

MEMORANDUM

TO:

MIRA Board of Directors

FROM:

Donald S. Stein

DATE:

October 5, 2018

RE:

Notice of Regular Board Meeting

There will be a regular meeting of the Board of Directors of the Materials Innovation and Recycling Authority (MIRA) on Wednesday October 10, 2018 at 9:30 a.m. in the Board Room at 200 Corporate Place, Suite 202, Rocky Hill CT. 06067.

- I. Pledge of Allegiance
- II. Public Comment $-A \frac{1}{2}$ hour public portion will be held and the Board will accept written testimony and allow individuals to speak for a limit of three minutes.
- III. Review and Approve September 12, 2018 Board Meeting Minutes (Attachment 1).
- IV. Finance Committee Report.
 - a. Board action will be sought for Resolution Regarding Approving Use of \$400,000 FY 2019 Bag House Contingency (*Attachment 2*).
- V. Policies and Procurement Committee Report:
 - a. Board action will be sought for Resolution Regarding Market Driven Purchase of Solid Waste Disposal Capacity associated with Diversion Municipal Solid Waste from MIRA's CSWS (Attachment 3).
- VI. Organizational Synergy and Human Resources Committee Report:
 - a. General update
- VII. Chairman and President's Report
 - a. Attached Supplemental Information / Other Matters
- VIII. Executive Session will be held to discuss pending security matters, trade secrets, feasibility estimates and evaluations and pending RFP's.

TAB 1

MATERIALS INNOVATION AND RECYCLING AUTHORITY

FOUR HUNDRED AND EIGHTY NINE

September 12, 2018

A meeting of the Materials Innovation and Recycling Authority Board of Directors was held on Wednesday September 12, 2018 in the Board Room at Suite 202, Rocky Hill, CT 06067. Those present were:

Directors:

Chairman Don Stein (on the Phone)
Vice-Chairman Dick Barlow
John Adams
Jim Hayden
Scott Shanley
Patricia Widlitz
Bob Painter
Lizz Milardo

Present from MIRA:

Tom Kirk, President
Mark Daley, Chief Financial Officer
Laurie Hunt, Director of Legal Services
Peter Egan, Director of Operations and Environmental Affairs
Tom Gaffey, Director of Recycling and Enforcement
Jeffrey Duvall, Director of Budgets & Forecasting
Deepa Krishna, Manager of Accounting and Financial Reporting
Virginia Raymond, Operations Manager
David Bodendorf, Senior Environmental Engineer
Christopher Shepard, Environmental Compliance Manager
Kanchan Arora, General Accountant/Board Administrator

Public Present:

Lee Sawyer, DEEP Josh Hughes, Capitol Consulting John Pizzimenti, USA Hauling, Ann Catino, Esq.,

Vice-Chairman Barlow called the meeting officially to order at 9:32a.m and said that a quorum was present.

PUBLIC PORTION

Vice-Chairman Barlow 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 who wished to address the Board, the meeting commenced.

APPROVAL OF THE JUNE 26, 2018 BOARD MEETING MINUTES

Vice-Chairman Barlow requested a motion to approve the minutes of the June 26, 2018, Board meeting. Director Adams made the motion which was seconded by Director Widlitz. The motion previously made and seconded was approved unanimously by roll call. Chairman Stein, Director Hayden, Director Adams, Director Painter, Director Widlitz, Director Barlow and Director Shanley voted yes. Director Milardo abstained.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice Chairman Barlow	X		
John Adams	X		
Jim Hayden	Х		
Lizz Milardo			X
Bob Painter	X		
Scott Shanley	X		
Pat Widlitz	Х		

APPROVAL OF THE JULY 17, 2018 SPECIAL BOARD MEETING MINUTES

Vice-Chairman Barlow requested a motion to approve the minutes of the July 17, 2018, Special Board meeting. Director Adams made the motion which was seconded by Director Widlitz. The motion previously made and seconded was approved unanimously by roll call. Chairman Stein, Director Hayden, Director Adams, Director Painter, Director Widlitz, Director Barlow and Director Shanley voted yes. Director Milardo abstained.

Aye	Nay	Abstain
X		
X		
X		
X		
		Х
Х		
X		
X		
	X X X X	X X X X

APPROVAL OF THE JULY 26, 2018 SPECIAL BOARD MEETING MINUTES

Vice-Chairman Barlow requested a motion to approve the minutes of the July 17, 2018, Board meeting. Director Adams made the motion which was seconded by Director Widlitz. The motion previously made and seconded was approved unanimously by roll call. Chairman Stein, Director Hayden, Director Adams, Director Painter, Director Widlitz, Director Barlow and Director Shanley voted yes. Director Milardo abstained.

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice Chairman Barlow	X		
John Adams	X		
Jim Hayden	X		
Lizz Milardo			Х
Bob Painter	X		
Scott Shanley	Х		
Pat Widlitz	X		

FINANCE COMMITTEE REPORT

REVIEW AND RECOMMEND RESOLUTION REGARDING ACCEPTING THE AUTHORITY'S FISCAL YEAR 2018 FINANCIAL REPORT.

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

RESOLVED: That the Board of Directors hereby accepts the Fiscal Year 2018 Annual Financial Report as discussed and presented in this meeting.

Mr. Daley said that the FY18 Audit is essentially complete and thanked the Accounting Team and the external auditors for their great effort. There are only some administrative items and finishing up of the contingency note remaining. MIRA has a nice clean opinion on the Audit. We have received the CAFR Certificate of Excellence which will be included in the December report. Mike Vandeventer, a partner of Mahoney Sabol, gave the Finance Committee a presentation on the audit and the audit process and provided a clean opinion. To summarize on the financial performance, MIRA had some improvements in fiscal year 2018 over fiscal 2017, revenues were up and expenses were down, income and cash position both improved. The report highlights the significant milestones achieved in fiscal year 2018, particularly regarding settlements and project closeouts including MDC, CRRA v. Lay, MIDCT Project interim distribution of funds to the participating towns, and Southeast Project final distribution of funds.

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

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice Chairman Barlow	X		
John Adams	X		
Jim Hayden	X		
Lizz Milardo	X		
Bob Painter	Х		
Scott Shanley	X		
Pat Widlitz	Х		

POLICIES AND PROCUREMENT COMMITTEE

REVIEW AND RECOMMEND RESOLUTION REGARDING CONTRACT AMDENDMENT WITH NEXTERA ENERGY MARKETING LLC.

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

WHEREAS: Over the course of the past few months the value of Vintage 2018 Connecticut Class I Renewable Energy Certificates (REC Ones) have experienced a precipitous downward trend in value; and

WHEREAS: The declining value of REC I's serves as a ceiling on the price MIRA can command for the Connecticut Class II Renewable Energy Certificates generated at MIRA's CSWS Resource Recovery Facility; and

WHEREAS: In order to achieve some amount of budget certainty this year and for the next several fiscal years by shedding some or all of the future price volatility associated with this highly unpredictable market; Now therefore, be it

RESOLVED: that the President is authorized to enter into a First Amendment to the Power Products Management Services Agreement between MIRA and NextEra Energy Marketing, LLC for the sale, on a unit contingent basis, of some or all of MIRA's Vintage 2018, 2019, 2020, 2021, and 2022 REC IIs at prescribed strike prices.

Mr. Egan said we would like the Board to affirm this contract amendment; MIRA has already executed it as a market driven sale of Renewable Energy Certificates to NextEra. In summary, MIRA has exercised all three one year options to get us thru the whole term of the contract and agreed with NextEra to sell all of our 2018 Renewable Energy Certificates for \$11 a piece, and has granted NextEra an option to strike at \$8 per REC for FY19, \$12 per REC for 2020, \$12.25 per REC for 2021 and \$12.50 per REC for 2022. The market has been declining over the last 6 months and it's a loss for NextEra this year but they have an opportunity to make up for this in the upcoming years.

Director Barlow asked if it's fair to the say that the price for REC IIs declined this year because the REC I price dropped.

Mr. Egan said that's essentially the driver -- Class I credits, which are generated from hydro, solar and wind, serve as a cap on Class II: as Class I price comes down, Class II diminish in value.

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

Directors	Aye	Nay	Abstain
Chairman Stein	Х		
Vice Chairman Barlow	X		
John Adams	X		
Jim Hayden	X		
Lizz Milardo	Х	C	
Bob Painter	X		
Scott Shanley	X		
Pat Widlitz	Х		

REVIEW AND RECOMMEND RESOLUTION REGARDING MARKET DRIVEN PURCHASES OF SOLID WASTE DISPOSAL CAPACITY ASSOCIATED WITH DIVERSION OF MUNICIPAL SOLID WASTE FROM MIRA'S CONNECTICUT SOLID WASTE SYSTEM

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

WHEREAS: From time-to-time MIRA must divert waste from the CSWS due to elevated MSW inventory levels at the CSWS Resource Recovery Facility (RRF) that may occur periodically; Now therefore, be it

RESOLVED: that the President is authorized to enter into a market driven purchase of capacity with Southbridge Recycling & Disposal Park for disposal of municipal solid waste (MSW) from the CSWS at their landfill in Southbridge, MA and;

FURTHER RESOLVED: that the President is authorized to enter into a market driven purchase of capacity with Murphy Road Recycling (MRR) for transportation and disposal of MSW from the CSWS at MRR's facilities located in Hartford and their Babylon Transfer Station located in Suffield, CT, substantially as discussed and presented at this meeting and;

FURTHER RESOLVED: that the President is authorized to enter into a market driven purchase of capacity with Covanta of Southeast Connecticut for disposal of MSW from the CSWS Essex Transfer Station to Covanta's waste-to-energy facility located in Pres ton, Connecticut

Mr. Egan said the Facility was in a situation where the system could not combust all the garbage that we had under contract, so we had to divert garbage in July and August. We came out of a major outage in May and June with high inventory and the plant has struggled to perform this summer, so we needed to divert waste to start to work down this inventory. Furthermore, we need to have zero inventories by the end of September, as we go into a 45 day outage for a steam turbine overhaul, so during that time we will be operating only two boilers. If things go well two boilers will be online each day, but inventory will build up. MIRA is diverting this week and likely next week. We had one unit taken off this week and one more unit this weekend for pressure parts leaks.

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

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice Chairman Barlow	X		
John Adams	X		
Jim Hayden	X		
Lizz Milardo	X		
Bob Painter	X		
Scott Shanley	Х		
Pat Widlitz	X		

REVIEW AND RECOMMEND RESOLUTION REGARDING AGREEMENTS FOR HUMAN RESOURCE CONSULTING AND STAFFING SERVICES.

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

RESOLVED: That the President is hereby authorized to enter into contracts with the following firms for Human Resources Consulting and Staffing Services, substantially as discussed and presented at this meeting:

A. For Temporary Staffing Services – Professional and Administrative

Hallmark TotalTech, Inc.

Kelley Services, Inc.

SNI Companies

The Workplace, Inc.

B. For Temporary Staffing Services – Laborers and Operators

Hallmark TotalTech, Inc.

The Workplace, Inc.

C. Recruiting Services

BCM Global Staffing

The Executive Suite

Hallmark TotalTech, Inc

Horton International

Kelly Services, Inc.

The Workplace, Inc.

D. Outsourced Human Resources Services

The Executive Suite

Pinnacle Human Resources, LLC

E. Position and/or Organizational Review Services

The Executive Suite

Horton International LLC

Pinnacle Human Resources, LLC

F. General/Miscellaneous Human Resources Consulting Services

The Executive Suite

Horton International LLC

Pinnacle Human Resources, LLC

FURTHER RESOLVED: That, although the on-call nature of these Agreements does not commit the Authority to any expenditure, in approving these Agreements, the Board of Directors is also acknowledging and approving, in accordance with CGS Section 22a-265a and the Authority's bylaws, that the total sum expended under any of the

Agreements over the three year term may equal or exceed \$50,000, provided that all expenditures under these Agreements are conducted and reported in accordance with MIRA's Procurement Policy and Procedures.

Mr. Kirk said this is a routine population of our HR consulting services stable, including for temporary staffing services that we utilize if necessary. MIRA hasn't used any such firms in a while, but it's important that we have them available to us.

Director Hayden added that the Human Resource Committee fully supports this resolution.

Director Barlow asked where there any ability to extend existing contracts on this or is this fresh start?

Mr. Kirk said every three years we have to recertify and it's a statutory requirement to renew.

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

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice Chairman Barlow	X		
John Adams	X		
Jim Hayden	X		
Lizz Milardo	X		
Bob Painter	X		
Scott Shanley	X		
Pat Widlitz	Х		

REVIEW AND RECOMMEND RESOLUTION REGARDING AN AGREEMENT WITH A CLASS 2 RENEWABLE ENERGY CREDIT BROKERAGE FIRM.

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

WHEREAS, MIRA owns and operates the CSWS Waste to Energy Facility ("Facility"), which generates certain power products including Connecticut Class II Renewable Energy Certificates ("RECs"); and

WHEREAS, in order to optimize REC revenue within sometimes volatile REC markets, from time to time MIRA may require the services of a qualified firm to perform brokerage services on MIRA's behalf; and

WHEREAS, MIRA has undertaken the "Competitive Process" required under its Procurement Policies and Procedures and has negotiated a contractual structure with Spectron Energy Incorporated, d/b/a Marex Spectron that will provide for the required brokerage services.

NOW, THEREFORE, BE IT:,

RESOLVED, that the President is hereby authorized to execute an agreement with Marex Spectron for the provision of brokerage services on an as-needed basis for a portion of the RECs generated by the Facility, substantially as presented and discussed at this meeting.

Mr. Egan said, as directed by the Board, we pursued a couple of different ways of disposing of our credits, including use of a broker. MIRA has interviewed brokers and reviewed their qualifications to sell our Class II Certificates. MIRA has the option of selling additional credits as generated through a broker. The resolution today is to execute an agreement for brokerage services on an as-needed basis. Mr. Egan stated that there is currently only one broker under contract, but now Marex Spectron will be a second broker added to the list that MIRA can do business with in the future. There will be no business for either brokerage firm this calendar year, as NextEra is going to buy all our 2018 certificates. But next year, in the event Nextera chooses not to purchase MIRA RECs, MIRA will utilize one of the two brokers to sell them.

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

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice Chairman Barlow	X		
John Adams	X		
Jim Hayden	X		
Lizz Milardo	Х		
Bob Painter	X		
Scott Shanley	X		
Pat Widlitz	X		

REVIEW AND RECOMMEND RESOLUTION REGARDING A CONSTRUCTION EASEMENT AGREEMENT WITH THE CONNECTICUT DEPARTMENT OF TRANSPORTATION AT THE SOUTH MEADOW STATION SITE

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

RESOLVED: That the President is hereby authorized to execute a Construction Easement Agreement with the State of Connecticut Department of Transportation (DOT), granting to DOT a temporary easement across a portion of the MIRA South Meadow Station site, substantially as presented and discussed at this meeting.

Mr. Egan said we have an area that the State of Connecticut Department of Transportation wants to use for some number of months a couple of years from now. One easement will be for access purposes only across the property to Charter Oak Landing Riverfront Park. The second construction easement will be for staging equipment, tools and materials, and will require closure of the Gate 20 access roadway to the site for 10 months over the course of 4 years. When DOT undertakes its widening of I-91, MIRA will be using Gate 40 for main access to the power block facility. In order to do so, MIRA will need to sign an agreement with Eversource, which will not require Board approval, but we do need Board approval to sign the agreement with DOT.

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

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice Chairman Barlow	X		
John Adams	X		
Jim Hayden	X		
Lizz Milardo	X		
Bob Painter	Х		
Scott Shanley	X		
Pat Widlitz	Х		

REVIEW AND RECOMMEND RESOLUTION REGARDING A RECYCLING REBATE.

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

WHEREAS, on February 15, 2017. this Board of Directors adopted the CSWS Fiscal Year 2018 budget, which did not include a rebate for recycling deliveries by participating municipalities; and

WHEREAS, recycling revenues and CSWS project performance do not support the distribution of a rebate;

NOW THEREFORE, it is

RESOLVED: that no FY' 18 recycling rebate will be paid.

Mr. Kirk said that the budget passed by the Board did not include a recycling rebate. This resolution is to get the Board on record as affirming that the FY '18 financial situation and revenues do not indicate a recycling rebate to be paid to towns.

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

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice Chairman Barlow	X		
John Adams	X		
Jim Hayden	X		
Lizz Milardo	Х		
Bob Painter	X		
Scott Shanley	X		
Pat Widlitz	Х		

CHAIRMAN'S AND PRESIDENT'S REPORTS

Mr. Kirk said all of MIRA's facilities operated throughout the reporting period without environmental, public safety, or health impacts. Reporting results through June 30, 2018 and July 31, 2018, our production challenges continue to revolve around pressure parts, equipment failure and backend problems, which are all age-related issues. It has been a challenge keeping the plant operating and boilers to operate at 90% capacity. We are preparing for our October six week outage, trying to ensure we have a light inventory, which has been complicated as we are

exporting and diverting more waste then was anticipated. It has exhausted more than the entire budget for diversions.

EXECUTIVE SESSION

Vice Chairman Barlow requested a motion to enter into Executive Session to discuss pending litigation and pending RFP responses, potential lease of MIRA real estate, trade secrets, personnel matters, security matters, and feasibility estimates and evaluations. The motion was made by Director Shanley and seconded by Director Adams. Vice Chairman Barlow requested that the following people remain for the Executive Session, in addition to the Committee members:

Tom Kirk Mark Daley Laurie Hunt, Esq. Peter Egan Ann Catino

The Executive Session commenced at 11:00 a.m.

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

Directors	Aye	Nay	Abstain
Chairman Stein	X		
Vice Chairman Barlow	X		
John Adams	X		
Jim Hayden	X		
Lizz Milardo	Х		
Bob Painter	Х		
Scott Shanley	X		
Pat Widlitz	Х		

The meeting was reconvened at 12:05p.m. The door was opened, and the Board Secretary and all members of the public (of which there were none) were invited back in for the continuation of public session. Vice-Chairman Barlow noted that no votes were taken.

ADJOURNMENT

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

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

Aye	Nay	Abstain
X		
X		
X		
X		
X		
X		
X		
Х		
	X X X X X X	X X X X X X

There being no other business to discuss, the meeting adjourned at 12:07 p.m.

Respectfully Submitted,

Kanchan Arora

General Accountant/Board Administrator

TAB 2

ATTACHMENT 2 RESOLUTION FOR THE MATERIALS INNOVATION AND RECYCLING AUTHORITY BOARD OF DIRECTORS

APPROVING USE OF \$400,000 FY 2019 BAG HOUSE CONTINGENCY

WHEREAS, The Materials Innovation and Recycling Authority ("Authority") previously adopted its Fiscal Year 2019 Connecticut Solid Waste System Operating and Capital Budget (FY 2019 Adopted CSWS Budget) at its meeting of February 15, 2018; and

WHEREAS, the FY 2019 Adopted CSWS Budget included contingency bag house major repairs in the amount of \$400,000 intended not to be executed until mid-fiscal year dependent on budget to actual performance; and

WHEREAS, in April 2018 the FY 2019 Adopted CSWS Budget was distributed to the Authority's Finance Committee and Board of Directors in its monthly format which forms the basis for execution of the Authority's monthly flow of funds procedure ("Monthly Budget Allocation"); and

WHEREAS, the Monthly Budget Allocation includes the distribution of funds to the CSWS Improvement Fund which anticipated use of the aforementioned contingency late in the second half of FY 2019; and

WHEREAS, operational performance of the CSWS power block has caused the Authority to divert significant sums of municipal solid waste at significant expense to alternate disposal sites, which operational performance has been impacted in large measure by bag house issues as discussed at this meeting; and

WHEREAS, it is necessary to make use of the aforementioned contingency at the present time in order to address the major maintenance requirements of the CSWS.

NOW, therefore, be it:

RESOLVED: That Monthly Budget Allocation providing for the distribution of funds to the CSWS Improvement Fund is hereby amended as shown on Exhibit A attached hereto.

EXHIBIT A							
MIRA RESOLUTION							
APPROVING USE OF \$	400,000	FY 2019 BAG HOU	ISE (CONTINGENCY			
Contribution to CSWS	Improve	ement Fund					
		pted Monthly				mended Monthly	
Month	Bud	get Allocation		Modification	Budget Allocation		
July	\$	2,000,000			\$	2,000,000	
August	\$	1,000,000			\$	1,000,000	
Sept.	\$	1,000,000			\$	1,000,000	
October	\$	3,000,000			\$	3,000,000	
Nov.	\$	1,000,000	\$	400,000	\$	1,400,000	
Dec.	\$	1,000,000			\$	1,000,000	
January	\$	798,000			\$	798,000	
February	\$	798,000			\$	798,000	
March	\$	798,000			\$	798,000	
April	\$	798,000			\$	798,000	
May	\$	798,000	\$	(200,000)	\$	598,000	
June	\$	797,300	\$	(200,000)	\$	597,300	
Total	\$	13,787,300	\$	3	\$	13,787,300	

TAB 3

RESOLUTION REGARDING MARKET DRIVEN PURCHASES OF DISPOSAL CAPACITY FOR THE DIVERSION OF MUNICIPAL SOLID WASTE FROM MIRA'S CONNECTICUT SOLID WASTE SYSTEM

WHEREAS: From time-to-time MIRA must divert waste from the CSWS due to elevated MSW inventory levels at the CSWS Resource Recovery Facility (RRF) that may occur periodically; Now therefore, be it

RESOLVED: that the President is authorized to enter into a market driven purchase of capacity with Southbridge Recycling & Disposal Park for disposal of municipal solid waste (MSW) from the CSWS at their landfill in Southbridge, MA and;

FURTHER RESOLVED: that the President is authorized to enter into a market driven purchase of capacity with Murphy Road Recycling (MRR) for transportation and disposal of MSW from the CSWS at MRR's facilities located in Hartford and their Babylon Transfer Station located in Suffield, CT, and;

FURTHER RESOLVED: that the President is authorized to enter into a market driven purchase of capacity with Covanta of Southeast Connecticut for disposal of MSW from the CSWS Essex Transfer Station to Covanta's waste-to-energy facility located in Preston, Connecticut, substantially as discussed and presented at this meeting

Materials Innovation & Recycling Authority

Summary for Market Driven Purchase Of Municipal Solid Waste Disposal Capacity

Presented to the MIRA Board on:

October 10, 2018

Vendor/ Contractor(s):

Southbridge Recycling & Disposal Park

Murphy Road Recycling (MRR)

Effective date:

August 25, 2018

Contract Type/Subject matter:

Market Driven Purchase for Disposal of approximately 2,745 tons of CSWS MSW to Southbridge Recycling & Disposal Park landfill located in Southbridge MA: approximately 3,022

Southbridge, MA; approximately 3,022 tons to MRR's facilities located in

Hartford and Suffield, CT; and 255 tons to Covanta's Preston facility. Also, 1,238 tons was directly delivered to MRR's facilities in Hartford and Suffield by

private and municipal haulers.

Facility Affected:

CSWS WPF

Term:

August 25, 2018 through September 15,

2018

Contract Dollar Value:

Southbridge Recycling & Disposal Park

- \$92.00/ton T&D. (net transportation

savings to Hartford)

MRR/Suffield - \$100.00/ton T&D from

MIRA transfer stations. (Net

transportation savings to Hartford)

MRR/Hartford - \$95.00/ton T&D direct delivery from private and municipal

haulers

Covanta/Preston - \$60 per ton (net transportation savings to Hartford)

Amendment(s):

None

Term Extensions:

Not applicable

Scope of Services:

Disposal of MSW from MIRA's Essex and Watertown transfer stations to Southbridge Recycling & Disposal Park landfill located in Southbridge, MA.

Disposal of MSW from MIRA's Watertown and Torrington transfer stations to MRR's facilities located in Suffield and Hartford, and from MIRA's Essex transfer station to Covanta's Preston facility. Also Disposal of MSW from Manchester, Bloomfield, East Hartford and Ellington CT and Trinity College and disposal of recycling residue from MIRA's recycling facility to MRR's facilities located in Hartford and Suffield.

Other Pertinent Provisions:

This is a "Market Driven Purchase" in accordance with Section 5.11 (Market Driven Purchases and Sales) of MIRA's Procurement Policies and Procedure

Materials Innovation & Recycling Authority

Summary for Market Driven Purchase Of Municipal Solid Waste Disposal Capacity

October 10, 2018

Executive Summary

From time-to-time it may be necessary to divert MSW from MIRA's CSWS due to 1) elevated MSW inventory levels, which occur as a result of reduced processing rates at the CSWS Resource Recovery Facility (RRF) due to poor boiler performance, or 2) to enter a planned outage with reduced inventory so that the facility maximizes its surge capacity during the outage.

This has been the case during the past two months.

First, the CSWS RRF has experienced elevated MSW inventory levels during mid-July through September as a result of several unscheduled boiler events.

Second, and significantly, as a result of damage sustained to Turbine #5 earlier this year, which could not be repaired any earlier than this fall due to contract or unavailability, the CSWS has had to schedule a 45 day outage to repair the turbine; this outage began on September 30 and is planned to end on November 13. Consequently, due to the length of this planned outage, during which the facility will have only two boilers on line at any one time, it has been important to divert MSW during August and September in order to keep the WPF tip floor and RDF hall inventories as low as possible so that the outage begins with both of these storage areas having low MSW inventories, maximizing the surge capacity of the WPF during the outage. Accordingly, in anticipation of the 45 day planned outage, MIRA continued to divert MSW away from the CSWS RRF during the period August 27 through September 15, 2018.

These diversions were undertaken in accordance with Section 5.11 (Market Driven Purchases and Sales) of MIRA's Procurement Policies and Procedures. This is to request approval from the Board of Directors for this this market drive transaction. MIRA's Board of Directors has approved similar Market Driven Purchases for diversions at prior meetings.

Discussion

MIRA diverted approximately 2,748 tons of MSW from the Watertown and Essex transfer stations to the Southbridge Recycling & Disposal Park located in Southbridge,

MA from August 27 through September 15, 2018. Unfortunately, due to continued, unscheduled boiler outages and the very limited number of disposal outlets to accept this material, additional MSW diversion activities had to be conducted. MIRA was able to divert 3,022 tons of MSW from the CSWS system to MRR's facility in Hartford and their Babylon transfer station located in Suffield, CT from the Watertown and Torrington transfer stations. MIRA also diverted 1,238 tons of MSW to MRR by having private and municipal haulers deliver directly to their Hartford or Suffield facilities. MIRA was also able to secure capacity at Covanta's Preston resource recovery facility and diverted approximately 255 tons of MSW there from the Essex transfer station.

Financial Summary

Management endeavors to only divert MSW if absolutely necessary to ensure that MSW inventory levels do not create permit compliance and/or safety issues at MIRA's CSWS facilities. The total cost for diversions during this period was approximately \$811,932.30. Diversion costs are paid out of the CSWS Operating Budget. The annual budget was approved at \$657,990, and through the time period of this market driven purchase is over budget. As displayed on list 1, \$466,838.65 of operating funds have been identified for the diversion activities included in list 1 and \$345,093.65 has yet to be identified. Further funding has yet to be identified for continuing diversion-related requisitions which have accumulated an additional \$327,341.60 from September 15, 2018 through October 4

There are two spreadsheets attached to this board memorandum.

- 1. A list of the purchase orders and purchase requisitions associated with these diversions, so that board approval of these expenditures can be linked precisely to expenditure information in MIRA's purchasing system.
- 2. A spread sheet showing the overall picture of diversions during this period.

Diversion-Related PO's and Purchase Requisitions included in period from 8/25/18 though 9/15/18 for which Market Driven Purchase required Already funded

Vendor	Service Date	Diverted From	Amount
Murphy Road Recycling LLC	8/27/18 - 8/31/18	East Hartford	\$3,298.40
Murphy Road Recycling LLC	9/7/2018	Wethersfield	\$123.50
Murphy Road Recycling LLC	8/20/18 - 8/25/18	FCR/211 Murphy Road	\$18,756.80
Covanta Southeastern CT	8/14/18 - 8/29/18	Essex TS	\$16,356.00
Murphy Road Recycling LLC	8/27/18 - 8/31/18	FCR/211 Murphy Road	\$16,663.95
Babylon Recycling Center	8/27/18 - 8/31/18	Ellington	\$8,216.55
Babylon Recycling Center	8/27/18 - 8/31/18	Bloomfield	\$10,624.80
Babylon Recycling Center	9/5/18 - 9/8/18	Torrington TS	\$45,528.75
Murphy Road Recycling LLC	9/4/18 - 9/7/18	Torrington TS	\$41,844.65
Murphy Road Recycling LLC	9/7/2018	Wethersfield	\$123.50
Murphy Road Recycling LLC	9/1/18 - 9/7/18	East Hartford	\$1,919.00
Southbridge Recycling & Disposal	8/20/18 - 8/25/18	Essex and Watertown TS	\$80,556.00
Murphy Road Recycling LLC	8/27/18 - 8/31/18	Torrington Transfer Station	\$86,830.00
Southbridge Recycling & Disposal	8/27/18 - 8/31/18	Essex and Watertown TS	\$72,201.00
Southbridge Recycling & Disposal	9/4/18 - 9/7/18	Essex and Watertown TS	\$63,795.75
Subtotal - Already Funded			\$466,838.65

Pending Fi	undin	q
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Vendor	Service Date	Diverted From	Requisition Amount		
Murphy Road Recycling LLC	8/20-8/24/18	Torrington TS	\$	81,589.80	
Babylon Recycling Center	9/4-9/8/18	Town of Ellington	\$	10,564.95	
Babylon Recycling Center	9/4-9/8/18	Town of Bloomfield	\$	13,769.30	
Murphy Road Recycling LLC	9/1-9/8/18	FCR	\$	18,036.70	
Murphy Road Recycling LLC	9/10-9/15/18	East Hartford	\$	3,879.80	
Murphy Road Recycling LLC	9/10-9/14	FCR	\$	11,742.00	
Murphy Road Recycling LLC	9/13-9/14	Torrington Transfer Station	\$	36,145.60	
Murphy Road Recycling LLC	9/10/2018	Trinity	\$	171.00	
Murphy Road Recycling LLC	9/12/2018	Wethersfield	\$	147.25	
Murphy Road Recycling LLC	9/10-9/14/18	Town of Ellington	\$	7,318.80	
Murphy Road Recycling LLC	9/10-9/14/18	Town of Bloomfield	\$	9,981.65	
Murphy Road Recycling LLC	9/10-9/13/18	Torrington Transfer Station	\$	76,762.85	
Murphy Road Recycling LLC	8/13-8/18/18	Town of East Hartford	\$	3,468.45	
Southbridge Recycling Center	9/10-9/14/18	Essex TS, Watertown TS, Hartford	\$	71,515.50	
Subtotal -Pending Funding			\$	345,093.65	

Exports (updated) 9/18/18	Esse	v TS	Essex ⁻	TS	Waterto	wn TS	Waterto	wn TS	Water	town	Torring	ton TS	Torrin	gton	Total	Total
exports (updated) 3/10/10	South		Presto		Southb		Babyl	on	Murph	ny Rd	Bab	lon	Murp	hy Rd	MIRA Tons	Vendor Tons
Transportation	\$32.00		\$15.00		\$32.00		\$20.00		\$15.00		\$23.30		\$18.10			
Disposal	\$75.00		\$60.00		\$75.00		\$95.00		\$95.00		\$95.00		\$95.00			
Subtotal	\$107.00		\$75.00		\$107.00		\$115.00		\$110.00		\$118.30		\$113.10			
Less Trans to Hartford	(\$15.00)		(\$15.00)		(\$15.00)		(\$15.00)		(\$15.00)		(\$18.10)		(\$18.10)			
Total	\$92.00		\$60.00		\$92.00		\$100.00		\$95.00		\$100.20		\$95.00			
	\$255,793.12		\$27,907.20		\$388,470.92		\$115,161.00		\$21,831.95		\$319,918.56		\$263,315.30			
	MIRA	Southbridge	MIRA	Preston	MIRA	Southbridge	MIRA	Babylon	MIRA	Murphy		Babylon		Murphy		
Weeks	tons	tons	tons	tons	tons	tons	tons	tons	tons	tons	tons	tons	tons	tons		
07/22 - 07/28	233.21	233.21			338.94	338.94										
07/29 - 07/31	128.11	128.11			253.50	253.50	342.62	339.28			1					
08/01 - 08/04	234.02	234.99			27 <mark>4.42</mark>	273.94	488.09	485.09						50.55	l	
08/05 - 08/11	512.52	514.95			442.44	450.27	320.90	319.47	64.53	64.68		598.74		62.65	1	
08/12 - 08/18	364.45	364.92	105.31	106.58	443.32	455.21	0.00	0.00	165.28	165.76		819.57		83.69		
08/19 - 08/25	384.88	385.47	105.43	102.82	675.40	688.61	0.00	0.00	0.00	0.00	425.52	466.15		880.44		
08/26 - 09/01	385.27	387.02	62.93	62.20	570.29	575.66	0.00	0.00		0.00	0.00	0.00		914.00		
09/02 - 09/08	342.60	343.25	106.77	107.79	484.97	507.36	0.00	0.00	0.00	0.00	526.95	479.25		440.47	1	
09/09 - 09/15	195.30		84.68	85.25	739.23		0.00	0.00	0.00	0.00	763.32	808.03	390.81	380.48		
09/16 - 09/22												2 474 74	2.771.74	2,761.73	14,813.95	13,907.80
TOTAL	2,780.36	2,591.92	465.12	464.64	4,222.51	3,543.49	1,151.61	1,143.84	229.81	230.44	3,192.80	3,171.74 21.06	, , , , ,	(10.01)	14,613.33	13,307.80
Tonnage Variance		188.44		0.48		679.02		7.77		(0.63)	!	21.00		(10.01)		
Expected Invoices									40 447 45						257,547.99	0.00
CWPM Transportation	\$88,971.52		\$6,976.80		\$135,120.32		\$23,032.20		\$3,447.15		¢202 216 00		\$263,315.30		566,631.30	0.00
USA Transport	1										\$303,316.00		\$205,513.50		0.00	460,155.75
Casella-Southbridge Disp	1	\$194,394.00				\$265,761.75									0.00	27,878.40
Covanta-Preston Disposal	1			\$27,878.40				4400 554 00			1	\$301,315.30			0.00	409,980.10
USA - Babylon Disposal	1							\$108,664.80		\$21.891.80	1	\$301,313.30		\$262,364.35		284,256.15
USA - Murphy Rd Disposal								\$400 CC4 00	62 447 45	\$21,891.80 \$21,891.80		¢201 315 30	\$263,315.30		\$824,179.29	\$1,182,270.40
TOTAL	\$88,971.52	\$194,394.00	\$6,976.80	\$27,878.40	\$135,120.32	\$265,761.75	\$23,032.20	\$108,664.80	\$3,447.15		\$303,316.00	\$604,631.30	Ura-	\$525,679.65	1,2,3,2,2	\$2,006,449.69
Expected Invoices		\$283,365.52		\$34,855.20		\$400,882.07		\$131,697.00		\$25,338.95		\$004,031.3U		\$323,073.03		\$2,000,775.03

			East Hartford		Wethersfield	Bloomfield-	
DIRECT DIVERSIONS	FCR Residue		NPW	Trinity NPW	NPW	MSW	Ellington-MSW
Disposal		\$95.00	\$95.00	\$95.00	\$95.00	\$95.00	\$95.00
	MIRA	Murphy Rd	Murphy Rd	Murphy Rd	Murphy Rd	Babylon	Babylon
07/22 - 07/28							
07/29 - 07/31	58.80	58.80	24.80			63.79	43.62
08/01 - 08/04	104.75	118.80	27.18		2.21	70.29	48.39
08/05 - 08/11	125.19	128.21	35.41	1.04	1.32	121.97	88.32
08/12 - 08/18	227.84	230.95	36.51		0.00	122.70	82.37
08/19 - 08/25	191.42	197.44	25.50		1.62	129.93	81.53
08/26 - 09/01	201.61	175.41	45.77		1.30	111.84	86.49
09/02 - 09/08	189.86	189.86	20.20		1.30	144.94	111.21
09/09 - 09/15	123.60	123.60	40.84	1.80	1.55	105.07	77.04
09/16 - 09/22							
TOTAL	1,223.07	1,223.07	256.21	2.84	9.30	870.53	618.97
USA - Babylon Disposal	11	\$116,191.65	\$24,339.95	\$269.80	\$883.50		
USA - Murphy Rd Disposal						\$82,700.35	\$58,802.15
Expected Invoices		\$116,191.65	\$24,339.95	\$269.80	\$883.50	\$82,700.35	\$58,802.15