination and equal employment opportunity. The Proposer is responsible for determining the applicability of these provisions and extent of compliance.

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**2.8 IRREVOCABILITY OF PRICE PROPOSAL**

The Vendor must hold firm the prices provided in and on the Cost Proposal Form (Form B of this RFP), which they submit, for a period of one hundred and eighty (180) days from the Proposal Closing date, or, if modified during negotiations pursuant to the Notice for the RFP, for a period of one hundred and eighty (180) days from the date such modified proposal prices are proposed by the Proposer.

**2.9 INCURRED EXPENSES**

The Authority is not responsible for any expenses which Proposers may incur in preparing and submitting proposals.

### **3. SCOPE OF SERVICE**

#### **3.1 PROJECT DESCRIPTION**

The Authority intends to enter into a Service Agreement with one Company that submits a responsive technical and cost proposal, deemed by the Authority to represent the "best value" to the Authority.

The Northeast Maryland Waste Disposal Authority requests technical and cost proposals from qualified vendors for the disposal of Acceptable Waste delivered from the County's Transfer Station at the Frederick County Landfill, located at 9031 Reich's Ford Road, Frederick, MD, 21704, to an approved offsite Disposal Facility.

#### **3.2 QUANTITIES**

The Authority does not guarantee a specific amount of Acceptable Waste, nor provide any minimum nor maximum guarantees for the volume of current or anticipated future Acceptable Waste. The Authority shall have no financial responsibility in the event the amount of Acceptable Waste falls short of or exceeds current or projected quantities. The Company shall accept all Acceptable Waste delivered by the Authority. It is estimated that the County will landfill 8,000 to 25,000 tons annually at the Reichs Ford Landfill.

The Authority will direct all Acceptable Waste delivered to the Transfer Station (except as noted in the Service Agreement) to the Company. The Proposal shall address the pricing for the proposed service on the appropriate form attached hereto (Form B).

Exhibit A of Appendix A contains historical Frederick County Waste transfer tonnage data. **The Authority provides historical information for reference only and not as a guarantee of future deliveries.** The Proposer is solely responsible for developing estimates for future Waste quantities as part of their technical and cost proposal. The Company should consider historical information presented in current and previous County SWMPs, industry trends in regional Waste volumes, and the transfer data provided in Appendix A.

#### **3.3 EQUIPMENT**

Equipment used to transport Acceptable Waste to the Disposal Facility will be provided by the Authority through the Authority's transportation subcontractor. The equipment used to transport the Acceptable Waste will be suitable for the proposed transport method and will be rigid, durable, corrosion resistant, nonabsorbent, easily cleanable and suitable for handling with no sharp edges or other hazardous conditions. The equipment will be capable of withstanding the hard use typically associated with handling Solid Waste, and will be designed, engineered and rated to perform satisfactorily and safely at all times in accordance with generally accepted waste industry procedures.

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All of the vehicles proposed to be used for the performance of the transfer for this project will have a suitable watertight, leak proof, metal body designed for the collection of solid waste and have a suitable tightly fitting, waterproof cover which shall be in place at all times, except when loading or unloading.

The Company is required to provide appropriate equipment (e.g., appropriate number of landfill tippers) and resources necessary to manage the anticipated traffic flow at the Disposal Facility and the unloading of Acceptable Waste; minimizing waiting times for Authority transportation subcontractors.

**3.4 DISPOSAL SITE(S)**

Disposal sites shall, at a minimum, be sited, designed, and constructed and available to receive Acceptable Waste by the Operations Date. Disposal sites shall be sited, constructed, operated, monitored, closed and otherwise maintained in a manner that is protective of human health and the environment and are operated in compliance with Applicable Laws.

The Company shall not dispose of Acceptable Waste in a landfill, or an expansion cell next to an existing landfill, that is, or is proposed to be, on the National Priority List of the Federal Superfund Program (40CRF Part 300), or that is, or is proposed to be, on a similar list under a similar program for any state.

If a Disposal Facility is located in a jurisdiction that is required to prepare a Comprehensive Solid Waste Management Plan (or its equivalent if the Facility is located outside the State of Maryland) the plan of the receiving jurisdiction shall allow Waste import from other States to the Disposal Facility.

**3.5 SERVICE FEE**

The Company's monthly Service Fee covers payment to the Company for all services rendered. The monthly Service Fee shall consist of a rate per Ton for disposal of Acceptable Waste delivered to the Company.

The monthly Service Fee shall be calculated per Schedule III of the Service Agreement using Form B inserted. The Authority will pay the Company monthly (with an allowance of 45 days from the date of receipt of a correct invoice before payment is received) for all Acceptable Waste received at the Disposal Facility.

**3.6 ANNUAL ADJUSTMENT OF RATES**

The Authority will adjust the Service Fees as defined in Article III of the Service Agreement.

**3.7 CONTRACT TERM**

The term of the contract will begin on the Operations Date (July 1, 2025) and end on June 30, 2030, with five 12-month renewal terms at the Authority's sole discretion. Proposers shall propose pricing in Article VII of the Service Agreement. Proposers should fill in Form B.

**3.8 SECURITY FOR PERFORMANCE OF PROPOSER**

In order to provide security to the Authority in form and substance acceptable to the Authority guaranteeing performance by the Proposer of its obligations under the Agreement, the Proposer must submit either a Performance Bond or Letter of Credit in the forms provided in Schedule 5 of the Service Agreement. The amount of the Performance Bond or Letter of Credit shall be in an amount described in Section 2.7(c) of the Service Agreement.

#### **4. MINIMUM QUALIFICATIONS**

The following describes the minimum qualifications required of the Company.

To qualify for this project, Proposers must provide detailed information on how they meet the following minimum qualifications.

##### **4.1 MINIMUM QUALIFICATIONS**

###### **4.1(a) ACCEPTABLE WASTE TRANSPORT AND DISPOSAL**

- Provide evidence of Project staff with at least five years management experience developing and operating a solid waste disposal system that handles at least an average of 1,500 Tons of Solid Waste per day;
- At least five years of corporate experience operating and maintaining a solid waste disposal system utilizing methods proposed by the Proposer;
- Provide evidence of access to a primary final Disposal Facility with the capacity to receive all Acceptable Waste projected to be exported from the Transfer Station over the term of the Service Agreement. 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.
- Provide evidence of the ability to access a secondary or backup disposal site.

## **5. REQUIRED CONTENT OF PROPOSALS**

This section includes the Authority's requirements for the content of proposals. Refer to Section 2.5 of the RFP for submittal form requirements.

### **5.1 GENERAL INFORMATION ABOUT PROPOSED FIRM**

The Proposer shall submit the following information to demonstrate its qualifications to perform the services described in this RFP and the Draft Service Agreement for the specific contract(s) being proposed upon:

- Name of Proposed Firm.
- Business Address.
- Type of Organization.
- Proposer's authorized representative and contact information including telephone and Email information.
- The number of years the Proposed Firm has been in business under the present name.
- Proof of Proposer's status of Good Standing with the Maryland State Department of Assessment and Taxation.
- List any other names under which your firm has done business during the past ten years and indicate the years during which the firm was so named.
- If the Proposed Firm is a subsidiary of another firm or is intended to be a newly created subsidiary, include the information requested in the bulleted items above for the parent company and describe the role of the parent company in this project.
- If the Proposed Firm is a joint venture or partnership, attach to this form a narrative description identifying the relationship and responsibilities of the members of the joint venture or partnership and the mutual contractual obligations of the members and include the information requested above for all members.
- Disclose if the Proposed Firm, or any parent or affiliated organization, has ever been convicted of any misconduct or been fined an amount greater than \$10,000 for a civil or criminal violation of any federal, state, or local statute or regulation in connection with a solid waste or transportation agreement. If there is information to disclose, state the name of the person, the name of the firm, the case number, and the circumstances surrounding the conviction or violation.
- List any and all Subcontractors that may perform more than ten percent of the project value.

## **5.2 EXPERIENCE DESCRIPTION**

The proposal must address the experience of the Company in the management and disposal of MSW. The Company is required to provide facilities, equipment, maintenance, fees and labor to receive and dispose of Acceptable Waste at a permitted Disposal Facility. The Company shall determine and present in their technical and cost proposal the location of final disposal.

Performance Specifications for disposal are presented in the Draft Service Agreement (Appendix B).

### **(a) Proposer's Acceptable Waste Transport and Disposal Experience**

Provide the following information for projects that clearly demonstrates the Proposed Firm's experience in very similar projects involving waste disposal, including operating, maintaining, permitting, and monitoring solid waste facilities. Provide up to five single page descriptions of the projects performed in the past ten years that are very similar to the project described in this RFP. Project descriptions should, at a minimum, provide the following information:

- Name and location of Disposal Facility;
- Facility owner and references, owner contact, address and telephone number;
- Regulatory agencies of jurisdiction, agency names, references, contacts, addresses and telephone numbers;
- Year developed;
- Facility design, capacity and remaining capacity over 30 years; and
- Description of Proposer's involvement in landfill and/or waste to energy operations and compliance.

### **(b) Résumés of Key Officers and Project Team Leaders**

Provide résumés of the firm's key officers or principals. Provide résumés for persons responsible for the following project functions and the percent of time committed to this project:

- Project manager (and primary contact person if different);
- Contract Administrator;
- Finance Manager;
- Equipment procurement and installation;
- Operations;
- Maintenance; and
- Records and administration.



**(c) Organization Chart**

Include an organization chart in the technical and cost proposal. Provide sufficient detail to indicate the relationship between all personnel for which resumes are included.

**5.3 PROPOSAL REQUIREMENTS**

**(a)** The Cost Proposal must be submitted on Form B of this RFP.

**(b)** Waste Disposal

- Disposal Site and Alternate Disposal Site (defined below):

The following information must be provided for each Site.

- Location
  - Ownership (or legal basis for use)
  - Status of required permits (land-use, environmental, etc.);
  - Copies of original permits including permit renewals and modifications including original solid waste permit, NPDES and/or Industrial Discharge Permits, if applicable, and Title V permit, if applicable
  - Permitted Design Capacity
  - Remaining Capacity
  - Average current daily tonnage volume and the maximum daily tonnage ;volume allowed per permit
  - Daily tonnage capacity available exclusively for this Service
  - Estimated remaining life of landfill, if applicable
  - List of jurisdictions in which disposal site is located
  - Host Community Agreement (if one exists); and
  - Disposal Facility Equipment available for unloading and disposal of Acceptable Waste (e.g., number and type of landfill tippers)
- Contingency Plans:
    - Contingency plan for operating procedures that will take effect in the event of interruption of normal waste /disposal options including work stoppage by Company's employees, emergency weather conditions that affect Disposal Facility and Alternate Disposal Facility (if located in same region as primary Disposal Facility), building or equipment failure, lack of access, including transportation to Disposal Facility and/or Alternate Facility, and handling of wastes from catastrophic events.
    - Proposers must provide information on their proposed backup disposal site (or "Alternate Disposal Facility"). The contingency plan shall demonstrate the availability of the Alternate Disposal Facility for use by the Company to accept all Acceptable Waste. The Alternate Disposal Facility must meet the requirements of the Disposal Facility.

## **5.4 FINANCIAL QUALIFICATIONS**

The Proposed Firm shall provide the following information for all companies, subsidiaries and/or parent companies that will work on the project. The Authority shall have sole discretion to determine the adequacy of proposed companies, subsidiaries or subcontractors. Information shall be submitted in a form which is in accordance with generally accepted accounting principles.

- A letter or similar document from surety or financial institution committing to the issuance of the Performance Bond or Letter of Credit required in Section 2.7(c) of the Service Agreement. The letter or similar document shall indicate that the amount required in Section 2.7(c) of the Service Agreement will be met.
- Copies of most recent 10-Ks filed with the U.S. Securities and Exchange Commission (SEC) and all 10-Qs since the last 10-K (may provide link to website); or, if a 10-K Form is not filed with the SEC, the following (Note: In addition to the following information, a Company may be required to submit additional financial information to satisfy other governmental reporting and disclosure rules):
- Certified audited financial statements or annual financial reports for the past three fiscal years to include at a minimum, income statements, balance sheets, and statements of changes in financial position. If less than three years of financial statements are not available, this information should be provided to the fullest extent possible; (in lieu of hardcopies, Proposers may provide link(s) to website that has Company's current and historical financial information available for download)
- Copies of the latest quarterly and annual financial reports (may provide links to website);
- Information on any material changes in the mode of conducting business, bankruptcy proceedings, assignments of accounts or assets, corporate restructuring, and mergers or acquisitions within the past three years, including comparable information for related companies and company principals;
- Information on the firm's access to bank lines of credit, revolving credit agreements, or other sources of working capital funds;
- A copy of the prospectus and official statement, if any, for the firm's latest security offerings;
- The rating on outstanding corporate debt, if any has been issued, with recent copies of the rating agency reports on that outstanding corporate debt;
- A description of all financial commitments in excess of one million dollars (\$1,000,000) presently obligated, including completion guarantees on all operating agreements and their bearing on the firm's financial ability to guarantee the performance and other requirements of this project;

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- A description of any outstanding contractual arrangements, including off-balance sheet items, that may have a bearing on the ability of the firm to meet its obligations to the Authority, with respect to:
  - Corporate guarantees;
  - Affiliations;
  - Partnerships and/or joint ventures (describe assets and liabilities); and
  - Other sources of guarantees that may exist.

## **5.5 PROPOSAL BOND**

Each technical and cost proposal shall be accompanied by a Proposal Bond of \$500,000. The Proposal Bond shall not be conditioned in any way to modify the amount required. Proposers not selected will have their bonds returned within 30 days of awarding of contract. The Authority shall release the Proposal Bond for the successful Proposer upon successful commencement of services as long as the Proposer is not in default and the Proposal Bond is not being drawn upon by the Authority.

## **5.6 AUTHORITY REVIEW OF PROPOSALS**

The Authority will use the technical proposal and cost proposal forms to evaluate the merits of each technical and cost proposal received. Each technical and cost proposal will be considered against the evaluation criteria described in Section 6.

If the technical and cost proposal is incomplete or fails to address the questions the technical and cost proposal may be deemed not reasonably susceptible of award and may be rejected. Each Proposer is responsible for reviewing technical and cost proposal requirements and preparing its responses in a clearly organized submittal.

Each technical and cost proposal is required to be in accordance with the terms of this RFP and shall be signed by an executive officer of the proposing organization, and, where applicable, a corporate officer of the parent organization, recognizing that both will have authority to bind the proponent.

Technical and cost proposals shall consider and be reflective of all federal, state, and local laws, statutes, ordinances, regulations, and other Applicable Laws that may affect cost, permitting, progress, performance or furnishing of the project including, but not limited to, applicable regulations concerning minimum wage rates, nondiscrimination in the employment of labor, protection of public and employee safety and health, environmental protection, protection of natural resources, fire protection, MSW handling facility standards and permits, other permits, fees, and similar subjects.

## **5.7 EXCEPTIONS TO TERMS AND CONDITIONS**

Proposer must submit technical and cost proposals that conform to the terms and conditions set forth in this RFP and the Draft Service Agreement. The Proposer may not attach to their technical and cost proposal a list of proposed exceptions or clarifications to the terms and conditions of this RFP and the Draft Service Agreement. Any proposed exceptions to the Service Agreement shall be submitted by **3:00 p.m. on Monday, October 21, 2024** via email to [procurement@nmwda.org](mailto:procurement@nmwda.org). If the Authority determines to make a change in the terms of the Service Agreement in response to proposed exceptions submitted by **3:00 p.m. on Monday, October 21, 2024**, all such changes will be distributed to potential Proposers via addendum issued prior to the Due Date. Proposals that take exception to any terms in the Service Agreement may be rejected without further evaluation. 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.

## **6. EVALUATION PROCESS AND CRITERIA**

### **6.1 EVALUATION PROCESS**

The Authority will establish an evaluation committee to review qualified technical and cost proposals. The evaluation committee will consider the materials submitted with respect to the evaluation criteria set forth, herein. Management and technical qualifications will be qualitatively evaluated and ranked by the evaluation committee in order of “best value” to the Authority. The evaluation committee will make a recommendation for award to the Executive Director of the Authority. The Executive Director will make a recommendation for award to the Authority’s Board of Directors.

The tonnage transfer data in Appendix A of this RFP for years 2021 through 2024 will be used in evaluating proposals.

### **6.2 EVALUATION CRITERIA**

The Authority will select the proposal or proposals that are deemed to be the most advantageous to the Authority. The Authority will first evaluate all technical and cost proposals against the minimum qualifications identified in Section 4. The technical and cost proposals considered to meet the minimum qualifications will be evaluated according to the following evaluation criteria; equally weighing the responses in A and B below:

- A. **Total Cost of Services:** The total cost of the services provided on the basis of the Proposer's technical and cost proposal for the proposed Service. The mileage from Transfer Station to proposed Disposal Facility and proposed Alternate Disposal Facility will be considered by the evaluation committee.
- B. **Technical Qualifications:** The proposed Company's experience including operation and maintenance of disposal facilities for the required Waste stream, and management of the electrical generation facilities, including:
  - i. Management
    - Delivering very similar services at very similar facilities;
    - Resumes and qualifications of proposed managers for this project.
    - Descriptions of contingencies in the event operations fail for any of the service components, including but not limited to, loader failure, fire, temporary loss of access to proposed transportation routes, failures of the scales provided by the County.
    - Ability to provide a backup disposal facility permitted and operating in accordance with Federal, State and local law.
    - Evidence of disposal capacity for 30 years from start of the operations.

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ii. Prior Experience

- Meeting or exceeding performance measures at very similar facilities.
- Performance history of the proposed disposal site(s). This includes compliance and adherence to federal, state, and local laws and regulations and clear evidence that the Facility(s) are permitted to accept Frederick County Waste identified in this RFP

iii. Finance

- Evidence of financial capability to implement the project(s).
- Ownership or effective control of the proposed disposal site(s)

iv. Staff

- Evidence of labor resources to implement the project(s).
- Resumes and qualifications of proposed key staff for this project(s).

v. Sub-Contractors (if applicable)

- List of Subcontractors and Subcontractor qualifications.

**FORM A-1  
PROPOSER'S CONTACT INFORMATION FORM**

**Frederick County Disposal Services  
REQUEST FOR PROPOSALS**

(1<sup>st</sup>) Name: \_\_\_\_\_

Title: \_\_\_\_\_

(2<sup>nd</sup>) Name: \_\_\_\_\_

*(optional)*

Title: \_\_\_\_\_

*(optional)*

Company: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-mail (1<sup>st</sup>): \_\_\_\_\_

E-mail (2<sup>nd</sup>): \_\_\_\_\_

I / we prefer to be contacted by: *(circle one)* U.S. Mail, telephone, fax, e-mail

I / we prefer correspondence to be sent by: *(circle one)* U.S. Mail, fax, e-mail

Please fax, e-mail or mail completed form to:

Northeast Maryland Waste Disposal Authority  
Tower II – Suite 402, 100 South Charles Street  
Baltimore, MD 21201-2705  
Fax. (410) 333-2721  
[procurement@nmwda.org](mailto:procurement@nmwda.org)

**FORM A-2**

**WAIVER OF DAMAGES**

The Proposer and all affiliates understand that by submitting a proposal, the Proposer is acting at its own risk and the Proposer and all affiliates hereby waive any rights any of them may have to receive any damages for any liability, claim, loss or injury resulting or to result from any action or inaction on the part of the Authority concerning the evaluation and selection of proposals by the Authority, any agreement entered into for the services described in the RFP, or any award or non-award of a contract, pursuant thereto.

Attached is a letter authorizing the following person to sign this form, and the Proposal, on behalf of the Company.

Proposer:

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Typed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date



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**FORM B  
COST PROPOSAL FORM**

**Service Fees  
Initial Term of Five Years, with Five One-Year Extensions**

**Acceptable Waste: No Guarantee Tonnage**

Disposal Fee \_\_\_\_\_\$/ton

\*The Authority will adjust the Service Fees as defined in Article III of the Service Agreement.  
The Service Fee for the primary and secondary facilities shall be the same.

**APPENDIX A**

**EXHIBIT A: WASTE TRANSFER TONNAGE DATA**

	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
<b>JANUARY</b>	16,383	15,626	17,402	17,377
<b>FEBRUARY</b>	14,111	16,194	15,413	17,984
<b>MARCH</b>	20,758	18,859	18,265	17,901
<b>APRIL</b>	20,374	19,226	17,332	20,026
<b>MAY</b>	19,250	20,151	20,966	21,598
<b>JUNE</b>	21,436	20,647	19,775	19,367
<b>JULY</b>	14,076	10,030	13,090	14,265
<b>AUGUST</b>	20,118	20,777	20,049	20,900
<b>SEPTEMBER</b>	18,062	19,415	17,426	
<b>OCTOBER</b>	19,161	18,498	15,779	
<b>NOVEMBER</b>	19,465	17,787	18,232	
<b>DECEMBER</b>	18,242	16,862	17,515	

\*The County does landfill 8,000 to 25,000 tons annually at the Reichs Ford Landfill.

**APPENDIX A  
EXHIBIT B: POPULATION INFORMATION**

**Frederick County  
Population Projections  
2015-2035**

	2015	2020	2025	2030	2035
Frederick County	246,500	263,900	284,300	304,500	320,200
Source: Frederick County Government, Planning & Permitting					

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**APPENDIX A  
EXHIBIT C – Loads Transferred by Day of Week from 2021 to 2024**

	Loads	Net Tons	Average Tons	
Monday	7,941	162,207.87	20.43	
Tuesday	8,157	163,278.84	20.02	
Wednesday	7,293	145,535.52	19.96	
Thursday	6,740	131,018.64	19.44	
Friday	7,420	148,166.36	19.97	
Saturday	2795	45,926.27	16.43	
Totals	40,346	796,133.50	19.73	

See attached spreadsheet “Average Transferred Tons per Load”

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**APPENDIX B  
DRAFT SERVICE AGREEMENT**

**APPENDIX C**

**PROPOSAL ITEM CHECKLIST**

This list is to assist the Proposer. The list does not relieve the Proposer from the responsibility of carefully reading the RFP and determining the responses regarding the submission of the proposal. The Proposer is advised to check off items as completed in an effort to avoid overlooking requirements.

Checklist items

- Form A1 – Proposer’s Contact Information
- Form A2 – Waiver of Damages
- Form B – Cost Proposal Form
- General Information about Proposed Firm per Section 5.1
- Project Descriptions, Resumes, and Organizational Chart per Section 5.2 (a)
- Description of Disposal Site and Alternate Disposal Site including copies of Permits and latest Permit modifications per 5.3 (b)
- Contingency Plans
- Letter from financial institution committed to the issuance of performance bond
- Additional Financial documentation per Section 5.4
- Proposal Bond of \$500,000

Signature of Proposer: \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_

If Applicable:

Signature of Risk Manager: \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_

Signature of Legal Counsel: \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_