



MEMORANDUM

TO: MIRA Policies & Procurement Committee
FROM: John Adams, Committee Chairperson
DATE: October 1, 2020
RE: Notice of Regular Telephonic Meeting

There will be a *regular telephonic* meeting of the **Policies & Procurement Committee** of the Materials Innovation and Recycling Authority's Board of Directors on *Wednesday, October 7, 2020 at 11:00 a.m.*

This meeting is being conducted pursuant to Governor Lamont's Executive Order No. 7B. MIRA offices are presently closed to the public due to the Corona Virus outbreak. Members of the public may attend the meeting telephonically by calling (929) 205-6099, entering meeting 853 1467 3012# and then entering the password 156728# when prompted.

The purpose of this meeting will be:

1. Pledge of Allegiance
2. Public Comment (3 minutes per speaker)
3. Approval of Minutes of the September 9, 2020 Regular Committee Meeting (*Attachment 1*).
4. Review and Recommend Resolution Regarding Roof Repairs to the CSWS Recycling Facility (*Attachment 2*).
5. 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.
6. Informational
 1. Report on vendors exceeding \$50,000 on cumulative contracts, as required by MIRA's Procurement Policy (*Attachment 3*).
 2. Report on purchases that are considered exceptions to the competitive process pursuant to MIRA's Procurement Policy (*Attachment 4*).
 3. Report on Legal Requests for Services (*Attachment 5*).
 4. Report on Solicitations (*Attachment 6*).
7. Such other items that may properly come before the Committee.

TAB 1

Policies & Procurement Committee
September 9, 2020
Regular Telephonic Meeting Draft Minutes

A Regular Telephonic Meeting of the Policies & Procurement Committee of the Materials Innovation and Recycling Authority was held on September 9, 2020. Present via video or audio conferencing were:

Members Present: John Adams
 Pat Widlitz
 Ed Bailey

MIRA Staff Present: Tom Kirk, President
 Mark Daley, Chief Financial Officer
 Laurie Hunt, Director of Legal Services
 Peter Egan, Director of Operations & Environmental Affairs
 Roger Guzowski, Contract & Procurement Manager

Committee Chairman Adams called the meeting to order at 11:05 a.m. and noted that a quorum was present.

1. **PUBLIC COMMENT**

Committee Chairman Adams said the agenda allowed for a public portion in which the Committee would accept written testimony and allow individuals to speak for a limit of three minutes. As there was no one present who wished to address the Committee, the regular meeting commenced.

2. **APPROVAL OF MINUTES OF THE JUNE 3, 2020 REGULAR COMMITTEE MEETING.**

Committee Chairman Adams requested a motion to accept the minutes of the June 3, 2020 Policies and Procurement Committee meeting. The motion to approve the minutes was made by Director Bailey and seconded by Director Widlitz.

The motion to approve the minutes was approved.

3. **REVIEW AND RECOMMEND RESOLUTION REGARDING THE PURCHASE OF JET FUEL FOR THE SOUTH MEADOWS JET TURBINE FACILITY.**

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

RESOLVED: That the President is hereby authorized to execute a purchase order with Dime Oil Company, LLC for the 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.

The motion previously made and seconded was approved.

4. **REVIEW AND RECOMMEND RESOLUTION REGARDING THE PURCHASE OF A VEHICLE WEIGH SCALE FOR THE WASTE PROCESSING FACILITY.**

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

RESOLVED: That the President is hereby authorized to execute an agreement with Mettler Toledo for the purchase of a new 60-foot vehicle scale for the Waste Processing Facility, substantially as presented and discussed at this meeting.

The motion previously made and seconded was approved.

AJOURNMENT

Committee Chairman Adams adjourned the meeting at 11:23 a.m.

Respectfully submitted,

Kanchan Arora
Consultant

TAB 2

**RESOLUTION REGARDING RATIFICATION OF EMERGENCY
PROCUREMENT CONTRACT**

RESOLVED: That the MIRA Board of Directors ratifies the Emergency Procurement as substantially presented and discussed at this meeting.

Emergency Procurement Contracts

Policies & Procurement Committee

October 7, 2020

The following written evidence is being provided to the Board for ratification pursuant to Sections 2.2.12 and 5.10 of the MIRA Procurement Policy.

2.2.12 “Emergency Situation”

“Emergency Situation” shall mean a situation whereby purchases are needed to remedy a situation that creates a threat to public health, welfare, safety or critical governmental or MIRA service or function. The existence of such a situation creates an immediate and serious need that cannot be met through the normal procurement methods and the lack of which would seriously threaten: (i) the health or safety of any person; (ii) the preservation or protection of property; (iii) the imminent and serious threat to the environment; or (iv) the functioning of MIRA. Any such situation shall be documented with written evidence of said situation.

5.10 Emergency Procurements

In the event of an Emergency Situation as defined herein, the procedures for pre-approval of Contracts in these Policies and Procedures by the Board do not apply. When the President, Chairman, or designee determines that an Emergency Situation has occurred, the President, Chairman, or their designee is authorized to enter into a Contract under either a competitive or sole source basis, in such amount and of such duration as the President, Chairman, or their designee determines shall be necessary to eliminate the Emergency Situation. Such Emergency Situation contract(s), with written evidence of said Emergency Situation, shall be presented to the Board for ratification as soon as practicable following the execution of the Contract. The Board shall ratify such emergency Contract unless it is determined that under no circumstances would a reasonable person believe that an Emergency Situation existed.

Emergency Procurements

<u>Date</u>	<u>Description</u>	<u>Contract Value</u>	<u>Vendor</u>
9/3/2020	FY 2021 – Repairs to the roof at MIRA’s Recycling Facility that was damaged by a fire and by a wind storm.	\$90,676 (estimated)	JV III Construction

Memorandum

To: Tom Kirk, President

From: Tom Gaffey, Director of Recycling & Enforcement



Date: September 3, 2020

Re: Repairs to MIRA Recycling Facility's Damaged Roof

During the night time hours of Saturday, August 29, 2020 or early morning hours of Sunday, August 30, 2020, or both, the roof at MIRA's Hartford recycling facility suffered serious wind damage that resulted in the following areas:

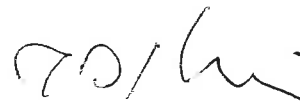
- A 20 foot x 50 foot section of roof blew back leaving a significant opening directly to the interior of the recycling facility directly over bale inventory storage and close to the commingled container baler;
- A large exhaust fan blew off of the high roof over Bay 1 of the tipping floor leaving an approximate 5 foot x 5 foot opening directly to that area. The wind blew that fan to a lower area of the roof over the FCR employee entrance area.

In addition, the fire that occurred during the early morning hours of July 7, 2020 damaged a 30 foot x 40 foot area of the roof that was temporarily tarped but is severely compromised and unsafe.

All of the aforementioned damaged areas of the roof meet the definition of an emergency Situation under MIRA's Procurement Policy and need to be repaired posthaste. The additional fact that the metal fasteners below the coating throughout the entire roof are severely rusted also compels immediate action on these compromised areas of the roof.

The Operation & Maintenance Agreement with FCR, LLC places the maintenance and repair obligations for the roof clearly on MIRA.

I have attached the cost estimates and scope of work to this memorandum.



J.V. III CONSTRUCTION, INC.

103 Dividend Rd.
Rocky Hill, CT 06067
(860) 721-0143 Fax: (860) 257-3490 Email: Exkavator@aol.com

TO: Republic Services
ATTN: Jim Millci

Date: 7-22-20
JOB:
Roof Repairs

~ Job Estimate ~

Scope of Work to Include:

- Demolish and dispose of burnt insulation and damaged steel decking materials aprox. 30' wide and 40' long. Materials to be disposed of off site.
- Supply and install new steel decking to match existing as close as possible, securing decking to new beams and existing as needed.
- Supply and install new EPDM rubber roof membrane with insulated foam board on top of new decking material. (Insulating from above will eliminate the possibility of insulation failure and deterioration from machine use inside the building).

Estimated Cost \$ 42,913.00

Estimated by John Vasel III
John Vasel III

J.V. III CONSTRUCTION, INC.

103 Dividend Rd.
Rocky Hill, CT 06067
(860) 721-0143 Fax: (860) 257-3490 Email: Exkavator@aol.com

TO: Republic Services
ATTN: Mr. Joe Milici

Date: 9-1-2020
JOB: Wind Damage Roof Repairs

~ Job Estimate ~

Scope of Work to Include:

We are pleased to provide you with the following:

- Demolish and dispose of metal roof decking damaged from wind.
- Supply and install new steel decking to match existing as close as possible, securing decking to existing metal frame structure, gluing seams as needed to create water tight seal.

Estimated Cost \$29,613.00

Add Alternate:

- Supply and install new EPDM rubber roof membrane with insulated foam board on top of new decking material. (Insulating from above will eliminate the possibility of insulation failure and deterioration from machine use inside the building).

Estimated Cost \$18,150.00

***Roof fan to be lowered down to ground level, fan vent hole to be covered by EPDM, installation of roof fan by others.**

Estimated by John Vasel III
John Vasel III

TAB 3

Fr: July 01, 2020

To: September 15, 2020



Report on Vendors that have exceeded \$50,000 on Cumulative Contracts

Discussion

The MIRA Procurement Policies and Procedures, effective January 22, 2004, contain a provision requiring that a report be submitted to the appropriate board committee(s) in the event that MIRA enters into multiple contracts or multiple Request for Services ("RFS") with one vendor during one fiscal year, and none of the contracts and/or RFSs individually is in excess of \$50,000.00, but the sum of all contract and/or RFS amounts with that vendor exceeds \$50,000.00 in the aggregate.

This is to report to the Policies and Procurement Committee, pursuant to Section 4.1.3.2.2 (governing contracts) and Section 4.1.4.2 (governing RFSs) of the MIRA Procurement Policies and Procedures, those vendors with which CRRA has established multiple contracts and/or RFSs during a fiscal year, all of which are less than \$50,000.00, but which in the aggregate exceed \$50,000.00 to date.

TAB 4



Report on Exceptions to the Competitive Process

Discussion

The MIRA Procurement Policies and Procedures, effective January 22, 2004, contain a provision exempting certain purchases from the competitive process; these exceptions are listed in Section 3.1.2 of the Policy.

Section 3.1.3 of the Procurement Policies and Procedures, Making and Reporting and Exception, requires that a purchase that is not conducted pursuant to the competitive process be reported as soon as practicable to the Policy and Procurement Committee, and the full Board of Directors.

This is to serve as the report required by section 3.1.3 of the Procurement Policies and Procedures. The following table provides a summary of this information.

Comp 2 Comp 2 - State Contract (DAS, DEEP, DOT, BEST)

<u>Date</u>	<u>PO Number</u>	<u>Description</u>	<u>QTY</u>	
8/17/20	PO0013904	FY21 GENERAL PURPOSE HANDHELD FLASH LIGHT PR ITEM # 32ZN12 QTY 3 @ \$4.10 = \$12.30 NEEDED FOR POSSIBLE POWER OUTAGE FROM UPCOMING TROPICAL STORM TOTAL ORDER COST \$12.30 ~ DAS STATE CONTRACT # 19PSX0104	12.30	GRAINGER
8/19/20	PO0013906	FY21 ONE (1) CASE OF GARBAGE /TRASH BAGS TO BE USED BY CT. COMMUNITY PROVIDERS FOR LITTER PICKUP AROUND THE WPF AND RRC.... PR ITEM # 14L025 QTY 1 @ \$52.208 TOTAL ORDER COST \$52.28 ~ DAS STATE CONTRACT # 19PSX0104	52.28	GRAINGER
8/26/20	PO0013911	FY21 - QUARTERLY AT&T CONFERENCE CALL SERVICE -DOIT MASTER AGREEMENT B-03-006	750.00	AT&T TELECONFERENCE SERVICES
8/27/20	PO0013921	FY21 1ST QTR STAMP FOR ACCOUNTS PAYABLE INBOX	43.57	CR PROMO LLC
9/1/20	PO0013923	FY21 2nd QTR CSWS RENTAL OF WATER FILTER MECHANISM FOR 211 MURPHY ROAD, HARTFORD	1.00	CRYSTAL ROCK, LLC
			859.15	

NC3 NC-mandated by law (permit, regulation, statute)

<u>Date</u>	<u>PO Number</u>	<u>Description</u>	<u>QTY</u>	
9/15/20	PO0013948	FY21 CSWS AUGUST 2020 SOLID WASTE ASSESSMENT, DIOXIN TAX.	63,757.00	CT ST OF COMM REVENUE SERVICES
			63,757.00	

NC4A NC-special capability or experience

<u>Date</u>	<u>PO Number</u>	<u>Description</u>	<u>QTY</u>	
8/28/20	PO0013920	FY21 ADP PAYROLL AND TAX FEES FOR 1ST QTR 07/01/2020-09/30/20 - NO CONTRACT	3,500.00	ADP LLC
8/31/20	PO0013927	FY21 CSWS PO # 2 PO EXISTING # 1 DOES NOT HAVE ENOUGH FUND TO COVER REPAIRS OF A VEHICLE JUST REPAIRED AND I HAVE SEVERAL VEHICLES REQUIRING SERVICE AND REPAIR THIS PO TO COVER MAINTENANCE AND REPAIRS AS NECESSARY FOR THE CSWS POOL VEHICLES.	2,500.00	TASCA FORD TRUCKS

6,000.00

NC6 NC-competitive market does not exist

<u>Date</u>	<u>PO Number</u>	<u>Description</u>	<u>QTY</u>	
9/8/20	PO0013934	FY21 ANNUAL MEMBERSHIP FEES	75.00	AMERICAN EXPRESS TRAVEL MGMT SERVICES

75.00

NC8 NC-small purchase <\$2500 (explain)

<u>Date</u>	<u>PO Number</u>	<u>Description</u>	<u>QTY</u>	
8/19/20	PO0013912	FY21 - BLANKET PO FOR MISCELLANEOUS IT RELATED ITEMS FOR CSWS	400.00	CDW GOVERNMENT INC
8/26/20	PO0013913	FY21 - 1 YEAR SPAM AND E-MAIL SECURITY SERVICE	1,163.76	CDW GOVERNMENT INC

1,563.76

Grand Total: 72,254.91

TAB 5

**FISCAL YEAR 2021 LEGAL REQUEST FOR SERVICES
FOR PERIOD ENDING 8/31/2020**

LEGAL FIRM	Master	Board Approval	PO Number	PO Amount	FY21 expenses paid from FY21 PO	FY20 expenses paid from FY21 PO	FY21 accrued estimates	FY20 expenses Paid from FY20 PO (not accrued in FY20)	FY20 over/under accrual, Refunds received etc	Total per General Ledger
Cohn Birnbaum & Shea	South Meadows Exit Strategy									
	Hillington									
Total Cohn Birnbaum & Shea		\$15,000,000			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Day Pitney	NPDJES Permitting Support				\$ -	\$ -				\$ -
Total Day Pitney		\$15,000,000			\$ -	\$ -				\$ -
Halloran & Sage	GC - Authority Budget Property Division				\$ 25,000	\$ -	\$ 3,540	\$ -	\$ (8)	\$ 3,533
	CSWS				\$ -	\$ -	\$ 600	\$ -	\$ -	\$ 600
					\$ -	\$ -	\$ 57,500	\$ -	\$ -	\$ 57,500
	PCR				\$ -	\$ -	\$ 114,400	\$ -	\$ -	\$ -
	Resource rediscovery				\$ -	\$ -	\$ 8,006	\$ -	\$ (316)	\$ 7,690
	Landfill Division				\$ -	\$ -		\$ -	\$ -	\$ -
	MidCT				\$ -	\$ -		\$ -	\$ -	\$ -
Beginning Halloran & Sage		\$400,000,000			\$ -	\$ -	\$ 184,046	\$ -	\$ (324)	\$ 183,722
Kainen, Escalera & McHale	Employment									\$ -
Total Kainen, Escalera & McHale	Tremont	\$20,000,000			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Melick & Porter										\$ -
Total Melick & Porter					\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTALS:		\$450,000,000			\$ 270,000	\$ -	\$ 184,046	\$ -	\$ (324)	\$ 183,722
										Agrees with Gen Ledger

TAB 6



INFORMATION REGARDING UPCOMING SOLICITATIONS

RFP/B/Q currently open for which responses due prior to October 30, 2020

- RFP for O&M of the CSWS Recycling Facility (issued 6/15/20, proposals due 10/19/20, existing agreement for these services expires 6/30/2021)
- RFP for Brokerage of Recycled Commodities from the CSWS Recycling Facility (issued 8/25/2020. Proposals due 10/26/2020, existing agreement for these services expires 6/30/2021)
- RFP for Insurance Consulting and Brokerage Services (issued 8/24/2020, proposals due 10/8/2020, existing agreement expires December 30, 2020)

RFP/B/Q expected to be issued this fall (FY2021)

- RFP for Recycling Of Metals And/Or Disposal Of Metal-Entrained Solid Waste From The Connecticut Solid Waste System Resource Recovery Facility. (MIRA has exercised final option to extend existing Agreement for Metals Recovery and Marketing Services through 6/30/2021. After end of this extension period, the vendor has notified MIRA that they will no longer be providing this service)
- RFP For Relocation Of The Truck Scale At The Connecticut Solid Waste System Recycling Facility (Related to the recycling facility RFP, the existing Access and Scale Use Agreement with Murphy Road Realty, LLC expires by March 31, 2021. Upon mutual agreement of the parties, can be extended for two separate 1-year periods (through 6/30/2023). This agreement can be terminated by either party if MIRA does not exercise its option to renew the Agreement for O&M and Commodity Marketing Services at CSWS Recycling Facility). Without a longer term Access and Scale Use Agreement, relocation of the scale on MIRA property will be required).
- RFP for Billboard Licensing Agreement at RRF (existing agreement expires July 31, 2021).
- RFP for Independent Auditing Services Agreement For Fiscal Years 2021, 2022 And 2023 Audits (existing agreement expires March 31, 2021)
- RFP for Air Emissions Testing at the PBF (existing agreement expires March 31, 2021)

RFP/B/Q expected to be issued this spring (FY2021)

- RFQ for HR Consulting and Staffing Services (existing agreements expire June 30, 2021).
- RFQ for Commercial And Industrial Real Estate Services (existing agreements expire June 30, 2021)
- New solid waste and recyclables delivery agreements with waste haulers (existing contracts expire June 30, 2021)

Options, extensions and/or termination provisions of note after FY2021

- Renewal term of O&M Agreement for RRF with NAES (base term expired 6/30/16 – extends annually each year for 10 successive 1-year extension periods unless MIRA sends notice to opt out [through 6/30/2026])
- Renewal term of O&M Agreement for Jet Turbine Facility with NAES (base term expired 6/30/16 – extends annually each year for 10 successive 1-year extension periods unless MIRA sends notice to opt out [through 6/30/2026])
- Early termination provision in Agreements for Waste Transportation and Transfer Station O&M Services (term expires 6/30/2023 – provision in contract term allows for early termination, effective 7/1/2019, if certain unrecovered capital investment payments are made).
- Agreement for Transportation and Disposal of Ash Residue From The CSWS Resource Recovery Facility expires June 30, 2024
- Base term of MIRA headquarters lease at 200 Corporate Place expires April 30, 2023. MIRA has option to extend for two separate 3-year periods (through 4/30/2029).