



MEMORANDUM

TO: MIRA Board of Directors
FROM: Donald S. Stein, Chairman
DATE: March 15, 2022
RE: Notice of Special Telephonic Meeting

There will be a *special telephonic* meeting of the Board of Directors of the Materials Innovation and Recycling Authority (MIRA) on *Thursday, March 17, 2022 at 10:00 a.m.*

Members of the public may attend the meeting in person in the board room at MIRA headquarters (masks required), or may attend the meeting telephonically by calling (929) 205-6099, entering Meeting ID 875 1224 0397, and entering Passcode: 461708# when prompted.

The purpose of this meeting will be:

- I. Pledge of Allegiance
- II. Public Comment – 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.
- III. Board Action will be sought for a Resolution Regarding Replacement of Weigh Scales at MIRA’s CSWS Transfer Stations. (*Attachment 1*).
- IV. Board Action will be sought for a Resolution Regarding an Agreement for the Disposal of Municipal Solid Waste at Covanta Waste to Energy Facility(ies). (*Attachment 2*).
- V. Executive Session to discuss Pending RFPs and Feasibility Estimates and Evaluations relative to prospective public supply contracts, including MIRA RFP’s and prospective contracts for Connecticut Solid Waste System transfer facilities, transportation and disposal of acceptable solid waste at alternate disposal facilities and operation of MIRA’s Jets and the potential impact of same upon MIRA operating and capital budgets and its Municipal Service Agreements.

TAB 1

**RESOLUTION REGARDING PURCHASE AND
INSTALLATION OF LOAD-OUT SHALLOW-PIT TRUCK
SCALES AT MIRA'S CSWS TRANSFER STATIONS**

RESOLVED: That the President is hereby authorized to execute an agreement with Alpha Scale Co (Secour Enterprises LLC dba Alpha Scale Co) for the purchase of new shallow-pit truck scales at MIRA's CSWS Transfer Stations, substantially as presented and discussed at this meeting.

Materials Innovation and Recycling Authority
Contract Summary for
Purchase And Installation Of Load-Out Shallow-Pit Truck Scales At
MIRA's CSWS Transfer Stations

Presented to the MIRA Board on: March 17, 2022

Vendor/Contractor(s): Alpha Scale Co
(Secour Enterprises LLC dba Alpha Scale Co)

Effective Date: Upon Execution

Contract Type/Subject Matter: Agreement

Facility(ies) Affected: Essex Transfer Station, Torrington Transfer Station, Watertown Transfer Station

Term: Upon Completion of Work

Contract Dollar Value: \$586,380.04 for all 4 scales (Note: presumes no unexpected issues discovered after weigh bridge is removed).

Amendment(s): Not applicable

Term Extensions: Not applicable

Scope of Services: Demolition and Removal of Existing Scales. Purchase and Installation of new B-Tek Centurion steel-deck shallow-pit truck scale (weigh bridge) with B-Tek CPD-M digital load-cell system, including cleaning and repairing existing concrete pit as needed to complete scale installation.

Other Pertinent Provisions: None.

Materials Innovation and Recycling Authority Connecticut Solid Waste System

Purchase And Installation Of Load-Out Shallow-Pit Truck Scales At MIRA's CSWS Transfer Stations

*Board of Directors
March 17, 2022*

Executive Summary

This is to request approval by the Board of Directors for the purchase and installation of four new 60-foot shallow-pit truck scales (B-Tek Centurian weigh-bridge with B-Tek CPD-M digital load cells and appurtenances thereto as described herein). This includes the removal of the load-out scales at MIRA's Essex, Torrington and Watertown Transfer Stations, removal of the main scale at the Torrington Transfer Station, and any appurtenant cleaning and patching of the concrete shallow pits as needed for the installation of the new scales.

Discussion

Each of MIRA's transfer stations is equipped with a load-out scale which weighs the outbound MSW trailers as they are being loaded. These scales are required for the efficient loading of the trailers and help to ensure that the trailers do not exceed their legal weight limit. These scales are housed within a shallow concrete pit. The main scale at the Torrington Transfer Station is the same model and design. All four existing pit scales are over 30 years old and have outlived their useful lives. Each scale consists of a weigh bridge platform (on which the truck and/or trailer drive), load cells (on which the weigh bridge sits and which measure the force of the truck on the platform), and appurtenances thereto. Each scale sits within a shallow concrete foundation. The existing load-out scales have deteriorated to the point where they were condemned for use as scales about five years ago and the load cells were cut from the scales. Replacing those load-out scales was a requirement of each of the contractors with whom MIRA is negotiating contracts for the operation and maintenance of, and MSW transportation from, those transfer stations.

As part of the scope of work, at each facility, the Contractor will remove the existing scale, clean and if necessary repair the existing foundation as necessary and install the new scales (weigh bridge, load cells, and appurtenances thereto)

Solicitation Details

On January 5, 2022, MIRA issued a Request For Proposals ("RFP") entitled Purchase And Installation Of Load-Out Shallow-Pit Truck Scales At MIRA's CSWS Transfer Stations (RFP22-OE-006) in accordance with MIRA's Procurement Policies and Procedures. This RFP was posted on

MIRA’s website and on the Connecticut Department of Administrative Service’s State Contracting Portal.

MIRA received notices of interest from four (4) firms including:

- Alpha Scales/B-TEK Scales LLC
- Commercial Scale & Balance
- Fairbanks Scales, Inc.
- Mettler-Toledo LLC

MIRA received proposals from three firms:

- Secour Enterprises LLC dba Alpha Scale Co (“Alpha Scale”) who proposed a B-TEK scale
- Commercial Scale and Balance who proposed an Emory Winslow scale
- Mettler Toledo LLC (“Mettler Toledo”) who proposed a Mettler Toledo scale

MIRA’s President identified the following individuals to evaluate the proposals received: Peter Egan, Director of Operations and Environmental Affairs; Thomas Gaffey, Director of Recycling and Enforcement; George Carlson, Facilities Manager; David Bodendorf, Senior Environmental Engineer/Manager of Construction and Power Products; and Roger Guzowski, Contract and Procurement Manager.

The proposal from Commercial Scale and Balance was received after the February 17, 2022 due date but before proposals were opened on Tuesday February 22, 2022. While accepted by MIRA, it was considered sufficiently deficient in several details to warrant further consideration.

Each proposal was composed of fixed fee prices per scale as follows:

Proposer	Alpha Scale	Mettler Toledo
Scale Brand	B-TEK	Mettler Toledo
Fixed-fee price for scale including weigh bridge, load cells, appurtenances and 10-year warranty	\$82,595.01	\$63,683.00
Fixed-fee demolition and removal	Not to Exceed \$50,000.00	\$93,340
Not-to-exceed delivery price	\$4,500.00	\$4,508.00
Fixed price to obtain bonds	\$5,000.00	\$1,112.00
Price for installation, interconnections, calibration and testing	\$4,500.00	\$7,776.00 for each of the 3 load-out scales; \$5,844.00 for the Torrington main scale
Total fixed price including demolition removal, and installation.	\$146,595.01	\$170,419.00 for each of the 3 load-out scales; \$168,487.00 for the Torrington main scale

In addition, because the final condition of the concrete foundation will not be fully known until the existing weigh bridge is removed, each proposer was directed to provide variable pricing for components of its proposal.

Additional Information

Site work	Alpha Scale	Mettler Toledo
Time to complete demolition and installation work at each site*	<ul style="list-style-type: none"> • 3 days (can be done over weekend with minimal disruption to transfer station operations). 	<ul style="list-style-type: none"> • 5 days (requires at least 2 days of disruption to transfer station operations at each site even if no unforeseen issues).
Lead time after receipt of order until first scale can be delivered.	<ul style="list-style-type: none"> • Completed in July, 2022 	<ul style="list-style-type: none"> • Completed by June 30, 2022

**Presumes no unforeseen issues after old weigh bridge removed.*

MIRA Staff recommend accepting the proposal from Alpha Scale Co to remove the existing scales and install a B-Tek scale in accordance with the contract documents.

Financial Summary

The purchase and installation of the new shallow-pit load-out scales will be funded from the Scale Systems Replacement project funded in the amount of \$600,000 from the CSWS Major Maintenance Fund as authorized by Board resolution adopted February 23, 2022.

TAB 2

**RESOLUTION REGARDING AN AGREEMENT FOR
DISPOSAL OF MUNICIPAL SOLID WASTE AT COVANTA
WASTE TO ENERGY FACILITY(IES)**

WHEREAS: At its May 28, 2020 special telephonic meeting, the Materials Innovation and Recycling Authority (MIRA) Board of Directors adopted a resolution directing management to immediately commence planning and contracting activities necessary to transition the Connecticut Solid Waste System (“CSWS”) Waste to Energy Facility to transfer operations and to continue to evaluate the feasibility of refurbishing the Waste to Energy Facility for longer term operation, which resolution was necessitated by the unsuccessful conclusion of the Department of Energy and Environmental Protection’s “Resource Rediscovery” initiative to redevelop the CSWS; and

WHEREAS: on May 14, 2021 MIRA issued two Requests For Proposals for the Transportation and Disposal of Municipal Solid Waste i) at Regional Facilities and ii) at Out of State Landfills which RFPs permitted proposals for transportation only, disposal only or combined transportation and disposal service, and requested alternative pricing structures under the presumption that i) the CSWS Municipal Service Agreements remained subject to existing “Opt Out” clauses or ii) that the existing Opt Out clauses would be amended out of the agreements; and

WHEREAS: MIRA received proposals for the Transportation and Disposal of Municipal Solid Waste from seven proposing entities offering transportation and/or disposal capacity at seven Regional Facilities and ten Out of State Landfills; and

WHEREAS: MIRA evaluated such proposals pursuant to published evaluation criteria which included i) MIRA’s objective to continue providing for the least cost, lowest risk, environmentally responsible processing of MSW at least through the June 30, 2027 expiration of the Municipal Service Agreements, ii) MIRA’s objective to provide the necessary CSWS Transfer Facility operating and maintenance services while at the same time leveraging the private use and development thereof to lower MIRA’s overall cost of service and advance the State’s long term goals for environmentally responsible treatment of MSW, iii) Transportation and Disposal Capacity and Price (With and Without the existing Municipal Service Agreement Opt Out clauses), iv) Demonstrated Experience, v) Reasonableness of Transition and Operating Plans, Environmental Compliance History and Business Exceptions and vi) Operational, Market and Economic Risks; and

WHEREAS: On August 25, 2021 Covanta Sustainable Solutions LLC submitted a proposal to MIRA for the disposal of municipal solid waste at its waste-to-energy facility located in Preston, CT and other designated Covanta waste-to-energy facilities; and

WHEREAS: At its December 20, 2022 meeting MIRA's Board of Directors directed the President to issue a Notice of Award to Covanta Sustainable Solutions LLC pending the negotiation of final terms and conditions with Covanta Sustainable Solutions LLC of a final contract including but not limited to accepting, rejecting or modifying any business exceptions set forth in the Covanta Sustainable Solutions LLC proposal as determined by the President to be necessary or appropriate, and providing for i) the disposal of municipal solid waste at its Waste to Energy facility located in Preston CT; and

WHEREAS: MIRA staff have completed negotiations with Covanta Sustainable Solutions LLC and finalized terms and conditions of a disposal agreement as summarized on Exhibit A hereto which the President is recommending to the Board that MIRA now execute.

Now therefore be it:

RESOLVED: That the Board of Directors authorizes the President to execute a contract with Covanta Sustainable Solutions LLC for the disposal of municipal solid waste at the Covanta Waste to Energy Facility in Preston CT, or other designated facilities, substantially as presented and discussed at this meeting.

EXHIBIT A

Key Terms of Agreement with Covanta Sustainable Solutions (“Covanta”)

Upon the Commencement date of the Agreement:

- MIRA is committed to delivering 40,000 tons of MSW annually to Covanta’s SECONN facility in Preston, CT or other Covanta Designated Disposal Facilities (Bristol, CT and West Wareham, MA) if Covanta’s SECONN facility is in planned or unplanned outage and unable to accept MIRA’s committed MSW (except during a two-month transition period as discussed below).
- Each month, Covanta will make available a monthly range of disposal capacity as follows:
 - If MIRA delivers less than 2,300 Tons in a month, the Disposal Fees shall be \$95.00 per Ton for each Ton of MSW delivered and \$10.00 per Ton for each Ton it is short of 2,300;
 - If MIRA delivers between 2,300 Tons and 3,400 Tons of MSW in a month, the Disposal Fees shall be \$95.00 per Ton;
 - If MIRA delivers between 3,400 and 4,000 Tons of MSW in a month, the Disposal Fees shall be \$95.00 per Ton for the first 3,400 Tons and \$105.00 per Ton for each Ton in excess of 3,400; and
 - At Covanta’s sole discretion, MIRA may deliver more than 4,000 Tons of MSW in a month, and in that event, the Disposal Fees shall be \$95.00 per Ton for the first 3,400 Tons, \$105.00 per Ton for Tons 3,401 through 4,000, and \$110.00 per Ton for each ton in excess of 4,000.
 - On July 1, 2023 and every July 1st thereafter that this Agreement is in effect, the Disposal Fees shall escalate by 4% over the preceding Contract Year’s rates.
- If MIRA fails to deliver its 40,000 ton annual commitment, it agrees to pay Covanta a \$50/ton liquidated damage, assessed annually, for each ton MIRA is short of its annual commitment. Any shortfall penalty that MIRA pays in a month (if MIRA delivers less than 2,300 tons per month) will be deducted from that contract year’s annual liquidated damage payment.
- At the start of the first contract year, there is a two month transition period during which MIRA is not subject to annual liquidated damages penalties (the Commitment during the first Contract Year would be pro-rated starting in September). In the first transition month (July 2022), if MIRA delivers less than 2,300 tons of MSW, it will only pay \$5/ton for each ton it is short. In the second transition month (August 2022), if MIRA delivers less than 2,300 tons of MSW, it will pay \$10/ton for each ton it is short.
- The contract commences July 1, 2022 and ends June 30, 2027.
- MIRA contemplates fulfilling its commitment with MSW from the Essex Transfer Station but the Commitment to Covanta is agnostic of the source of the MSW as long as it comes from an entity under contract to MIRA such that Covanta is billing MIRA for the committed tons.