

Materials Innovation Recycling Authority
Regular Telephonic Board of Directors Meeting

Agenda
May 26, 2016
9:30 AM

I. Pledge of Allegiance

II. Public Portion

A ½ hour public portion will be held and the Board will accept written testimony and allow individuals to speak for a limit of three minutes. The regular meeting will commence if there is no public input.

III. Minutes

1. Board Action will be sought for Approval of the Special Telephonic April 26, 2016, Board Meeting Minutes (Attachment 1).
2. Board Action will be sought for Approval of the Regular April 28, 2016, Board Meeting Minutes (Attachment 2).

IV. Polices & Procurement Committee Report

3. Board Action will be sought for Resolution Regarding a Cooperative Service Agreement between MIRA and the USDA Animal and Plant Health Inspection Services/Wildlife Services for Bird Control (Attachment 3).
4. Board Action will be sought for Resolution Regarding Three Year Engineering Services Agreements (Attachment 4).
5. Discussion – Update Regarding MIRA’s Solicitation for Energy Product Management Services for Waste-to-Energy Facility and the Jet Turbine Facility Located at MIRA’s South Meadows site.

V. Finance Committee Report

6. Board Action will be sought for the Resolution Concerning Proposed July 1 Insurance Renewals (Attachment 5).
7. Board Action will be sought for the Resolution Concerning Consolidation of Mid Connecticut Project Reserve Accounts (Attachment 6).

V. Chairman and President’s Reports

VII. Executive Session

An Executive Session will be held to discuss pending litigation, trade secrets, personnel matters, security matters, pending RFP’s, and feasibility estimates and evaluations.

VIII. Legal

1. Board Action will be sought for Resolution Regarding Legal Spending for FY2017 (Attachment 7).

TAB 1

MATERIALS INNOVATION AND RECYCLING AUTHORITY

FOUR HUNDRED AND SIXTY THIRD

APRIL 26, 2016

A special telephonic meeting of the Materials Innovation and Recycling Authority Board of Directors was held on Thurs. April 26, 2016, in the Board Room at 200 Corporate Place, Suite 202, Rocky Hill, CT 06067. Those present by telephone were:

Directors: Chairman Don Stein
Vice-Chairman Dick Barlow
John Adams
Ralph Eno
Jim Hayden
Andy Nunn
Bob Painter
Patricia Wildlitz

Present from MIRA in Rocky Hill:

Tom Kirk, President
Mark Daley, Chief Financial Officer
Dave Bodendorf, Senior Environmental Engineer
Peter Egan, Director of Operations and Environmental Affairs
Laurie Hunt, Director of Legal Services
Moira Kenney, Assistant HR Manager/Board Administrator

Chairman Stein called the meeting to order at 2:00 p.m. and said a quorum was present.

EXECUTIVE SESSION

Chairman Stein requested a motion to enter into Executive Session to discuss trade secrets, pending RFP's, and feasibility estimates and evaluations. The motion was made by Director Adams and seconded by Director Eno and was approved unanimously.

Chairman Stein asked the following people to join the Directors in the Executive Session:

Tom Kirk
Mark Daley
Peter Egan
Laurie Hunt

The motion was approved unanimously by roll call. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Eno, Director Hayden, Director Nunn, and Director Wildlitz voted yes.

Directors	Aye	Nay	Abstain

Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Jim Hayden	X		
Andy Nunn	X		
Patricia Wildlitz	X		

The Executive Session began at 2:00 p.m. and concluded at 2:18 p.m. Chairman Stein noted that no votes were taken in Executive Session.

The meeting was reconvened at 2:18 p.m. The door was opened, and the Board Secretary and all members of the public were invited back in for the continuation of public session.

RESOLUTION REGARDING OPTION AGREEMENTS AND ACCESS AND USE AGREEMENTS FOR DEVELOPMENT OF CLEAN ENERGY WITH GREENSKIES RENEWABLE ENERGY LLC

Chairman Stein requested a motion on the above referenced item. Vice-Chairman Barlow made the motion which was seconded by Director Eno.

WHEREAS, on March 9, 2016, the Connecticut Department of Energy and Environmental Protection ("DEEP") issued a Notice Of Request For Proposals From Developers of Clean Energy ("DEEP RFP"); and

WHEREAS, on March 17, MIRA issued a Request for Proposals For Private Developers To Access And Use MIRA Properties For The Development Of Clean Energy, for the purpose of identifying one or more Developers, to propose into the DEEP RFP, Clean Energy projects on MIRA properties; and

WHEREAS, MIRA has received a proposal to access and use its Wallingford Property for the development of a Clean Energy project, and negotiated the terms of such access and use with Lend Lease Energy Development, LLC ("Lend Lease"); and

WHEREAS, in order for Lend Lease to submit a project into the DEEP RFP for development on MIRA's Wallingford Property, Lend Lease must demonstrate site control through an Access and Use Option Agreement with MIRA; and

WHEREAS, in the event Lend Lease's project submitted into the DEEP RFP for development on MIRA's Wallingford Property is selected by DEEP, Lend Lease and MIRA will execute the Agreement to Access and Use MIRA Property for Development of Clean Energy, as such Agreement will define MIRA's and Lend Lease's respective rights and responsibilities (including lease payments to MIRA) regarding the development, operation, and decommissioning of the selected project;

NOW, THEREFORE, BE IT:

RESOLVED: That the Board of Directors authorizes the President to enter into an Access and Use Option Agreement with Lend Lease to enable Lend Lease to demonstrate site control of the Wallingford Landfill Property for the purposes of proposing into the DEEP RFP; and

FURTHER RESOLVED: That the Board of Directors authorizes the President to enter into an Agreement to Access and Use MIRA Property for Development of Clean Energy, for the Wallingford Property, substantially as presented and discussed at this meeting, in the event Lend Lease's project submitted into the DEEP RFP for development on MIRA property is selected by DEEP.

The motion previously made and seconded was approved unanimously by roll call. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Eno, Director Hayden, Director Nunn, Director Painter, and Director Wildlitz voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Jim Hayden	X		
Andy Nunn	X		
Bob Painter	X		
Patricia Wildlitz	X		

RESOLUTION REGARDING AN OPTION AGREEMENT AN ACCESS AND USE AGREEMENT FOR DEVELOPMENT OF CLEAN ENERGY WITH LEND LEASE ENERGY DEVELOPMENT, LLC

Chairman Stein requested a motion on the above referenced item. Vice-Chairman Barlow made the motion which was seconded by Director Hayden.

WHEREAS, on March 9, 2016, the Connecticut Department of Energy and Environmental Protection ("DEEP") issued a Notice Of Request For Proposals From Developers of Clean Energy ("DEEP RFP"); and

WHEREAS, on March 17, MIRA issued a Request for Proposals For Private Developers To Access And Use MIRA Properties For The Development Of Clean Energy, for the purpose of identifying one or more Developers, to propose into the DEEP RFP, Clean Energy projects on MIRA properties; and

WHEREAS, MIRA has received proposals to access and use its Ellington and Waterbury landfill properties for the development of Clean Energy projects, and negotiated the terms of such access and use with Greenskies Renewable Energy, LLC ("Greenskies"); and

WHEREAS, in order for Greenskies to submit projects into the DEEP RFP for development on MIRA properties, Greenskies must demonstrate site control through an Access and Use Option Agreement with MIRA; and

WHEREAS, in the event Greenskies' projects submitted into the DEEP RFP for development on MIRA properties are selected by DEEP, Greenskies and MIRA will execute the Agreement(s) to Access and Use MIRA Property(s) for Development of Clean Energy, as such Agreement will define MIRA's and Greenskies' respective rights and responsibilities (including lease payments to MIRA) regarding the development, operation, and decommissioning of the selected project(s);

NOW, THEREFORE, BE IT:

RESOLVED: That the Board of Directors authorizes the President to enter into Access and Use Option Agreements with Greenskies to enable Greenskies to demonstrate site control of the Ellington and Waterbury landfill properties for the purposes of proposing into the DEEP RFP; and

FURTHER RESOLVED: That the Board of Directors authorizes the President to enter into Agreement(s) to Access and Use MIRA Property(s) for Development of Clean Energy, for the Ellington and Waterbury landfill properties, substantially as presented and discussed at this meeting, in the event Greenskies' projects submitted into the DEEP RFP for development on MIRA properties are selected by DEEP.

The motion previously made and seconded was approved unanimously by roll call. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Eno, Director Hayden, Director Nunn, Director Painter, Director Shanley and Director Wildlitz voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Jim Hayden	X		
Andy Nunn	X		
Bob Painter	X		
Patricia Wildlitz	X		

ADJOURNMENT

Chairman Stein requested a motion to adjourn the meeting. The motion to adjourn was made by Director Adams seconded by Director Eno and was approved unanimously

The motion previously made and seconded was approved unanimously by roll call. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Eno, Director Hayden, Director Nunn, Director Painter, Director Shanley and Director Wildlitz voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Jim Hayden	X		
Andy Nunn	X		
Bob Painter	X		
Patricia Wildlitz	X		

There being no other business to discuss, the meeting adjourned at 2:20 p.m.

Respectfully Submitted,



Moira Kenney

Assistant HR Manager/Board Administrator

TAB 2

MATERIALS INNOVATION AND RECYCLING AUTHORITY

FOUR HUNDRED AND SIXTY THIRD

APRIL 28, 2016

A regular meeting of the Materials Innovation and Recycling Authority Board of Directors was held on Thurs. April 26, 2016, in the Board Room at 200 Corporate Place, Suite 202, Rocky Hill, CT 06067. Those present by telephone were:

Directors: Chairman Don Stein
Vice-Chairman Dick Barlow
John Adams
Marilynn Cruz-Aponte (present in person)
Jim Hayden
Andy Nunn
Bob Painter
Scott Shanley
Patricia Wildlitz

Present from MIRA in Hartford:

Tom Kirk, President
Mark Daley, Chief Financial Officer
Jeffrey Duvall, Director of Budgets and Forecasting
Peter Egan, Director of Operations and Environmental Affairs
Laurie Hunt, Director of Legal Services
Moira Kenney, Assistant HR Manager/Board Administrator

Others Present: Ann Catino, Esq., Halloran & Sage, John Pizzimenti, USA Hauling.

Chairman Stein called the meeting to order at 9:34 a.m. and said a quorum was present.

PUBLIC PORTION

Chairman Stein said the agenda allowed for a public portion in which the Board would accept written testimony and allow individuals to speak for a limit of three minutes. As there were no members of the public present who wished to speak the regular meeting commenced.

APPROVAL OF THE REGULAR MARCH 24, 2016, BOARD MEETING MINUTES

Chairman Stein requested a motion to approve the regular March 24, 2016 Board minutes. Director Adams made the motion which was seconded by Director Painter.

The motion to approve the minutes as amended was approved by roll call. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Hayden, Director Nunn, Director Painter, and Director Shanley voted yes. Director Wildlitz abstained.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Marilyn Cruz-Aponte	X		
Jim Hayden	X		
Andy Nunn	X		
Bob Painter	X		
Patricia Wildlitz			X

FINANCE REPORT

Mr. Daley said the Finance Committee had one item on the agenda, a preparation discussion for July 1, 2016, insurance renewals. He said the costs, deductibles, levels of coverage and marketing renewals were addressed to prepare the Committee for a formal presentation by the brokers at its May meeting. He said feedback must be received and implemented quickly as there is roughly a two week window to make any needed changes. Mr. Daley said the Informational reports were also reviewed.

PRESIDENT'S REPORT

Mr. Kirk said all MIRA facilities operated without environmental, health or public safety issues throughout the reporting period and further detail was contained in the package. He said concerning the CSWS facility this reporting period the plant continues to run well and achieved 99.5% of its production target however, power price continues to be very poor resulting in revenues way below the targets.

Mr. Kirk said metal prices have stabilized but continue to be way below targets. He said less spot waste than budgeted is being consumed which positive as it is a result of favorable contract waste compared to budget targets. He said facility expenses continue to track favorable to budget in part due to reduction in length and the number of outages as a result of the plant continuing to improve production numbers. Mr. Kirk said Unit 11 is currently down in anticipation of an air heater replacement which is expected to yield positive production improvement rates.

Mr. Kirk said solid waste deliveries continue to be strong and are 12% favorable budget in the more preferable category. He said recycling revenues were below budget due to poor prices in commodities however the soft prices are expected to stabilize shortly. Mr. Kirk said MIRA continues to assist the CT DEEP with the RFP process.

Chairman Stein said roughly 15 municipalities attended the MIRA town meeting which was an overall positive and informative experience which will be continued.

EXECUTIVE SESSION

Chairman Stein requested a motion to enter into Executive Session to discuss pending litigation and pending RFP's. The motion was made by Vice-Chairman Barlow and seconded by Director Painter and was approved unanimously.

Chairman Stein asked the following people to join the Directors in the Executive Session:

Tom Kirk
Mark Daley
Peter Egan
Laurie Hunt
Christopher Shepard, Environmental Compliance Manager.

The motion was approved unanimously by roll call. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Cruz-Aponte, Director Hayden, Director Nunn, Director Painter and Director Wildlitz voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Marilynn Cruz-Aponte	X		
Jim Hayden	X		
Andy Nunn	X		
Bob Painter			
Patricia Wildlitz	X		

The Executive Session began at 9:52 a.m. and concluded at 11:20 a.m. Chairman Stein noted that no votes were taken in Executive Session.

The meeting was reconvened at 11:20 a.m. The door was opened, and the Board Secretary and all members of the public were invited back in for the continuation of public session.

RESOLUTION REGARDING ADDITIONAL PROJECTED LEGAL EXPENDITURES

Chairman Stein requested a motion on the resolution above. Director Shanley made the motion which was seconded by Director Painter.

WHEREAS, MIRA obtained Board authorization to pay FY '16 projected legal fees and expenses from appropriate budgets and reserves in June/July, 2015; and

WHEREAS, MIRA expects to incur greater than authorized legal costs for these services; and

WHEREAS, MIRA now seeks Board authorization to expend funds from one of its Board-designated reserves to pay these additional legal costs

NOW THEREFORE, it is

RESOLVED: That the following additional amounts be authorized for projected legal fees and costs to be incurred during fiscal year 2016:

Firm:

Amount:

Cohn Birnbaum & Shea

\$50,000

FURTHER RESOLVED: That the President be authorized to expend up to \$50,000 for such additional legal fees and costs from the Mid-Connecticut Post Project Closure Reserve.

The motion was approved unanimously by roll call. Chairman Stein, Vice-Chairman Barlow, Director Cruz-Aponte, Director Hayden, Director Nunn, Director Painter, Director Shanley, and Director Wildlitz voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
Marilyn Cruz-Aponte			X
Jim Hayden	X		
Andy Nunn	X		
Bob Painter	X		
Scott Shanley	X		
Patricia Wildlitz	X		

ADJOURNMENT

Chairman Stein requested a motion to adjourn the meeting. The motion to adjourn was made by Director Shanley seconded by Director Eno and was approved unanimously

The motion previously made and seconded was approved unanimously by roll call. Chairman Stein, Vice-Chairman Barlow, Director Cruz-Aponte, Director Hayden, Director Nunn, Director Painter, Director Shanley, and Director Wildlitz voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
Marilyn Cruz-Aponte	X		
Jim Hayden	X		
Bob Painter	X		
Andy Nunn	X		
Scott Shanley	X		
Patricia Wildlitz	X		

There being no other business to discuss, the meeting adjourned at 11:35 a.m.

Respectfully Submitted,



Moira Kenney

Assistant HR Manager/Board Administrator

TAB 3

**RESOLUTION REGARDING COOPERATIVE SERVICES
AGREEMENT BETWEEN THE MATERIALS INNOVATION AND
RECYCLING AUTHORITY AND THE UNITED STATES
DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH
INSPECTION SERVICES / WILDLIFE SERVICES**

RESOLVED: That the President is hereby authorized to execute an agreement with the United States Department of Agriculture Animal and Plant Health Inspection Services - Wildlife Services, for the control of nuisance birds at the South Meadows Waste Processing Facility, substantially as presented and discussed at this meeting.

Materials Innovation and Recycling Authority
Cooperative Service Agreement with the United States Department of
Agriculture Animal and Plant Health Inspection Service at the
CSWS Waste Processing Facility

Presented to the MIRA Board on: May 26, 2016

Vendor/ Contractor(s): United States Department of Agriculture,
Animal & Plant Health Inspection Services,
Wildlife Services

Effective date: July 1, 2016

Contract Type/Subject matter: Service Agreement for bird and other pest
control at the South Meadows Waste
Processing Facility.

Facility Affected: CSWS Waste Processing Facility

Original Contract: This is a new contract.

Term: July 1, 2016 through June 30, 2017

Contract Dollar Value: \$31,000.00

Amendment(s): NA

Term Extensions: NA

Scope of Services: Provide integrated bird control services at
the South Meadows WPF.

Other Pertinent Provisions: USDA is engaged as a contractor with
Special capability pursuant to section
3.1.2.5 of MIRA's Procurement Policies &
Procedures; accordingly, this contract is
awarded as an exception to the competitive
process.

Materials Innovation and Recycling Authority Connecticut Solid Waste System

Cooperative Services Agreement with United States Department of Agriculture for the Control of Birds

May 26, 2016

Executive Summary

This is to request approval of the MIRA Board of Directors for the President to enter into an agreement with the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Services (APHIS), Wildlife Services (WS) to perform work at the South Meadows Waste Processing Facility on Maxim Road to control nuisance birds.

Discussion

As the owner and solid waste permittee of the South Meadows, MIRA has a regulatory obligation to control vectors, including birds. Historically, the South Meadows Resource Recovery Facility has seasonally experienced excessive bird activity. Despite attempts in past years by MIRA's contractor and project staff to control bird activity using various means, including pyrotechnics, nuisance bird activity has been a recurring issue and if not managed adequately, may present a potential threat to the incoming and outgoing aircraft at the neighboring Brainard Airport.

In the spring of 2004, MIRA staff made inquiries to the solid waste management facility operators in other states, as well as to regulatory agencies, with the intent of identifying additional options for controlling birds at its waste facilities. MIRA's search revealed that the USDA is equipped to provide support in management of nuisance birds. Consequently MIRA entered into a Pilot Agreement with the USDA to provide services at the both the Hartford Landfill and the South Meadows Waste Processing Facility. The approach used in controlling birds has involved several methods, using various types of pyrotechnics, visual deterrents and safe traps, as well as toxicants and firearms. The USDA program proved successful, and MIRA has contracted with the USDA for these activities since 2004.

Based on annual reports provided by the USDA during the past decade, and observations made by USDA and MIRA personnel, the work performed by USDA has been effective in controlling the number of nuisance birds at the CSWS Waste Processing Facility. Although the vector control activities conducted by USDA at the WPF primarily involve control of nuisance birds, USDA also provides management of other nuisance animals as necessary, including skunks, raccoons and possum. The USDA Report for the past year's activities is included in the supplemental information package.

In addition to the on-site vector control services, USDA Wildlife Services also provides support to MIRA in completing, submitting and timely processing of the vector depredation permit, which authorizes MIRA – and through MIRA the USDA Wildlife Services – to undertake these activities. MIRA obtains the depredation permit from the USDA, and must renew the permit on an annual basis.

MIRA management recommends contracting with the USDA for these bird control activities in FY 2017.

Financial Summary

The term of the contract is July 1, 2016 through June 30, 2017. The total not to exceed cost is \$31,000, which includes the cost of personnel, vehicles, supplies and administration. This is the same contract price as the current year.

These nuisance bird management activities were contemplated when the FY 2017 budget was developed, and sufficient funds are available in the FY 2017 CSWS WPF operating budget for this purpose.

TAB 4

RESOLUTION REGARDING ENGINEERING, CONSULTING, AND POWER-PRODUCT PROFESSIONAL SERVICES

RESOLVED: That the President is hereby authorized to enter into contracts with the following firms and individuals for Engineering, Consulting, and Power-Product Professional Services, substantially as discussed and presented at this meeting:

General Engineering Services

Diversified Technology Consultants
D&B Engineers, LLC
Fuss & O'Neill, Inc.
GNCB Consulting Engineers, P.C.
HDR Engineering, Inc.
HRP Associates, Inc.
Langan CT, Inc.
Loureiro Engineering Associates, Inc.
Milone and MacBroom, Inc.
van Zelm Heywood & Shadford, Inc.

Resource Recovery and Energy-from-Waste

Arcadis U.S., Inc.
D&B Engineers, LLC
Gershman, Brickner, & Bratton, Inc.
Hatch Mott MacDonald New York, Inc.
HDR Engineering, Inc.
Project Management Associates, LLC
van Zelm Heywood & Shadford, Inc.

Recycling

Arcadis U.S., Inc.
D&B Engineers, LLC
Gershman, Brickner, & Bratton, Inc.
Hatch Mott MacDonald New York, Inc.
HDR Engineering, Inc.
Loureiro Engineering Associates, Inc.
Project Management Associates, LLC

Solid Waste Consulting Services

Alternative Resources, Inc.
Arcadis U.S., Inc.
D&B Engineers, LLC
Gershman, Brickner, & Bratton, Inc.
HDR Engineering, Inc.
Project Management Associates, LLC

Power-Product Marketing, Procurement and Consulting

Daymark Energy Advisors
Power Advisory LLC

Environmental Consulting and Engineering Services

Analytical Consulting Technology, Inc.
Arcadis U.S., Inc.
CK Environmental, Inc.
Diversified Technology Consultants
Fuss & O'Neill, Inc.
HDR Engineering, Inc.
HRP Associates, Inc.
Kleinschmidt Associates
Langan CT, Inc.
Loureiro Engineering Associates, Inc.
Sanborn, Head & Associates, Inc.
TRC Environmental Corporation
Zuvic, Carr and Associates, Inc.

Materials Innovation and Recycling Authority

Agreement Summary

Engineering, Consulting, and Power-Product Professional Services Agreement

Presented to the MIRA Board on:	May 26, 2016
Vendor/ Contractor(s):	Various (See Attached)
Effective date:	July 1, 2016
Contract Type/Subject matter:	Three-Year Services Agreement for Engineering, Consulting, and Power-Product Professional Services
Facility(ies) Affected:	Not Applicable
Original Contract:	Not Applicable
Term:	July 1, 2016 through June 30, 2019
Contract Dollar Value:	Not Applicable
Amendment(s):	Not applicable
Term Extensions:	Not applicable
Scope of Services:	On-call engineering and consulting services in the following areas: General Engineering; Resource Recovery and Energy-from-Waste; Power-Product Marketing, Procurement and Consulting; Recycling; Solid Waste Systems; and Environmental Consulting and Engineering Services.
Other Pertinent Provisions:	Any work awarded under the Agreements will be pursuant to a Request for Services ("RFS"). Any RFS in excess of \$50,000 per fiscal year will require approval by the Board of Directors.

Materials Innovation and Recycling Authority

Consulting, Engineering and Land Surveying Services

May 26, 2016

Executive Summary

From time to time MIRA requires the assistance of firms and individuals to provide technical and professional consulting services in a variety of solid waste consulting, engineering and environmental areas. MIRA's "Procurement Policies and Procedures" establishes a "Request for Qualifications" ("RFQ") process to obtain such services. The current Agreements for engineering services and land surveying services expire June 30, 2016.

MIRA issued an RFQ for engineering, consulting, and power-product professional services in February 2016 in order to solicit firms with which to contract for a new three-year period beginning July 1, 2016.

MIRA received responses to the RFQ from 23 firms. Operations and Environmental staff evaluated the responses. Based on those evaluations, the firms listed below have been selected for recommendation to the Board of Directors.

This is to request approval of the MIRA Board of Directors for the President to enter into agreements with the firms and individuals identified on the attached list to provide services as described below for the three-year period beginning July 1, 2016 and ending June 30, 2019. Any work performed under such an agreement will be pursuant to a Request for Services ("RFS"), and any RFS that is in excess of \$50,000 per fiscal year will require approval of the Board of Directors.

Discussion

MIRA's "Procurement Policies and Procedures" establishes an RFQ process as "the process by which MIRA identifies persons to perform services on behalf of . . . MIRA through the solicitation of qualifications, experience, prices and such other matters as MIRA determines may bear on the ability to perform services." After completing the RFQ process, MIRA's Procurement Policies and Procedures further specify that MIRA "may determine in its sole and absolute discretion, to engage the services of any one or more professional or technical services provider(s) qualified through the RFQ process." MIRA has historically used the RFQ process to pre-qualify firms for a variety of technical services that it requires (e.g., engineering services). In accordance with its Procurement Policies and Procedures and Connecticut State Statute, MIRA is required to solicit for technical and professional services at least once every three years. Agreements for engineering services and land surveying services that are currently in effect will expire on June 30, 2016.

Overview of RFQ

MIRA issued a RFQ for engineering, consulting, and power-product professional services on February 10, 2016. The availability of the RFQ was advertised on MIRA's website, the Connecticut State Contracting Portal, and in the following Connecticut newspapers:

- Hartford Courant
- LaVoz Hispania de Connecticut
- Northeast Minority News

Responses to the Engineering, Consulting, and Power-Product Professional Services RFQ were due by March 24, 2016.

MIRA received Notices of Interest from 23 firms and a total of 23 firms submitted Statements of Qualifications ("SOQ"). Table 1 below indicates the categories of services for which each of the respondents to the RFQ requested consideration. Note that MIRA has eliminated the "Landfill Consulting and Engineering Services" category, and incorporated Land Surveying services under the "General Engineering" category.

The responses were first evaluated for administrative sufficiency, and then evaluated for technical merit. As identified by MIRA's President, MIRA Operations and Environmental staff conducted the technical evaluations. Responses were evaluated based on the respondent's qualifications and experience, the experience of the individuals who would be assigned to do work, the respondent's fee structure, organization and approach, and the respondent's Connecticut presence.

Firms meeting the requirements of a small business enterprise (SBE), or a minority business enterprise (MBE) were also considered in the review process. Five (5) of the respondents indicated that they qualified as SBEs (three [3] of which are registered with the State of Connecticut as SBEs) and two (2) of the respondents indicated that they were qualified as MBEs (both of which are registered with the State of Connecticut as MBEs). It is MIRA's intention to request that the firms that are qualified to register with the State as SBEs pursue such registration with the State upon contract award.

Based on the evaluation conducted by MIRA staff, the following firms/individuals were selected for recommendation to the Board of Directors in each of the following service categories:

General Engineering Services

Diversified Technology Consultants
D&B Engineers, LLC
Fuss & O'Neill, Inc.
GNCB Consulting Engineers, P.C.
HDR Engineering, Inc.
HRP Associates, Inc.
Langan CT, Inc.
Loureiro Engineering Associates, Inc.
Milone and MacBroom, Inc.
van Zelm Heywood & Shadford, Inc.

Resource Recovery and Energy-from-Waste

Arcadis U.S., Inc.
D&B Engineers, LLC
Gershman, Brickner, & Bratton, Inc.
Hatch Mott MacDonald New York, Inc.
HDR Engineering, Inc.
Project Management Associates, LLC
van Zelm Heywood & Shadford, Inc.

Recycling

Arcadis U.S., Inc.
D&B Engineers, LLC
Gershman, Brickner, & Bratton, Inc.
Hatch Mott MacDonald New York, Inc.
HDR Engineering, Inc.
Loureiro Engineering Associates, Inc.
Project Management Associates, LLC

Solid Waste Consulting Services

Alternative Resources, Inc.
Arcadis U.S., Inc.
D&B Engineers, LLC
Gershman, Brickner, & Bratton, Inc.
HDR Engineering, Inc.
Project Management Associates

Power-Product Marketing, Procurement and Consulting

Daymark Energy Advisors
Power Advisory LLC

Environmental Consulting and Engineering Services

Analytical Consulting Technology, Inc.
Arcadis U.S., Inc.
CK Environmental, Inc.
Diversified Technology Consultants
Fuss & O'Neill, Inc.
HDR Engineering, Inc.
HRP Associates, Inc.
Kleinschmidt Associates
Langan CT, Inc.
Loureiro Engineering Associates, Inc.
Sanborn, Head & Associates, Inc.
TRC Environmental Corporation
Zuvic, Carr and Associates, Inc.

The agreements that are to be executed with these firms will have an effective date of July 1, 2016 and will extend through June 30, 2019.

Financial Summary

MIRA makes no financial commitment to any firm or individual in the three-year services Agreements. This selection simply qualifies a firm or individual as eligible to undertake work for MIRA at a later date, when a specific need is actually identified. By qualifying multiple firms under each service category, MIRA will have the opportunity to solicit competitive cost proposals from multiple firms before procuring services under the three-year services Agreements. Any such future work would be procured through an RFS, and any RFS for more than \$50,000 per fiscal year would require prior approval by the MIRA Board of Directors.

It should be noted that the cost for any particular task-specific RFS that is negotiated with any particular engineering firm pursuant to these three-year service agreements will be based on the hourly rates for time (i.e., professional labor rates) and materials (e.g., daily rental rate for required equipment) that are pre-established in these three year service Agreements.

**TABLE 1: SOQ SUBMITTERS AND RECOMMENDED CONSULTANTS
RFQ - ENGINEERING, CONSULTING, AND POWER PRODUCT PROFESSIONAL SERVICES**

Firm Name	City	ST	Recommended	General Engineering	Resource Recovery/Energy From Waste	Power Product Marketing, Procurement and Consulting Services	Recycling	Solid Waste Systems	Environmental Consulting and Engineering Services	Qualify as SBE	Registered as SBE	Qualify as MBE	Registered as MBE
Alternative Resources, Inc.	Concord	MA	✓	□	□	□	□	✓	□				
Analytical Consulting Tech	Waterbury	CT	✓	□	□	□	□	□	✓	Y	N	N	na
Arcadis	Middletown	CT	✓	□	✓	□	✓	✓	✓	N	na	N	na
CK Environmental, Inc.	Canton	MA	✓	□	□	□	□	□	✓	N	na	N	na
Daymark Energy Advisors	Boston	MA	✓	□	□	✓	□	□	□	N	na	N	na
Diversified Technology Consultants, Inc.	Hamden	CT	✓	✓	□	□	□	□	✓	Y	Y	Y	Y
D&B Engineers, LLC	South Plainfield	NJ	✓	✓	✓	□	✓	✓	□	N	na	N	na
Fuss & O'Neill	Manchester	CT	✓	✓	□	□	□	□	✓	N	na	N	na
Gershman, Brickner & Bratton, Inc.	Fairfax	VA	✓	□	✓	□	✓	✓	X	N	na	N	na
GNCB Consulting Engineers, P.C.	Old Saybrook	CT	✓	✓	□	□	□	□	□	Y	Y	N	na
Hatch Mott MacDonald New York, Inc.	Iselin	NJ	✓	□	✓	□	✓	X	□	N	na	N	na
HDR Engineering, Inc.	Boston	MA	✓	✓	✓	□	✓	✓	✓	N	na	N	na
HRP Associates, Inc.	Farmington	CT	✓	✓	□	□	□	□	✓	N	na	N	na
Kleinschmidt Associates	Essex	CT	✓	□	□	□	□	□	✓	N	na	N	na
Langan CT, Inc.	New Haven	CT	✓	✓	□	□	□	□	✓	N	na	N	na
Loureiro Engineering Associates, Inc.	Plainville	CT	✓	✓	□	□	✓	□	✓	N	na	N	na
Milone and MacBroom, Inc.	Cheshire	CT	✓	✓	□	□	□	□	□	N	na	N	na
Power Advisory LLC	Concord	MA	✓	□	□	✓	□	□	□	N	na	N	na
Project Management Associates, LLC	West Hartford	CT	✓	□	✓	□	✓	✓	□	Y	N	N	na
Sanborn, Head & Associates	Westford	MA	✓	□	□	□	□	□	✓	N	na	N	na
TRC Environmental Corporation	Windsor	CT	✓	□	□	□	□	□	✓	N	na	N	na
van Zelm Heywood & Shadford, Inc.	Farmington	CT	✓	✓	✓	□	□	□	□	N	na	N	na
Zuvic, Carr Associates, Inc.	Rocky Hill	CT	✓	□	□	□	□	□	✓	Y	Y	Y	Y
Submitters Per Category			23	10	7	2	7	7	14	5	3	2	2

TAB 5

**RESOLUTION REGARDING THE PROCUREMENT OF INSURANCE COVERAGE
FOR AUTO, GENERAL LIABILITY, UMBRELLA, PROPERTY, PUBLIC OFFICIALS,
AND WORKERS COMPENSATION**

RESOLVED: That MIRA purchase the insurance coverage in the amount and from the carriers according to the recommended option A.1 as presented and discussed in this meeting.

RESOLVED: That MIRA purchase the engineering services in the amount and from the firms according to option B.2 as presented and discussed in this meeting.

RESOLVED: That MIRA exercise the option to finance the premium through a premium financing company according to option B.3 as presented and discussed in this meeting.

MIRA Renewal Options Premium Comparison

A.	Current		Option A.1		Option A.2			
Line of Business	Expiring Carriers	2015 - 2016 Premium	Renewal Carriers	2016 - 2017 Premium	Difference	Renewal Carriers Option 2	2016 - 2017 Premium Option 2	Difference
Property	Zurich; Swiss RE Starr Tech; AIG	\$773,430	Zurich; Swiss RE Starr Tech; Ironshore	\$741,757	-4%	Zurich; Swiss RE Starr Tech; AIG	\$763,838	-1%
General Liability	Liberty Mutual	\$77,517	Liberty Mutual	\$70,395	-9%	Liberty Mutual	\$70,395	-9%
Auto	Liberty Mutual	\$24,174	Liberty Mutual	\$24,225	0%	Liberty Mutual	\$24,225	0%
Workers Comp	Liberty Mutual	\$52,164	Liberty Mutual	\$50,392	-3%	Liberty Mutual	\$50,392	-3%
Umbrella \$10M	Liberty Mutual	\$30,836	Liberty Mutual	\$30,735	0%	Liberty Mutual	\$30,735	0%
Excess \$15M xs \$10M	Liberty Mutual	\$23,735	Liberty Mutual	\$20,655	-13%	Liberty Mutual	\$20,655	-13%
Public Officials	ACE American	\$125,000	ACE American	\$125,000	0%	ACE American	\$125,000	0%
Total Cost Insurance		\$1,106,856		\$1,063,159	(\$43,697)		\$1,085,240	(\$21,616)

B.	Current		Option B.1		Option B.2			
	Expiring Carriers	2015 -2016 Premium	Renewal Carriers	2016 - 2017 Premium	Difference	Renewal Carriers Option 2	2016 - 2017 Premium Option 2	Difference
Additional Item								
Engineering/Jurisdictional	XL GAPs	\$15,300	Zurich	\$12,200	-20%	XL GAPs/Zurich	\$17,800	16%

C.	Current		Option C.1		Option C.2	
Financing Cost	AFCO	\$9,400	No financing	\$0	Financing w/ TBD	~\$10,000

Deductible Overview

	Current		Renewal	
	Property	Mobile Equipment	Property	Mobile Equipment
Property	AIG	\$250,000	Ironshore	\$250,000
	Starr	\$250,000	Starr	\$100,000
	Swiss	\$250,000	Swiss	\$250,000
	Zurich	\$250,000	Zurich	\$250,000
	Time Element 45 days, BI		Time Element 45 days, BI	

Auto	Liberty	\$1,000	Liberty	\$1,000
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Public Officials	ACE	\$150,000	ACE	\$150,000
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Discussion of Insurance renewal

Background & Process

MIRA is currently working with our insurance broker, Beecher Carlson, to renew our insurance coverage for Automobile Liability, Commercial General Liability, Property, Public Officials Umbrella Liability, and Workers Compensation all renewing on July 1st. The quotes, options and draft recommendations were presented to and reviewed by the Finance Committee on May, 19th 2016, please see attached executive summary from presentation by Beecher Carlson.

The renewal decision needs to be reached at the May 26th, 2016 Board Meeting. At this time MIRA is prepared to move forward with its recommended options or discuss selection and other identified options.

Structuring and Marketing Summary

MIRA and Beecher Carlson started the renewal discussion in February of this year. The discussions were focused on keeping the premium in line with what MIRA is currently paying, while keeping the same level of coverage. The potential problem MIRA faced was the large property loss we suffered on the mobile shredder. In addition some changes to MIRA were identified that could potentially yield some premium decreases; those changes were related to the deletion of SCRRRA tonnage and reduction in overall payroll.

Another step MIRA took was to get potential carriers to visit the plant again this year; the walkthrough was led by Rich Quelle, MIRA Chief Engineer. Several people from a current carrier plus representatives from a new carrier attended the walkthrough on May 4th. The overall reaction was that the plant looked extremely well cared for and that the upkeep had increased significantly since changing operators to NAES. The current carrier was reassured that MIRA's proactive approach to maintenance and service is still on-going and provided a renewal quote. The appearance of the plant looks to work in MIRA's favor as several of the current carriers are coming in at or below last year's premium. We also received a couple of suggestions for improvements.

The insurance renewal process began when the broker reached out to a number of domestic and foreign carriers, to solicit quotes for the expiring lines of coverage. The outreach included both new and current carriers. Several of the carriers responded with quotes, however, a few declined due to MIRA's type of business. Currently the domestic market appears to be more favorable.

Executive Summary

Property Program:

- The Total Insured Values have stayed fairly steady this year with a decrease from expiring of approximately 1% from \$585,679,866 to \$580,306,632.
- There was a claim that occurred on November 7, 2015 at the Waste Processing Facility. The loss was the result of a fire on the Terminator Mobile Shredder. As a result of this claim, the payment to MIRA was \$524,672. The total premium for the current policy term is \$773,430 resulting in a loss ratio for the current term 81%
- As a result of this claim and high loss ratio, we were anticipating a rate increase of 10%-15% from the current markets. Realizing that we may need to obtain alternative quotes from additional markets, we conducted a full marketing effort to all of the insurance markets again this year. Three out of the four incumbent markets (Zurich, Swiss RE and Starr Tech) provided us with slight rate decreases. The other incumbent carrier, AIG quoted a 15% rate increase. They noted the claim and some engineering concerns as the reason for the increase.
- We have been able to find an alternative market and solution to replace AIG to keep the overall rate less than expiring which we have outlined on the premium summary of the proposal.
- The only change in terms and conditions on the Property program is an increase in mobile equipment deductible. Zurich has increased the Mobile Equipment deductible from \$100,000 to \$250,000. The AIG deductible for Mobile Equipment is also \$250,000. All other carriers have offered a \$100,000 deductible.
- The lead carrier, Zurich who has the largest % of the property program has requested that they take over the engineering from Global Asset Protection Services (GAPS) for a cost of \$8,000. GAPS is currently charging \$11,100. These figures do not include the cost of Jurisdictional Inspections. The cost of the inspections is approximately \$4,200 for both options. If MIRA does not wish to change the engineering from GAPS, Zurich will be charging a \$2,500 engineering fee in order to conduct some of their own engineering. It is common practice for the Lead Carrier who offers the most participation % to conduct the engineering.

Executive Summary (Continued)

Casualty Program:

- General Liability, Auto, Workers Comp, \$10M Umbrella: The current carrier, Liberty Mutual has offered a renewal program with premiums that are slightly down from last year. This is a result of exposure decreases in mWh, tonnage received and the payroll being down.
- We also checked in with our other Casualty markets and found that Liberty Mutual continues to offer the most competitive pricing.
- \$15M xs \$10M Excess Liability: The current carrier Endurance has offered a flat renewal but we were able to obtain an alternative quote from RSUI for a slightly more competitive premium. Another advantage of RSUI is that they are able to write the policy on an admitted basis. The expiring policy was on a non-admitted basis so CT Surplus Lines Tax applies.

Public Officials Liability:

- The current carrier, ACE has offered a flat renewal. The executive liability market has become increasingly hard and we have been seeing rate increases on many accounts. ACE is committed to continuing the long term relationship and has offered a flat renewal. We checked in again this year with other insurance companies and were not able to find a more competitive option.

TAB 6

ATTACHMENT 6
RESOLUTION CONCERNING CONSOLIDATION OF MID-CONNECTICUT PROJECT RESERVE ACCOUNTS

WHEREAS, the Materials Innovation and Recycling Authority (“MIRA”) currently maintains cash associated with its Mid-Connecticut Project Operating account and cash associated with its Authority Budget Operating account in one Short Term Investment Fund (“STIF”) reserve entitled the Materials Innovation and Recycling Authority reserve (“Authority Reserve”); and

WHEREAS, MIRA previously maintained cash associated with all project operating accounts within its Authority Reserve, and in practice transferred such cash and any associated liabilities into new individual STIF Reserve accounts as the projects ended or earlier; and

WHEREAS, the Mid-Connecticut Project officially ended on November 15, 2012, and several reserves were established and funded or maintained prior to the ending of the Project to complete Project related liabilities, but cash and liabilities associated with the Mid-Connecticut Project Operating account have not yet been transferred out of the Authority Reserve, which MIRA now desires to so transfer; and

WHEREAS, in addition to the Mid Connecticut Project Operating account, the Mid-Connecticut Project currently maintains segregated STIF Reserve accounts including the Risk Fund Reserve, Landfill Development Reserve, Recycling Education Reserve, Jets South Meadows Remediation Reserve, Mid-Connecticut Litigation Reserve, and Mid-Connecticut Post Project Closure Reserve to fund Project legacy liabilities; and

WHEREAS, many of these legacy liabilities have been effectively resolved but the segregated STIF Reserve accounts have funds remaining; and

WHEREAS, the Mid-Connecticut Project currently records active liabilities in the Recycling Education Reserve, Mid-Connecticut Litigation Reserve, and Mid-Connecticut Post Project Closure Reserve, for which segregated STIF Reserve accounts will be maintained; and

WHEREAS, the Authority wishes to consolidate the cash balance of its Mid Connecticut Project segregated STIF Reserve accounts that no longer have active liabilities (Risk Fund Reserve, Landfill Development Reserve, and Jets South Meadows Remediation Reserve) into the Mid-Connecticut Post Project Closure Reserve; and

WHEREAS, once the general ledger balance of cash associated with the Mid-Connecticut Project Operating Account is transferred to the Mid-Connecticut Post Project Closure Reserve, the Authority Reserve will be duplicative of the purpose of the Authority’s General Fund Checking Account and therefore the Authority Reserve will be closed.

NOW THEREFORE, be it

RESOLVED: That the general ledger balance of cash associated with the Mid-Connecticut Project Operating Account, Risk Fund Reserve, Landfill Development Reserve, and Jets South Meadows Remediation Reserve be transferred to the Mid-Connecticut Post Project Closure Reserve; and

FURTHER RESOLVED: That the Mid-Connecticut Risk Fund Reserve, Landfill Development Reserve, Jets South Meadows Remediation Reserve, and the Authority Reserve be closed.

TAB 7

**BOARD RESOLUTION REGARDING FY 2017
PROJECTED LEGAL EXPENDITURES**

WHEREAS, MIRA has negotiated three-year Legal Services Agreements with various law firms for the provision of legal services beginning July 1, 2014; and

WHEREAS, MIRA now seeks Board authorization for projected legal expenditures pursuant to said Agreements during Fiscal Year 2017;

NOW THEREFORE, it is

RESOLVED: That the following amounts be authorized for projected legal fees to be incurred during FY '17:

<u>Firm:</u>	<u>Amount:</u>
Brown Rudnick	10,000
Cohn Birnbaum & Shea	75,000
Day Pitney	20,000
Halloran & Sage	600,000
Kainen, Escalera & McHale	400,000
Pullman & Comley	25,000

Further RESOLVED: That the President be authorized to expend up to \$85,000 from the Mid-Connecticut Project Closure Reserve for payment of legal fees incurred in fiscal year 2017 in connection with continuing Mid-Connecticut Project obligations; and

Further RESOLVED: That the President be authorized to expend up to \$50,000 from the Southeast Project Closure Reserve for payment of legal fees incurred in fiscal year 2017 in connection with remaining Southeast Project matters; and

Further RESOLVED: That \$300,000 be transferred from the Mid-Connecticut Project Closure Reserve to the Mid-Connecticut Project Litigation Reserve; and

Further RESOLVED: That the President be authorized to expend up to \$725,000 from the Mid-Connecticut Litigation Reserve for payment of Mid-Connecticut Project litigation-related legal fees and expenses incurred in fiscal year 2017.

Materials Innovation and Recycling Authority

AUTHORIZATION TO PAY FY 2017 PROJECTED LEGAL EXPENDITURES

May 26, 2016

Executive Summary

This is to request Board authorization of the payment of FY 2017 projected legal expenditures for the firms and up to the amounts set forth in the attached resolution.

Discussion

The funds requested to be authorized are included in the FY 17 Board-approved Authority and System legal budgets or in the reserves noted in the attached proposed resolution. Please note that this initial request for authorization may not include all of the funds designated for legal expenses in FY17 budgets; some funds are reserved for matters anticipated to arise later during FY17 and/or for which the choice of appropriate counsel has not yet been determined.