

**MIRA**  
**REGULAR BOARD MEETING**  
**May 25, 2017**

## **Materials Innovation and Recycling Authority**

200 Corporate Place, Suite 202

Rocky Hill, CT 06067

Telephone (860)757-7700 - Fax (860)757-7743

# **MEMORANDUM**

**TO:** MIRA Board of Directors

**FROM:** Moira Kenney, Assistant HR Manager/Board Administrator

**DATE:** May 19, 2017

**RE:** Notice of Regular Board Meeting

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There will be a Regular Meeting of the Materials Innovation and Recycling Authority Board of Directors on Thurs. May 25, 2017, at 9:30 a.m. The meeting will be available to the public in the Board Room at 200 Corporate Place, Suite 202, Rocky Hill, CT 06067.

Please notify this office of your attendance at (860) 757-7787 at your earliest convenience.

Materials Innovation and Recycling Authority  
Regular Board of Directors Meeting  
May 25, 2017  
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 Regular April 20, 2017 Board Meeting Minutes (Attachment 1).

IV. Policies & Procurement Committee Report

2. Board Action will be sought for the Resolution Regarding a Cooperative Service Agreement between MIRA and the USDA Animal and Plant Health Inspection Services/Wildlife Services for Bird Control (Attachment 2).
3. Board Action will be sought for the Resolution Regarding Purchase of Jet Fuel for the South Meadows Jet Turbine Facility (Attachment 3).
4. Board Action will be sought for the Resolution Regarding Transfer Station Host Community Agreements with Torrington and Watertown (Attachment 4).
5. Board Action will be sought for the Resolution Regarding Agreement for Computer Information Consulting Services (Attachment 5).
6. Board Action will be sought for the Resolution Regarding FY'18 Projected Legal Expenditures (Attachment 6).
7. Board Action will be sought for the Resolution Regarding a Facility Condition Assessment of the CSWS Resource Recovery Facility (Attachment 7).

V. Finance Committee Report

8. Board Action will be sought for Resolution Regarding Proposed July 1 Insurance Renewals (Attachment 8). \*Please also see Beecher Carlson Proposal

VI. 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, pending RFP responses, real estate matters, and feasibility estimates and evaluations including Strategic Plan updates.

# TAB 1

**MATERIALS INNOVATION AND RECYCLING AUTHORITY**

**FOUR HUNDRED AND SIXTY-SECOND**

**APRIL 20, 2017**

A regular meeting of the Materials Innovation and Recycling Authority Board of Directors was held on Thurs. Apr. 20, 2017, in the Board Room at 200 Corporate Place, Suite 202, Rocky Hill, CT 06067. Those present were:

Directors: Chairman Don Stein  
Vice-Chairman Dick Barlow  
John Adams  
Ralph Eno  
Jim Hayden  
Bob Painter  
Scott Shanley  
Patricia Widlitz

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  
Thomas Gaffey, Director of Recycling and Enforcement  
Laurie Hunt, Director of Legal Services  
Moira Kenney, Assistant HR Manager/Board Administrator

Others Present: Ann Catino, Esq., Peggy Diaz, CT DEEP; and John Pizzimenti, USA Hauling.

Chairman Stein called the meeting to order at 9:30 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.

Peggy Diaz said the CT DEEP had released the procurement on March 30, 2017. She said it is posted on the website and DEEP is still working on the contract principals which will be released to the bidders shortly. Ms. Diaz said the CT DEEP is working on setting up a meeting with Hartford and the bids are scheduled to come in during July.

**APPROVAL OF THE MARCH 23, 2017 MEETING MINUTES**

Chairman Stein requested a motion to approve the corrected minutes of the March 23, 2017, Board Meeting. Director Adams made the motion which was seconded by Director Eno.

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

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Jim Hayden	X		
Bob Painter	X		
Scott Shanley	X		
Patricia Widlitz	X		

**RESOLUTION REGARDING REVISIONS TO THE CONNECTICUT SOLID WASTE SYSTEM PERMITTING DISPOSAL & BILLING PROCEDURES**

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

**RESOLVED:** That the Board of Directors hereby approves amendments to the CONNECTICUT SOLID WASTE SYSTEM PERMITTING, DISPOSAL AND BILLING PROCEDURES, as presented and discussed at this meeting.

Mr. Kirk said this resolution was brought to the P&P Committee as a routine amendment to MIRA’s Policies & Procedures. He said the change officially places a routine operating procedure utilized when the scales are inoperative due to freezing cold temperatures into MIRA’s Policy and Procedure. Mr. Kirk said this rarely occurring situation which makes it difficult to get an accurate reading of the truck weight. He said in this situation management uses the historical average of the weight of past trucks to determine the most accurate estimate of the truck weight. Mr. Egan added that in addition to the historical data on a specific truck management also uses the historical averages of the specific weight from trucks taking the same route. He said the notice which was placed in the CT Law Journal Notice will be posted to the MIRA web site per the statutory requirement.

Mr. Kirk said this is a fairly accurate estimation and MIRA’s customers have agreed to the process. He stressed the situation is extremely rare and usually only takes place on several days a year.

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

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Jim Hayden	X		
Bob Painter	X		
Scott Shanley	X		
Patricia Widlitz	X		

**RESOLUTION REGARDING SPOT WASTE DELIVERIES**

Chairman Stein requested a motion on the above referenced item. The motion was made by Vice-Chairman Barlow and seconded by Director Adams.

**RESOLVED:** That the President is hereby authorized to select Spot Waste delivery offers that are responsive to the needs of the CSWS resources recovery facility during a Fuel Shortage Period in accordance with Internal Management Procedure No. 140 to ensure the desired optimal operation of the facility, substantially as discussed and presented at this meeting and;

**FURTHER RESOLVED:** that the President is authorized to select a Spot Waste delivery offer from John’s Refuse and Recycling LLC for delivery of MSW to the CSWS Resources Recovery Facility and;

**FURTHER RESOLVED:** that the President is authorized to select a Spot Waste delivery offer from AJ Waste Systems LLC for delivery of MSW to the CSWS Resources Recovery Facility and;

**FURTHER RESOLVED:** that the President is authorized to select a Spot Waste delivery offer from CWPM LLC for delivery of MSW to the CSWS Resources Recovery Facility and;

**FURTHER RESOLVED:** that the President is authorized to select a Spot Waste delivery offer from Patterson Enterprises LLC for delivery of MSW to the CSWS Resources Recovery Facility and;

**FURTHER RESOLVED:** that the President is authorized to select a Spot Waste delivery offer from Covanta Projects of Wallingford LLC for delivery of MSW to the CSWS Resources Recovery Facility and;

**FURTHER RESOLVED:** that the President is authorized to select a Spot Waste delivery offer from All American Waste LLC for delivery of MSW to the CSWS Resources Recovery Facility.

Mr. Kirk said this resolution acknowledges the exercise of the spot waste procedures and the particulars of the spot waste which was expected in this most recent spot waste solicitation. He said the provider, dates, tons and value per ton tip fee are provided. Mr. Kirk said the delivery of the contract

waste often diminishes seasonally in the winter month such that MIRA is able to process more waste. He explained after contract waste is exhausted the option for spot waste to be brought in at market rates is explored.

Mr. Kirk said this process is typically utilized in only the winter months however; there are other times during the year which may also call for the opportunity. He said the market has undergone changes such as the closure of the Wallingford plant as well as the realigning of some contracts both from MIRA and its competitors. Mr. Kirk said the changing market has resulted in higher priced spot waste which is beneficial for MIRA. He said MIRA will continue to see waste processed to the extent it is at or above a marginal price which makes economic sense for the plant to operate at.

Chairman Stein said there are more low cost tons delivered than high priced tons. He asked if this can be adjusted to MIRA's benefit. Mr. Kirk explained MIRA's process encourages higher priced tons as best as possible. He said the owner of the higher priced tons can afford the higher disposal price because the alternatives are further away and more costly to transport there.

Mr. Egan said the haulers which are bidding the highest price are smaller companies and they do not have any more tons than what they have to deliver. He said the last bidder in the list has many tons which is a function of volume from the provider and the distance they need to travel. Mr. Egan said MIRA cannot encourage the smaller haulers to bring in more tons as they simply do not have any more.

Director Shanley asked if there are any municipalities which are avoiding the municipal tip fee by utilizing private haulers. Mr. Kirk said that could potentially be the case. He said there are non-participating towns which may be contracted with a hauler which brings the waste in at a non-firm basis. Mr. Kirk said there is a minimum price which MIRA has calculated via operations and the finance department which is the marginal cost for tons. He said MIRA will not accept tons at or near that price. He said in addition there is a price north of that at which management considers shutting down a boiler or slowing down a boiler as to not inform the market that MIRA may be in a compromised position as to fuel inventory thus reducing the opportunity for price erosion.

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

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Jim Hayden	X		
Bob Painter	X		
Scott Shanley	X		
Patricia Widlitz	X		

**RESOLUTION REGARDING THREE YEAR LEGAL SERVICES AGREEMENTS**

Chairman Stein requested a motion on the above referenced item. The motion was made by Director Adams and seconded by Director Shanley.

**RESOLVED:** The President is hereby authorized to execute, deliver, and perform on behalf of the Authority, Legal Services Agreements as were substantially set forth in the Request for Qualifications dated January 30, 2017, for a period of three years commencing on July 1, 2017, and terminating on June 30, 2020, with the law firms listed below. Except for the General Counsel position, all counsel positions will be “on call”.

Mr. Kirk said this resolution was approved by the Policies & Procurement Committee. He said per the statues MIRA goes out to bid for legal services every three years in order to restock its stable of attorneys. Mr. Kirk said the Board requested that all qualified participants from the RFQ be put onto MIRA’s list of firms. He said the Board reviewed its experiences with the incumbent general counsel and decided to continue its experience with Halloran & Sage.

Mr. Kirk said before engaging counsel for any significant amount further Board approval must first be obtained. Ms. Hunt said the firms which MIRA has done the most work with this year pretty much held their prices flat, although there were some \$10.00 an hour increases.

The motion previously made and seconded to approve the resolution above as amended was approved unanimously by roll call. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Eno, Director Hayden, Director Painter, Director Shanley and Director Widlitz voted yes.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Jim Hayden	X		
Bob Painter	X		
Scott Shanley	X		
Patricia Widlitz	X		

**RESOLUTION REGARDING REPEAL OF THE AUTHORITY’S TELEPHONIC MEETING POLICY AND PROCEDURE**

Chairman Stein requested a motion on the above referenced item. The motion was made by Director Widlitz and seconded by Director Adams.

**RESOLVED:** That the Board hereby repeals in its entirety the Authority’s Telephonic Meeting Policy and Procedure.

Mr. Kirk said this is a technical correction to MIRA’s telephonic policy. He said many years ago after Enron there was concern regarding transparency issues and public access to the Board. He said as a result the newly appointed CRRA Board (now MIRA) created a practice whereby telephonic meetings and major decisions via telephonic meetings were largely avoided. Mr. Kirk said it became clear that there was still a need for use of telephonic access for some members at certain times. However the Board restricted itself to regular telephonic meetings which required a quorum of Directors to be physically present in the room before the meeting could commence. He said in addition that restriction was only enforceable when the entire Board was seated and there were no vacancies, which has not been the case in over a decade. This fact essentially made the policy moot. Mr. Kirk said MIRA’s transparency and public decision making process has been such that this policy may be eliminated for that reason as well.

Ms. Hunt noted that the Board has requested that per the policy the opportunity for the public to address the Board in public or during a phone meeting prior to their conduction of the business items on the agenda will remain as is.

The motion previously made and seconded to approve the resolution above as amended was approved unanimously by roll call. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Eno, Director Hayden, Director Painter, Director Shanley, and Director Widlitz voted yes.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Jim Hayden	X		
Bob Painter	X		
Scott Shanley	X		
Patricia Widlitz	X		

**RESOLUTION REGARDING INCREASING FY 2017 AUTHORIZED DISTRIBUTIONS TO THE TIP FEE STABILIZATION FUND**

Chairman Stein requested a motion on the above referenced item as amended. The motion was originally made by Director Shanley and seconded by Director Hayden.

**WHEREAS:** The Materials Innovation and Recycling Authority (“Authority”) adopted its Fiscal Year 2017 Operating and Capital Budgets for the Property Division at its November 19, 2015 meeting; and

**WHEREAS,** The resolution adopting such Property Division budgets authorized management to disburse Property Division receipts remaining within the Property Division Clearing Account (after executing required disbursements to the Property Division Operating and Improvement Funds) directly to the CSWS Tip Fee Stabilization Fund in lieu of the Property Division general Fund which disbursements were not to exceed three million dollars without further Board authorization (“Maximum Disbursements”); and

**WHEREAS,** The Authority has experienced production and pricing challenges within the CSWS Resource Recovery Facility throughout Fiscal Year 2017 resulting in significant revenue budget shortfalls and necessitating an increase in such Maximum Disbursement.

**NOW THEREFORE,** be it

**RESOLVED:** That the maximum Disbursement of net Property Division receipts of three million dollars established in the Authority's November 19, 2015 resolution attached hereto as Exhibit A is hereby increased to a maximum of four million dollars.

Mr. Daley said when the Board adopted the Property Division budget for FY'17 a \$3 million cap was included in the resolution which limited the amount of money which could be transferred from the Property Division income into the CSWS tip fee stabilization fund. He said currently MIRA is about \$6,000 shy of that limit and when the distribution of funds takes place the first week of May MIRA would not be able to distribute funds needed in the Tip Fee Stabilization Fund absent an increase in the cap.

Mr. Daley said the CSWS operating budget is shy of revenues based on the operation of the plant and pricing this season and as a result management has requested that the cap be increased from \$3 million to \$4 million. He explained the additional \$1 million is what management estimates the Property Division would get in income for last three months of the year.

Mr. Daley said after those three additional distributions there is a \$5 million cap in place for the FY'18 budget which will continue to be reported against during the Finance Committee meeting. Director Shanley said the cap was put into place in order to make the importance of the subsidy noted as well as a monitor of sorts for all distributions.

The motion previously made and seconded to approve the resolution above as amended was approved unanimously by roll call. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Eno, Director Hayden, Director Painter, Director Shanley, and Director Widlitz voted yes.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Jim Hayden	X		
Bob Painter	X		
Scott Shanley	X		
Patricia Widlitz	X		

**MOTION TO ADD AN ITEM TO THE AGENDA**

Chairman Stein requested a motion to add an item to the agenda concerning the Southeast Project Closure Reserve. The motion was made by Director Shanley and seconded by Director Hayden.

The motion previously made and seconded to approve the resolution above as amended was approved unanimously by roll call. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Eno, Director Hayden, Director Painter, Director Shanley, and Director Widlitz voted yes.

<b>Directors</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Jim Hayden	X		
Bob Painter	X		
Scott Shanley	X		
Patricia Widlitz	X		

**RESOLUTION AUTHORIZING DISTRIBUTION OF CERTAIN FUNDS FROM THE SOUTHEAST PROJECT CLOSURE RESERVE TO THE SOUTHEASTERN REGIONAL RESOURCE RECOVERY AUTHORITY**

Chairman Stein requested a motion on the above referenced item. The motion was originally made by Director Adams and seconded by Director Eno.

**WHEREAS**, by resolution adopted at its September 22, 2016 meeting, this Board authorized the release of funds available in the Southeast Project Closure Reserve (the “Reserve”) (minus \$100,000 for remaining accrued expenses and ongoing liabilities) to SCRRA upon the execution of agreements containing specified terms and conditions with SCRRA and Covanta, and SCRRA’s provision of certain documents related to the Montville landfill; and

**WHEREAS**, SCRRA has provided the said landfill-related documents, but the required agreements, though fully negotiated by the parties, have not been executed; and

**WHEREAS**, MIRA and SCRRA personnel have met and discussed potential alternatives to the conditions previously agreed upon;

**NOW THEREFORE**, it is hereby

**RESOLVED**: That upon receipt by MIRA of the following:

- SCRRA agreement to the transfer of \$405,639.29 from the Southeast Project Post Project Reserve funds to MIRA for MIRA’s own use, in lieu of any further MIRA capacity and inspection rights at the Preston facility;
- SCRRA release and indemnification of MIRA substantially in the form previously negotiated; and
- Covanta release of MIRA substantially in the form previously negotiated;

Management is authorized to distribute to SCRRA all Reserve funds remaining following the transfer to MIRA referenced above, less \$100,000.

**FURTHER RESOLVED:** Management shall transfer such \$405,639.29 to the CSWS RISK FUND.

Mr. Kirk said the Board attempted several months ago to resolve the continuing efforts to close out the SCRRRA Project and return the remaining reserves. He said there is about \$1 million remaining and based on the most recent negotiations a document was created and agreed upon by all parties. He said MIRA's legal counsel had advised waiting to close out the project until MIRA received satisfaction of the negotiation of MIRA's remaining assets and releases from SCRRRA and Covanta.

He said a document which all three parties needed to sign which provided would trigger the release of the remaining funds to SCRRRA with the retention of about \$100,000 for tail expenses. He said the document was never signed and instead two of the three parties, (Covanta and SCRRRA). Without MIRA's knowledge or participation, separately negotiated a replacement agreement which allowed for the continued use of the facility for SCRRRA.

Mr. Kirk said MIRA is still holding the \$1 million as it still needs the releases from Covanta and SCRRRA and a resolution of the remaining MIRA assets SCRRRA is holding. He said in recent negotiations MIRA agreed to take a credit of approximately \$405,000 to be used as SCRRRA tons by MIRA. Mr. Kirk said the total corresponds to how much funding of their tip fee stabilization fund reserve was contributed by MIRA paid tons in the past.

Mr. Kirk said since then management and SCRRRA have created this favorable resolution which provides the release of the \$1 million reserve funds by MIRA to SCRRRA but would withhold that \$405,000 which was going to be credited to MIRA which will now be taken as cash. He said in addition the \$100,000 will be withheld for any tail end expenses, which hopefully are lower than the estimate.

Mr. Kirk said MIRA has surrendered the third issue, (which it had hoped to retain) namely, providing MIRA access to the facility tipping floor. He said MIRA can still deliver tons, will no longer be able to inspect the floor, however we are confident MIRA is still be able to perform sufficient enforcement activities to assure that waste will not be leaking into the facility inappropriately. Mr. Kirk said future deliveries would be negotiated with SCRRRA or Covanta.

After some discussion the Board agreed to amend the resolution to contain a deadline for the requirements to be met by Covanta and SCRRRA.

### **AMENDMENT TO THE MOTION**

Chairman Stein requested an amendment on the resolution discussed above. The amendment was made by Vice-Chairman Barlow and seconded by Director Shanley.

Vice-Chairman Barlow asked that Covanta and SCRRRA execute their requirements under the agreement by June 30, 2017, or the resolution would be null and void.

The motion previously made and seconded to approve the resolution above as amended was approved by roll call. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Eno, Director Hayden, Director Shanley, and Director Widlitz, voted yes. Director Painter voted no.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Jim Hayden	X		
Bob Painter		X	
Scott Shanley	X		
Patricia Widlitz	X		

**VOTE ON THE RESOLUTION AUTHORIZING DISTRIBUTION OF CERTAIN FUNDS FROM THE SOUTHEAST PROJECT CLOSURE RESERVE TO THE SOUTHEASTERN REGIONAL RESOURCE RECOVERY AUTHORITY AS AMENDED**

Chairman Stein requested a motion on the above referenced item as amended. The motion was originally made by Director Adams and seconded by Director Eno.

**WHEREAS**, by resolution adopted at its September 22, 2016 meeting, this Board authorized the release of funds available in the Southeast Project Closure Reserve (the "Reserve") (minus \$100,000 for remaining accrued expenses and ongoing liabilities) to SCRRRA upon the execution of agreements containing specified terms and conditions with SCRRRA and Covanta, and SCRRRA's provision of certain documents related to the Montville landfill; and

**WHEREAS**, SCRRRA has provided the said landfill-related documents, but the required agreements, though fully negotiated by the parties, have not been executed; and

**WHEREAS**, MIRA and SCRRRA personnel have met and discussed potential alternatives to the conditions previously agreed upon;

**NOW THEREFORE**, it is hereby

**RESOLVED:** That upon receipt by MIRA of the following:

- SCRRRA agreement to the transfer of \$405,639.29 from the Southeast Project Post Project Reserve funds to MIRA for MIRA's own use, in lieu of any further MIRA capacity and inspection rights at the Preston facility;
- SCRRRA release and indemnification of MIRA substantially in the form previously negotiated; and
- Covanta release of MIRA substantially in the form previously negotiated;

Management is authorized to distribute to SCRRRA all Reserve funds remaining following the transfer to MIRA referenced above, less \$100,000.

**FURTHER RESOLVED:** Management shall transfer such \$405,639.29 to the CSWS RISK FUND.

\*Covanta and SCRRRA must execute their requirements under the agreement by June 30, 2017 or the resolution will be null and void.

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

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Jim Hayden	X		
Bob Painter	X		
Scott Shanley	X		
Patricia Widlitz	X		

### **CHAIRMAN'S REPORT**

Chairman Stein said that he Director Eno, and Director Hayden were at a COST meeting this week. He said it appears that the REC request made by MIRA has not been met. In addition there is a bill proposing further study of waste to energy. Chairman Stein noted that he has not heard a response from Liz Donahue yet either. The Board discussed the current bills which may impact MIRA in the future.

### **PRESIDENT'S REPORT**

Mr. Kirk said all of MIRA's facilities operated throughout the reporting period without environmental, public health, or safety incidents. He said he is reporting through February and for that period MIRA's revenue is \$4.4 million a 10% increase from the following month but still below budget. He said the deficits in electric sales in both production and price are the reason we are below budget.

Mr. Kirk said MIRA continues to enjoy the last years' hedging sale of 30 megawatts of power which expires at the end of March and has since been replaced with another 20 megawatts which is unfortunately lower as the trend is still a very disappointing number relative to the budget and historical averages.

Mr. Kirk said the operating expenses for the period were 2% favorable to the budget at \$4.2 million. He said February did feature some limited improvement in plant production versus prior months and the total boiler unscheduled outages were 120 hours for five days versus 380 hours in January. Mr. Kirk said scheduled outages totaled 172 hours for seven days versus 390 in January. He noted January included an outage which was moved up as it was originally scheduled for April. Mr. Kirk said production was influenced by pressure part failures, wet fuel issues due to the rain, and some fuel feeding issues.

Mr. Kirk said power production continues to disappoint and the trend for future power is not encouraging. He said MIRA is price protected in this period for some degree by hedging and for a further 20 starting April 1, 2017 for a full year. He said MIRA is open to additional sales if the price is right.

Mr. Kirk said there is sufficient fuel to operate the plant at full capacity, he said town hauler waste deliveries are below budget and hauler contract deliveries have surpassed the budget and interruptible deliveries fill any shortfall with spot waste as a back-up. Mr. Kirk said there has been some movement in the recycling market with some recovery in the fiber markets in particular. He said recyclable deliveries continues to be strong however the fiber market this last week has collapsed due primarily to reduced East Asian demand, China in particular. Mr. Kirk said container pricing is still struggling and there are no revenues from commodity sales and containers.

Mr. Kirk said the revenue from residue collected by FCR with recycling is a sore point with FCR as they have to pay \$60.00 to dispose of residue collected with recycling which is helpful revenue to the waste side of MIRA.

Mr. Kirk said although the phase 2 component of the RFP with the CT DEEP was issued later than expected they have pledged to adhere to the remaining dates with an understanding of what MIRA's options are likely in September.

Mr. Kirk said MIRA has exercised the last remaining option year with transfer station operators COPE's and CWPM. He said MIRA intends to evaluate the condition of the facilities in February and then go out to bid in December. Mr. Kirk said Manchester, Middlebury, Naugatuck and Thomaston have been provided executable copies of renewable agreements. He said management is in communication with the remaining towns which have contracts expiring in June, and although they have yet to hear definitively about renewals nothing negative has been conveyed either.

Mr. Kirk said the first of the five years which MIRA can extend its agreement with FCR has been exercised.

## **EXECUTIVE SESSION**

Chairman Stein requested a motion to enter into Executive Session to discuss pending litigation. The motion was made by Director Shanley 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 previously made and seconded was approved unanimously by roll call. Chairman Stein, Vice-Chairman Barlow, Director Adams, Director Eno, Director Hayden, Director Painter, Director Shanley, and Director Widlitz voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Jim Hayden	X		
Bob Painter	X		
Scott Shanley	X		
Patricia Widlitz	X		

The Executive Session began at 11:00 a.m. and concluded at 12:20 p.m. Chairman Stein noted that no votes were taken in Executive Session.

The meeting was reconvened at 12:20 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.

**ADJOURNMENT**

Chairman Stein requested a motion to adjourn the meeting. The motion to adjourn was made by Director Shanley seconded by Director Hayden 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 Painter, Director Shanley, and Director Widlitz voted yes.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice-Chairman Barlow	X		
John Adams	X		
Ralph Eno	X		
Jim Hayden	X		
Bob Painter	X		
Scott Shanley	X		
Patricia Widlitz	X		

There being no other business to discuss, the meeting adjourned at 12:20 p.m.

Respectfully Submitted,

  
 Moira Kenney  
 Assistant HR Manager/Board Administrator

**TAB 2**

**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 25, 2017

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

Effective date: July 1, 2017

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, 2017 through June 30, 2018

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 25, 2017*

### **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 Resource Recovery Facility (RRF), MIRA has a regulatory obligation to control vectors, including birds. Historically, the South Meadows RRF 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 continues to be 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 depredation 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 2018.

### **Financial Summary**

The term of the contract is July 1, 2017 through June 30, 2018. 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 2018 budget was developed, and sufficient funds are available in the FY 2018 CSWS WPF operating budget for this purpose.

**TAB 3**

**RESOLUTION REGARDING THE PURCHASE OF JET FUEL FOR  
THE SOUTH MEADOWS JET TURBINE FACILITY**

**RESOLVED:** That the President is hereby authorized to execute a purchase order with Dime Oil Company, LLC for purchase of Ultra Low Sulfur No. 1 Diesel Fuel to support operation of the South Meadows Jet Turbine Facility, substantially as presented and discussed at this meeting.

**Materials Innovation and Recycling Authority**  
**Contract Summary for Purchase of Ultra-Low Sulfur No. 1 Diesel Fuel**  
**for the South Meadows Jet Turbine Facility**

Presented to the MIRA Board on: May 25, 2017

Vendor/Contractor(s): Dime Oil Company, LLC

Effective Date: Upon Issuance of Purchase Order

Contract Type/Subject Matter: Pursuant to CT Department of Administrative Services Contract

Facility(ies) Affected: South Meadows Jet Turbine Facility

Original Contract: Department of Administrative Services  
Contract No. 15PSX0035

Term: MIRA Fiscal Year 2018

Contract Dollar Value: Not to exceed \$772,800. (As budgeted in the FY2018 Property Division Budget.)

Amendment(s): Not applicable

Term Extensions: Not applicable

Scope of Services: Purchase of Ultra Low Sulfur No. 1 Diesel Fuel (i.e., Jet Fuel) for the South Meadows Jet Turbine Facility. The President is authorized to purchase Jet Fuel during FY2018, as necessary, in order to ensure that an adequate volume of jet fuel is available to support operation of MIRA's Jet Turbine Facility.

Other Pertinent Provisions: The price of the fuel fluctuates daily. On the day that MIRA purchases fuel, MIRA receives a firm price quote from Dime Oil Company, LLC for a specific volume of fuel, which firm price is a function of the daily price posted by the Oil Price Information Service for New Haven, CT, in accordance with the CT DAS contract.

# **Materials Innovation and Recycling Authority Property Division**

## **Purchase of Ultra-Low Sulfur No. 1 Diesel Fuel to support Operation of the South Meadows Jet Turbine Facility**

*May 25, 2017*

### **Executive Summary**

This is to request that the Board of Directors authorize the President to purchase Jet Fuel for the MIRA South Meadows Jet Turbine Facility, on an as needed basis, in order to ensure that there is a sufficient volume of Jet Fuel at the facility to support the operation. The President will be authorized to purchase up to \$772,800 of fuel, if necessary, during fiscal year 2018.

### **Discussion**

In 2001, CRRA purchased from Northeast Utilities the land assets of the Mid-Connecticut Resources Recovery Facility site. Located at the site was CRRA's waste processing facility ("WPF") and power block facility ("PBF") that were developed by CRRA in the 1980's to process municipal solid waste and produce steam for sale to Connecticut Light and Power Company ("CL&P"). Importantly, also located at the site and part of CRRA's acquisition were the following:

1. The energy generating facility ("EGF") that converts steam produced with refuse derived fuel at the PBF into electricity, and which consists of the two 45 MW steam turbines and ancillary equipment; and,
2. A jet turbine peaking power plant, commonly referred to as the South Meadows Jet Turbine Facility ("JTF"), with approximately 160 MW of capacity, which up to that time was part of CL&P's electricity generating system.

The JTF consists of four Pratt & Whitney Twin-Pac generating sets ("Twin-Pacs"). Each of the four Twin-Pac units is nominally capable of generating 40 MW of power and is comprised of two Pratt & Whitney FT4A-9 combustion gas turbine engines. The units serve the ISO-New England System as "peaking capacity" and typically are called to run only approximately 20 hours per year.

Until June 1, 2012 the JTF was operated and maintained by Northeast Generation Services Company pursuant to an agreement effective May 30, 2000, which terminated on May 31, 2012.

CRRA contracted with NAES Corporation (“NAES”) to operate and maintain the JTF beginning June 1, 2012. Under the agreement with NAES, MIRA is responsible for paying the cost of jet fuel.

MIRA purchases the fuel from Dime Oil Company, LLC pursuant to a CT Department of Administrative Services contract. Dime Oil Company, LLC is the preferred vendor in Hartford County for this particular fuel on the CT DAS contract.

Because the value of jet fuel purchases will exceed \$50,000 during the fiscal year, which requires Board of Director approval, MIRA management is seeking Board authorization to purchase fuel from Dime Oil Company, LLC during FY2018. In this case, purchases would be on an “as needed” basis, would be pursuant to a DAS contract, and would not exceed the amount budgeted for FY2018.

### **Financial Summary**

MIRA has budgeted \$772,800 for purchase of Jet Fuel in FY2018 in the Property Division Budget.

**TAB 4**

**RESOLUTION REGARDING TRANSFER STATION HOST  
COMMUNITY AGREEMENTS WITH THE CITY OF  
TORRINGTON AND THE TOWN OF WATERTOWN**

**RESOLVED:** That the President of MIRA is authorized to execute an amendment to the Transfer Station Host Community Agreement with the City of Torrington, Connecticut, substantially as presented and discussed at this meeting.

**FURTHER RESOLVED:** That the President of MIRA is authorized to execute an amendment to the Transfer Station Host Community Agreement with the Town of Watertown, Connecticut, substantially as presented and discussed at this meeting.

# **Materials Innovation and Recycling Authority**

## **Contract Summary for**

### **Transfer Station Host Community Agreement**

**between**

**MIRA and the City of Torrington, CT**

Presented to the MIRA Board on: May 25, 2017

Counter Party:	City of Torrington, CT
Effective date:	July 1, 2017
Contract Type/Subject matter:	Amendment. To Extend the Term of the Transfer Station Host Community Agreement.
Facility Affected:	Torrington Transfer Station.
Term Extension:	July 1, 2017 through June 30, 2027.
Host Benefit:	The payment is currently (FY2017) \$0.57 per ton for MSW and Recyclables delivered to the transfer station, and is escalated annually by CPI. (The payment in the initial year of the agreement (FY2008) was \$0.50 per ton.)
Key Provisions:	If MIRA seeks a modification to the CTDEEP Solid Waste Operating Permit for the transfer station that results in either an increase in the permitted tonnage of waste to be processed, or in the addition of a new type of waste that is not currently processed at the transfer station, the host community has the right to request that the contract be reopened for negotiation.
Other information:	None

# **Materials Innovation and Recycling Authority**

## **Contract Summary for**

### **Transfer Station Host Community Agreement**

**between**

**MIRA and the Town of Watertown, CT**

Presented to the MIRA Board on: May 25, 2017

Counter Party: Town of Watertown, CT

Effective date: July 1, 2017

Contract Type/Subject matter: Amendment. To Extend the Term of the Transfer Station Host Community Agreement.

Facility Affected: Watertown Transfer Station.

Term Extension: July 1, 2017 through June 30, 2027.

Host Benefit: The payment is currently (FY2017) \$0.57 per ton for MSW and Recyclables delivered to the transfer station, and is escalated annually by CPI. (The payment in the initial year of the agreement (FY2008) was \$0.50 per ton.)

Key Provisions: If MIRA seeks a modification to the CTDEEP Solid Waste Operating Permit for the transfer station that results in either an increase in the permitted tonnage of waste to be processed, or in the addition of a new type of waste that is not currently processed at the transfer station, the host community has the right to request that the contract be reopened for negotiation.

Other information: None

# **Materials Innovation and Recycling Authority**

## **Transfer Station Host Community Agreements between MIRA and the City of Torrington, and MIRA and the Town of Watertown**

*May 25, 2017*

### **Executive Summary**

MIRA has Transfer Station Host Community Agreements with the City of Torrington, and the Town of Watertown, both of which expire on June 30, 2017. MIRA has approached both municipalities and proposed extending the agreements under the same terms and conditions for an additional ten (10) years. Both municipalities have indicated that they are prepared to do so.

This is to seek Board approval for the President to execute amendments to each agreement. The amendment is to extend the term an additional ten (10) years, from July 1, 2017 through June 30, 2027. (These extensions would also now make the Transfer Station Host Community Agreements coterminous with the Municipal Services Agreements between MIRA and each of these communities, both of which have Tier 1 Long Term MSAs.)

### **Discussion**

MIRA owns and operates four transfer stations which support the Connecticut Solid Waste System (CSWS): the Ellington, Essex, Torrington and Watertown transfer stations. In 2007 MIRA approached each of the towns and proposed a uniform Transfer Station Host Agreement that would pay each municipality a standard payment based on the amount of MSW and recyclables that were transferred at each transfer station.

Prior to 2007, the host community benefit arrangement between MIRA and each municipality was different. Watertown<sup>1</sup> and Ellington<sup>2</sup> received some form of host

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<sup>1</sup> As part of a 1993 Settlement Agreement CRRA paid to Watertown \$9,000 annually in lieu of maintaining at the transfer station a bulky waste Drop-off Area for use by town residents. Further, in 1993 MIRA entered into a MSA for waste disposal services with the City of Waterbury. In order to provide the City use of the Watertown Transfer Station CRRA entered into a Host Community Agreement with Watertown through which the Town was paid \$0.50 for each ton of municipal solid waste and recyclables delivered to the Watertown Transfer Station by the City of Waterbury.

benefit payment, Essex received a lease payment for the real property on which the transfer station is located, and Torrington did not receive any form of host community compensation.

In 2007, and in order to avoid the appearance of arbitrariness or favoritism, MIRA management recommended a proscribed methodology be consistently applied to calculate the host community benefit payments for each of the four municipalities.

Pursuant to Section 22a–270 of the Connecticut General Statutes, MIRA is not required to pay taxes or assessments levied by any municipality or political subdivision having taxing powers. In short, MIRA is exempt from paying property taxes to any of the communities hosting a MIRA facility. Despite this tax exempt status, MIRA historically had taken into consideration the best interests of the municipalities that host MIRA's Resource Recovery Facilities and had entered into host community benefit agreements with these municipalities. Prior to 2007 this was not the case with all the Mid-Connecticut transfer stations.

Establishment of a host community benefit payment recognizes that there are impacts to the towns in which the transfer stations are sited, primarily in the areas of increased traffic and wear and tear on local roads, and provides some compensation for these potential impacts.

Also, it is possible that moving forward MIRA will from time to time seek additional modifications to the CSWS transfer station permits. Establishing some form of host community benefit serves to maintain the good will, trust and support needed to obtain permit modifications and permit renewals through the CTDEEP approval process.

### **Financial Summary**

Funds to pay the host community benefit payments to Torrington and Watertown have been included in the FY2018 CSWS operating budget.

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<sup>2</sup> CRRA and Ellington entered into an Agreement in May 2000 that provided that CRRA pay Ellington \$2.25 per ton for each ton of MSW originating in the Town of East Windsor. Prior to that agreement, MSW originating in East Windsor was not received at the Ellington transfer station.

**TAB 5**

**RESOLUTION  
REGARDING  
COMPUTER INFORMATION CONSULTING  
SERVICES**

**RESOLVED:** That the President is hereby authorized to execute an agreement for computer information consulting services with JKS Systems for the period from July 1, 2017 through June 30, 2020, substantially as presented and discussed at this meeting.



**CONTRACT SUMMARY**  
**For Contract Entitled**

**COMPUTER INFORMATION CONSULTING SERVICES AGREEMENT**

Presented to the MIRA Board on:	May 25, 2017
Vendor/Contractor(s):	JKS Systems
Effective Date:	July 1, 2017
Term:	Through June 30, 2020
Term Extensions:	None
Contract Type/Subject matter:	Computer Information Consulting Services
Facility(ies)/Project(s) Affected:	Headquarters and CSWS Facilities
Original Contract:	N/A
Contract Dollar Value:	Consultant is paid on a time-and-materials basis (for FY18, MIRA budgeted approximately \$30,000 for such services)
Amendment(s):	N/A
Scope of Services:	Provide back-up and technical assistance for MIRA's IT function and provide other IT related assistance as requested.
Bid Security:	N/A
Budget Status:	Funding for these services is included in the Authority Operating Budget, Non-Personnel Services – Information Technology



## COMPUTER INFORMATION CONSULTING SERVICES

*Board of Directors  
May 25, 2017*

### **Executive Summary**

This is to request approval by the MIRA Board of Directors for the President to enter into an agreement with JKS Systems to provide computer information consulting services to MIRA for the period from July 1, 2017 through June 30, 2020.

### **Discussion**

#### *Overview*

MIRA's information technology ("IT") function is essentially staffed by one person, the Information Systems Operations Manager. While this individual's activities are overseen by the Director of Legal Services, the technical aspects of the IT function are a one-person operation. Staffing at this level is appropriate for an organization of MIRA's size, but it does present obvious concerns, especially in a function so technically complex and specialized.

To address this situation, MIRA has entered into a contract with an IT consulting firm to provide back-up and technical assistance for MIRA's IT function. MIRA selects the IT consulting firm through a public, competitive procurement process. The current contract for computer information consulting services expires June 30, 2017.

The following are the services that MIRA staff identified as necessary:

- Field technician(s) to provide assistance to and backup for MIRA IT staff;
- Microsoft system engineer(s) to provide technical expertise for MIRA IT staff;
- Cisco system engineer(s) to provide technical expertise for MIRA IT staff; and
- Web page design specialist(s) to provide assistance to MIRA IT staff in the development and maintenance of MIRA web sites.

In addition, MIRA staff explicitly made provision in the contract documents for additional services, which, if identified as necessary, would be acquired through a Request for Services process.

*Consolidation of IT services at WPF and PBF*

Approximately three years ago, MIRA's Information Systems Operations Manager began to provide certain IT functions at the PBF and WPF (note: This does not apply to any control room functions at the PBF or WPF) because NAES does not have on-site IT staff at the PBF and WPF and because any IT services contracted by NAES would be a pass-through cost to MIRA. Given MIRA's performance of those certain IT functions, the firm which MIRA selects to provide the computer information consulting services to MIRA also provides those supplemental assistance and backup functions at the PBF and WPF.

*Request for Proposal Process.*

The request for proposals was posted on the MIRA website and the State of Connecticut Department of Administrative Services ("DAS") State Contracting Portal website.

In addition, MIRA advertised for proposal for computer information consulting services in the following publications on Sunday, March 12, 2017 (or as soon thereafter as possible):

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

In addition, a notice about the availability of the RFP was e-mailed to firms who submitted a notice of interest when an RFP for these services was last issued by the authority in 2014.

Sealed proposals were due on April 13, 2017. Proposals were received from seven (7) firms as shown in Table 1 below:

*Table 1: Proposal submitters*

<i>Company Name</i>	<i>Servicing Office Location</i>
Devcare Solutions	Columbus, OH
JKS Systems	South Windsor, CT
Lancesoft	Henderson, VA, Basking Ridge, NJ
Neumeric Technologies Corp	Westerville, OH
NSI	Naugatuck, CT
V Tech Solutions	Washington, DC
The Walker Group	Farmington, CT

MIRA's President identified Chris May, MIRA's Information Systems Operations Manager and Roger Guzowski, MIRA's Contract and Procurement Manager (collectively the "Evaluation Team") to evaluate the Proposals that were received.

The Evaluation Team evaluated the proposals on the following criteria:

- Qualifications and experience of the firm;
- Qualification and experience of the individuals who would be assigned to work with MIRA;
- Demonstrated local employees(s) and local service office and sufficient to provide the routine on-site services described in the Scope of Services;
- Payment rates;
- Compliance with insurance requirements;
- Completeness of the bid; and
- Affirmative action, small business and occupational health and safety factors.

Only two of the firms demonstrated sufficient local servicing offices, local employees and proposed performing the on-site services as requested in the RFP. Those two firms were JKS Systems and the Walker Group. The evaluation team conducted interviews and compared service rates of both firms. A comparison of rates for those two firms is included in Table 2 below

*Table 2: Rate comparison*

Position Title	JKS Rate	Walker Rate
Network Specialist/Architect	\$45-\$65	\$119
Senior Network Specialist/Architect	\$45-65	\$162
Systems Engineer	\$45-\$65	\$227
Web Page Design	\$55-65	\$140

Based on price, qualifications, the proposals submitted, and interviews with selected firms, the Evaluation Team recommends JKS Systems to perform the services..

### **Recommendation**

MIRA management recommends that the Board approve the selection of JKS Systems to provide computer information consulting services to MIRA for the period from July 1, 2017 through June 30, 2020.

## **Financial Summary**

There are basically two types of services covered by this contract:

- (a) The “routine” back-up and technical assistance services provided by the consultant; and
- (b) The additional services requested through a Request for Services to address IT issues that arise.

In FY18, MIRA budgeted \$30,000 in the Authority operating budget for computer information consulting services (both routine services and any on-call additional services, but excluding web hosting).

Based on an average JKS Systems rate of \$55/hour, routine services each month are expected to cost less than \$15,000 per year in FY18.

**TAB 6**

## **Materials Innovation and Recycling Authority**

### **AUTHORIZATION TO PAY FY 2018 PROJECTED LEGAL EXPENDITURES**

May 25, 2017

#### **Executive Summary**

This is to request Board authorization of the payment of FY 2018 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 18 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 FY18 budgets; some funds are reserved for matters anticipated to arise later during FY18 and/or for which the choice of appropriate counsel has not yet been determined.

**BOARD RESOLUTION REGARDING FY 2018  
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, 2017; and

**WHEREAS**, MIRA now seeks Board authorization for projected legal expenditures pursuant to said Agreements during Fiscal Year 2018; and

**WHEREAS**, The Board of Directors has approved Fiscal Year 2018 budgeted legal expenditures in the Authority Budget operating account, the CSWS operating account, and the Property Division operating account; and

**WHEREAS**, Funding is requested at this time from Southeast and Mid-Connecticut reserves not approved through the budget process;

**NOW THEREFORE, it is**

**RESOLVED**: That the following amounts be authorized for projected legal fees to be incurred during FY '18:

<u>Firm:</u>	<u>Amount:</u>
Cohn Birnbaum & Shea	45,000
Day Pitney	25,000
Halloran & Sage	450,000
Kainen, Escalera & McHale	150,000

**Further RESOLVED**: That the President be authorized to expend up to \$25,000 from the Mid-Connecticut Post Project Closure Reserve for payment of legal fees incurred in fiscal year 2018 in connection with continuing Mid-Connecticut Project obligations; and

**Further RESOLVED**: That the President be authorized to expend up to \$15,000 from the Southeast Project Closure Reserve for payment of legal fees incurred in fiscal year 2018 in connection with remaining Southeast Project matters; and

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

**Further RESOLVED:** That the President be authorized to expend up to \$300,000 from the Mid-Connecticut Litigation Reserve for payment of Mid-Connecticut Project litigation-related legal fees and expenses incurred in fiscal year 2018; and

**Further RESOLVED:** That Management shall report the legal expenditures monthly on an accrual basis reconciled to the Authority's general ledger.

**TAB 7**

**RESOLUTION REGARDING A FACILITY CONDITION  
ASSESSMENT AT THE CSWS RESOURCE RECOVERY FACILITY**

**RESOLVED:** That the Board of Directors authorizes the President to execute a Request for Services with HDR Engineering, Inc. to undertake a Facility Condition Assessment of the CSWS Resource Recovery Facility, substantially as discussed and presented at this meeting.

# **Materials Innovation and Recycling Authority**

## **Contract Summary for Request for Services Entitled**

### **Condition Assessment of the Connecticut Solid Waste System Resource Recovery Facility**

Presented to the MIRA Board on:	May 25, 2017
Vendor/ Contractor(s):	HDR Engineering, Inc.
Effective date:	May 25, 2017
Contract Type/Subject matter:	Request for Services (RFS) to provide Engineering Consulting support to undertake a facility condition assessment of the CSWS Resource Recovery Facility.
Facility Affected:	CSWS Resource Recovery Facility
Original Contract:	Request for Services under the Engineering, Consulting and Power Product Professional Services Agreement, MIRA Contract number 160117.
Term:	Estimated time of performance is eight weeks.
Contract Dollar Value:	\$92,350.00
Scope of Services:	HDR Engineering, Inc. will undertake a facility condition assessment of the CSWS Resource Recovery Facility, as further described in the Discussion Section below.
Other Pertinent Provisions:	None

**Materials Innovation and Recycling Authority**

**Condition Assessment of the  
Connecticut Solid Waste System Resource Recovery  
Facility**

*May 25, 2017*

**Executive Summary**

This is to request that the Board of Directors authorize the President to enter into a Request for Services with HDR Engineering, Inc. to undertake a Condition Assessment of the CSWS Resource Recovery Facility, including the Waste processing Facility (WPF), the Power Block Facility (PBF), and the Electric Generating Facility (EGF).

**Discussion**

The CSWS Resource Recovery Facility was constructed in the mid-1980's and became commercially operational in 1988. The facility is comprised of the WPF, the PBF and the EGF. HDR Engineering Inc. (HDR) will perform a condition assessment of the facility with specific focus on capital replacements or refurbishments, and major maintenance activities that should be completed to ensure reliable operation of the facility moving forward. Additionally, HDR will develop a high level cost estimate of a new 1,500 ton per day mass burn facility.

**Scope of Work**

HDR will undertake the condition assessment and develop cost estimates for the following two scenarios:

1. Develop a list of capital improvement items, equipment and projects, along with cost estimates for repair, refurbishment and replacement of major facility equipment and structures that will be necessary to maintain satisfactory facility operation and performance through 2027; and,

2. Similarly, develop a list of capital improvement and major maintenance projects, repairs or refurbishments that will be necessary to enable satisfactory facility operation and performance through 2038 (20 years).

HDR will review CSWS RRF operations including equipment and structures associated with waste handling and processing operations, combustion technology, boiler steam cycle and power generation, environmental control technology for air, waste and water, and associated regulatory compliance requirements.

#### Summary of Tasks associated with the Scope of Work

The tasks associated with the scope of work are as follows:

- 1) Review of existing facility condition and associated impact on operation, maintenance, and repair of the Facility. The objective is to perform an engineering due diligence of the CSWS RRF to assess its physical and operating condition, and maintenance and repair status.
- 2) Determination of capital expenditures. The objective is to recommend capital expenditures for the CSWS RRF to help maintain the facility operation and performance 1) through 2027, and 2) during the next twenty (20) years (through 2038).
- 3) Produce a Facility Assessment Report. HDR will prepare both a draft and final Facility Assessment Report using the data and information obtained from Tasks 1 and 2.
- 4) Develop a cost estimate for a new 1,500 ton per day mass burn unit (consisting of two (2) 750 ton per day mass burn units). High level cost estimates will be developed, and will include costs associated with permitting of a new unit, site/civil activities, major equipment, and construction costs.

#### HDR Experience

HDR has substantial experience in performing facility condition assessments of waste-to-energy facilities. HDR will adapt and apply its experience with similar WTE facility condition assessments it has conducted, including condition assessments at the following facilities:

- 1) Penobscot, ME: Penobscot Energy Recovery Company (PERC) – 720 TPD RDF Facility – 2 Waste Processing lines and 2 Boilers

- 2) British Columbia: Metro Vancouver WTE Facility – 850 TPD Mass Burn Facility - 3 Boilers
- 3) Long Beach, California: Southeast Resource Recovery Facility (SERRF) – 1,380 TPD mass Burn - 3 Boilers
- 4) Dickerson, MD: Montgomery County WTE Facility – 1,800 TPD Mass Burn - 3 Boilers
- 5) Honolulu, HI – H-Power RDF Facility- 2,100 TPD RDF Facility– 2 processing lines - 2 Boilers (*“Sister facility” to the CSWS Facility*)
- 6) Huntsville AL - Huntsville Resource Recovery Facility – 690 TPD Mass Burn – 2 Boilers
- 7) Huntington, NY – Huntington Resource Recovery Facility – 750 TPD Mass Burn -3 boilers

A matrix summarizing HDR’s engineering and consulting experience for Resource Recovery Facilities is attached.

### **Financial Summary**

Funds for this activity will come from the FY2017 and FY2018 CSWS Operating budget.

# Resource Recovery Facility Experience

Client, Project Name, Location	Facility Type	Waste to Energy Facility Operations & Maintenance / Inspection / Monitoring	Economics / Financial & Revenue Analysis / Reports	Full-Service & DBO Procurements	Contract Negotiations / Renegotiations	Independent Engineer Report/Bond	Engineer-of-Record Services	Design Engineering and Review	Construction Monitoring and Testing	Electrical Power Systems	Environmental & Air Quality Permitting / Compliance and Approvals	Ash Management & Testing	Solid Waste Management System Planning	Technology Assessments/Feasibilities	Facility Retrofits and Plant Improvements	Engineering / Balance of Plant Design Services	Public Outreach
Pinellas County Solid Waste Operations, Pinellas County, FL	MBWW	●	●	●	●	●	●	●	●	●	●	●		●	●	●	
Resource Recovery Facility, Lee County, FL	MBWW	●	●		●	●		●	●		●	●					
Alexandria/Arlington Waste to Energy Facility, Alexandria, VA	MBWW	●	●		●	●	●	●	●	●	●	●	●		●		
Pennsylvania Solid Waste Management Authority, Lancaster County, PA	MBWW	●	●			●	●				●			●	●		
Municipalities of Durham and York, Energy from Waste Facility, Ontario, Canada	MBWW	●	●	●	●			●	●	●	●	●	●	●			●
H-POWER WTE Plant Assessment and Plant Expansion, Honolulu, HI	RDF/MBWW	●	●	●	●		●	●	●	●	●	●	●	●	●		
Northeast Maryland Waste Disposal Authority, MD <i>Baltimore RESCO Facility and Montgomery County Facility</i>	MBWW	●	●	●	●	●	●	●	●	●	●	●	●	●	●		●
Bristol Resource Recovery Facility, Bristol, CT	MBWW	●	●	●	●	●	●	●	●	●	●	●	●		●		
Harford County WTE Facility Expansion, Joppa, MD	MB	●	●	●	●	●		●	●		●	●		●	●		
Spokane Regional Waste to Energy Facility, Spokane, WA	MBWW	●	●	●	●	●	●	●	●	●	●	●	●				
Islip MacArthur Resource Recovery WTE Facility, Islip, NY	MB	●	●	●	●	●	●	●	●	●	●	●			●	●	
Fairfax County I-95 Resource Recovery Facility, Lorton, VA	MBWW	●	●	●	●	●	●	●	●	●	●				●	●	
Indianapolis Resource Recovery Facility, Indianapolis, IN	MBWW	●	●	●	●		●	●	●			●	●				
Hempstead Resource Recovery Facility, Hempstead, NY	MBWW	●	●	●	●		●										
Harrisburg Resource Recovery Facility, Harrisburg, PA	MBWW	●	●		●	●	●	●	●	●					●		
Union County Resource Recovery Facility, Union County, NJ	MBWW	●	●	●	●	●		●				●	●				
Dutchess County Resource Recovery Facility, Poughkeepsie, NY	MB	●	●	●	●	●	●	●	●	●	●	●			●	●	

**TAB 8**

*RESOLUTION FOR THE MIRA BOARD OF DIRECTORS*

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

**RESOLVED:** That MIRA purchase the insurance coverages for Auto, General Liability, Property, Public Officials, Umbrella, and Workers Compensation according to the recommended Option 2 from its broker Beecher Carlson as presented and discussed in this meeting.

**RESOLVED:** That MIRA purchase engineering services per Option 1.

**RESOLVED:** That MIRA finance the premium through a premium financing company on similar terms and conditions to prior years.