

Minutes from August 17, 2009 RFP Solid Waste RFP Meeting

Questions and answers are as follows:

Question: WASTEC is decommissioned – what does decommissioned mean?

Answer: We are pretty flexible in terms of what we are getting for proposals. If you notice in the RFP, there are only a few conditions that are set in concrete. Things like providing recycling opportunities, maintaining minimum operating permits of the Landfill, providing a C&D Recycling facility that would recycle at least 10% of our C&D waste and how the bidder proposes to deal with WASTEC. Obviously the County has invested billions of dollars and we are looking for an innovative use for it or to keep maintaining the same use for it or we are looking for your proposal on what we should do with it. Your proposal could be simply it is your problem, County, and walk away – we are going to do something else. That is not going to help your proposal. We would like your suggestions regarding the best way to use WASTEC in how to keep operating it with the same technology as is there a more innovative plan. Your plan is of interest to us.

Question: What is the outstanding bond balance?

Answer: This year it is approximately \$200,000.00. It should be paid up in 2011. It will drop down in the \$100,000.00's next year.

Question: What type of bonds are they? Reason is because it depends on what can be done with the facility. Are they municipal bonds or IDA bonds?

Answer: Municipal General Obligation Bonds. Please contact your bond counsel (tax attorney) if you have any questions on the debt or tax treatment.

Question: Can we have a copy of bond indenture on website?

Answer: Yes. Information on the bond indenture may be obtained directly on line at our FTP site: <http://www.nhcgov.com/AgnAndDpt/Finc/Pages/SolidWasteRFPandInformation.aspx>

Question: WASTEC is open 24hrs. If decommissioned under requirements, would the Landfill be opened 24hrs.?

Answer: In the RFP it mentions that there should be some sort of means of trash disposal, however, we would be open to what is recommended in the RFP. We are interested in providing the residents and the solid waste haulers of the county the same services as they are receiving now. The services they are receiving now allows for 24/7 disposal of solid waste. If you need to deviate from that, please make sure it is clear in the proposal.

Question: Are there actual requirements with the haulers that it must be kept opened for 24hrs or is that just preference?

Answer: Preference.

Question: Your intention would be that after all the proposals are received that only a couple will be selected? Then would those give you a presentation?

Answer: We may select one, two or three. There is no clear cut process on that. It will depend on what we receive. When the County Commissioners make the ultimate decision on what proposal they want to negotiate further, their primary focus is going to be on the proposal that will serve the residents of the county. Price is going to be extremely important in this of course, but they also want to see a minimum level of service provided. The proposals will be looked at and each point evaluated. We are looking for what is best for the County. You cannot determine that in dollars only. We feel what is on paper will let us know if we really want to bring you in and talk with you. The bottom line is to be clear on your proposal.

Question: Regarding WASTECC on out of County waste. Are there any contracts on that waste?

Answer: No contracts but Letters of Agreements.

Question: Are there any other contracts that either WASTECC or that the Landfill have for projects that would interfere with what we are looking at?

Answer: The State has contracts – which can be terminated. Cell 6D has started. The Progressive Energy Power Purchase Agreement with WASTECC has been extended to November. That contract also has a clause to end it.

Question: Are you looking to extend PPA?

Answer: Yes. We are looking to extend it.

Question: In terms of this contract, who will be the permitting party? Will the county maintain control over the permitting of all these facilities? Is the contractor going to be responsible?

Answer: Whatever contract we can transfer – we will transfer. The Landfill should maintain its present operating permit.

Question: Correct, but do you want the Contractor to be responsible for submitting the permit/application to the State? Or is the county going to do it?

Answer: Some permits are transferrable and some are not. The company operating the facilities will be responsible for meeting the conditions of the permit.

Question: This is a big ticket item. Is the contractor going to be responsible for completing and filing the application for permitting at the Landfill?

Answer: You would be responsible for completing that permit. The County will maintain control. The permit goes in the County's name, but the contractor should do all of the engineering, technical work and big money items and at the end of the day the County should sign off and send it in. The county would have to agree with the permit application that was sent in.

Question: What is being completed on the expansion permitting?

Answer: If you are referring to the Southern property, nothing right now. We are waiting to receive the money to do the hydro geologic study and right now that is it. There are a couple of isolated wetlands on the property, but that has all been permitted and we filled those in. There are no other wetlands on the property except natural wetlands that go down to northeast Cape Fear River.

Question: I understand that no studies have been completed and there has been a wetlands delineation done on those associated with the Cape Fear River. There are no other wetlands on the site?

Answer: That is correct. There have been no other studies. We did have State Representatives here shortly after State Bill 1492 was passed just to make sure that we were in agreement that, since it is contiguous, we would be able to permit that southern property.

Question: Have they already ruled on that?

Answer: Verbally they have agreed that it can be permitted, but we have not received anything in writing.

Question: Is there anything that precludes the facility being higher than elevation 170ft.

Answer: According to Senate Bill 1492, the limit is 250ft. So, there is nothing that precludes going higher other than the size of the base.

Question: The Power contract for WASTEC? What do you envision for the county or can it be assigned to the operator?

Answer: It can be assigned to operator.

Question: Are any CAD drawings available?

Answer: Yes. These may be obtained directly on line at our FTP site:
<http://www.nhcgov.com/AgnAndDpt/Finc/Pages/SolidWasteRFPandInformation.aspx>

Question: Have any existing Landfill Cells been closed?

Answer: Cell 1, 2 & 3 are closed. Two and three will be reopened when we vertically expand. Cell One is going to stay closed.

Question: Was there an Ordinance established for franchising the haulers?

Answer: Yes.

Question: Can you make that Ordinance available on the Web.

Answer: The actual Ordinance is available on the Web. Go to the <http://www.municode.com/resources/gateway.asp> – Solid Waste is in Chapter 44.

Question: Can any former Franchise Agreements be available also?

Answer: These are available on the County website.

Question: Regardless of the Franchise Agreements, in reading through the RFP concern is how the county is going to step up. The county is going to have a minimum guarantee of 150,000 tons a year?

Answer: Right.

Question: If you do not hit that 150,000 then there will be something contractually that will hold you responsible.

Answer: Yes.

Question: The question on the draft contract. In reading through it, your vision would be that we will red line. It so that it works for both of us hopefully, and we will submit that in with our proposal. We feel this makes the proposal non-binding. We have not negotiated a contract per se.

Answer: The contract is attached as a draft only and should be red lined by the bidder.

Question: Is there any way to extend the due date on this proposal?

Answer: The County has agreed to extend the due date of the proposal from Wednesday, September 23, 2009 to **Friday, October 23, 2009**.

Question: Who is handling the hazardous waste?

Answer: We have several companies. Eco-Flo is the last contract we had. We have a once a year household hazardous waste collection day. We have looked at possibly having it more often and having a facility for it. Right now, it is just once a year.

Question: Is there a contract with them?

Answer: No. Cost fluctuates based on volume on materials that comes in. Every year it goes out to bid, then that is when they get their estimates. Last year it was \$25,000.00.

Question: There is a requirement of a Letter of Credit for 5million dollars. Would you consider a Surety Bond in lieu of the Letter of Credit?

Answer: The County prefers to retain its requirement for a letter of credit; however, we have agreed to reduce the solid waste letter of credit from to \$1.5 million rather than \$ 5 million as stated in the proposal.

Question: Would you provide a list of equipment from Landfill and equipment hours.

Answer: See list below.

AS OF 8/19/09

Equipment	Quantity	Current Hours	Year	Serial Number	Comments
826G CAT	1	11,716	2001	7LN00711	Engine rebuild in 2008
826H CAT	1	3,700	2007	AWF00367	
D7R CAT	1	12,032	1998	2EN00854	
D8R CAT	1	8,383	2003	6YZ01651	Gregory Poole capital rebuild 2009
D8T CAT	1	1,656	2008	LHX16932	
627F CAT	1	9,491	1998	1DL00548	Budgeted trade-in and replacement 2009
IT18F CAT Loader	1	9,537	1993	6ZF00274	
IT18F CAT Loader	1	10,141	1994	6ZF00427	
924G CAT Loader	1	3,842	2004	DDA01700	
Champion motor grader	1	7,975	1996	X026158X	
Ford Water truck	1		1980		Plan to sell on govdeals 2009
GMC Water Truck	1	612	2006	6F417938	
320C CAT	1	1,159	2005	PAB03635	
Volvo roll-off truck	1		2001	4VHJCCGF9XN867078	
International dump truck	1		1989		Plan to sell on govdeals 2009
posi-shell truck	1		1982	05F28270C12910174	
roll-off cans (20 to 40 yds)	8	N/A	N/A		
924H CAT Loader	1	1,179	2008	0HXC00631	

Question: It is understood in the contract that whoever gets the contract is expected to purchase that equipment?

Answer: No, the equipment may also be leased.

Question: Was it a one (1) year lease and then purchasing it or leasing continually?

Answer: I do not believe it had a limit. This will be negotiated.

Question: I think the RFP stated it had a one (1) year lease. It does beg the question what are you going to do with it after the year. Do you think in the proposal we can suggest to you a price to buy it from you?

Answer: Sure. The bidders may include this in their proposal.

Question: As far as guarantee tonnage is concerned, if in the first month 20,000 tons is delivered – do we get paid for the 20,000 tons that is delivered or is it only 12,500 tons until the end of year?

Answer: 12,500 per month until the end of the year – that is the way it is written right now.

Question: In this case if we receive 300,000 tons we only are getting paid for 12,500/month until the end of the year and then we get paid for another 150,000 tons.

Answer: That is how it is written.

Question: Can that be changed?

Answer: That is the way it is written. As was stated, submit your proposals.

Question: Does the Landfill and WASTEC permits require that an annual report be filed each year by August? Did you file one last month and if so can we get a copy of it?

Answer: We did. A copy of the report is available on the County's website:
<http://www.nhcgov.com/AgnAndDpt/Finc/Pages/SolidWasteRFPandInformation.aspx>

Question: Would it be easier to send additional questions, as needed, so they could be answered and then they would post it on the website.

Answer: Yes, that would be great. One point of contact – email Lena Butler at
lbutler@nhcgov.com

Question: Does the county own the southern property presently?

Answer: Yes.

Question: Is there any third party volume regarding recycling?

Answer: We take some recyclables from the City and Pender County. There is recyclables coming from Pender County. Any material that we receive has to be sorted prior to coming to the facility.

Question: Are you looking at the successful company assuming your employees?

Answer: We ask in the RFP to keep the employees working, to carry on our employees as they are now. Obviously, if you shut down WASTEC, we would want to see whatever takes its place to hire those employees. That would be something you would have to put in your proposal. We consider ourselves family, dedicated and very confident employees. These employees have years of expertise and familiarity with regards to this facility and our processes and I would hope their backgrounds would be highly valued to all of you. We do not have any requirements for keeping everyone for a certain amount of time or anything like that because frankly, if you can do the job with fewer employees than that would be something that would have to happen. They are very competent and very dedicated. They have years of experience on an individual and on a group level. I would ask that you keep all of this in mind.

Question: We have been asked in the RFP to name our Management Team? That is very difficult to do since you would like for us to keep your employees but we don't know their jobs.

Answer: Put in your RFP your intent to keep your Management staff. You would state that it is your intent to keep existing management staff provided that their skill set fits in with your intentions. We can't expect you to guarantee that every single person is going to be kept on if they can't come to a salary agreement or anything like that.

Question: Could you please provide us with a list of pay scales of the employees.

Answer: See below

LOCATION: 8010-ENVIRONMENTAL MGT ADMIN

800A-ENVIRONMENTAL MANAGEMENT DIREC	GRADE: 8200	RANGE: \$92,747 - \$142,293	#POS: 1
803A-ENVIRONMENTAL PROGRAM MANAGER	GRADE: 4200	RANGE: \$51,750 - \$79,373	#POS: 1
8145-KEEP AMERICA BEAUTIFUL PROGRAM	GRADE: 2300	RANGE: \$37,710 - \$57,762	#POS: 1
815A-ENVIRONMENTAL SPECIALIST	GRADE: 2300	RANGE: \$37,710 - \$57,762	#POS: 1
817A-ENVIRONMENTAL TECHNICIAN	GRADE: 2200	RANGE: \$34,861 - \$53,477	#POS: 1
822A-ENVIRONMENTAL PRGRM ASS'T	GRADE: 1300	RANGE: \$29,224 - \$44,866	#POS: 1
913A-ADMINISTRATIVE SUPPORT SPECIAL	GRADE: 2100	RANGE: \$32,053 - \$49,192	#POS: 2
922A-SAFETY OFFICER	GRADE: 4100	RANGE: \$48,942 - \$75,109	#POS: 1

LOCATION: 8020-ENVIRONMENTAL MGT LANDFILL

805A-LANDFILL MANAGER	GRADE: 4200	RANGE: \$51,750 - \$79,373	#POS: 1
923A-FISCAL SUPPORT ASSISTANT	GRADE: 1200	RANGE: \$26,437 - \$40,518	#POS: 2
960A-MAINTENANCE ASSISTANT	GRADE: 1100	RANGE: \$23,566 - \$36,192	#POS: 5
OZ1A-EQUIPMENT OPERATOR	GRADE: EOZ1	RANGE: \$29,224 - \$44,866	#POS: 6

LOCATION: 8030-ENVIRONMENTAL MGT RECYCLING

806A-SOLID WASTE PLANNER	GRADE: 4100	RANGE: \$48,942 - \$75,109	#POS: 1
810A-RECYCLING OPERATIONS SUPERVISO	GRADE: 2100	RANGE: \$32,053 - \$49,192	#POS: 1
OZ1A-EQUIPMENT OPERATOR	GRADE: EOZ1	RANGE: \$29,224 - \$44,866	#POS: 3
OZ8A-EQUIPMENT OPERATOR	GRADE: EOZ8	RANGE: \$31,554 - \$48,402	#POS: 1

LOCATION: 8040-ENVIRONMENTAL MGT WASTEC ADM

801A-PLANT MANAGER	GRADE: 6200	RANGE: \$70,346 - \$108,014	#POS: 1
802A-PLANT OPERATIONS MANAGER	GRADE: 4100	RANGE: \$48,942 - \$75,109	#POS: 1
804A-PLANT MAINTENANCE MANAGER	GRADE: 4100	RANGE: \$48,942 - \$75,109	#POS: 1
820A-MATERIALS CONTROL SPECIALIST	GRADE: 2100	RANGE: \$32,053 - \$49,192	#POS: 1
821A-MATERIALS CONTROL TECHNICIAN	GRADE: 1300	RANGE: \$29,224 - \$44,866	#POS: 1

LOCATION: 8050-ENVIRONMENTAL MGT WASTEC OPS

808A-PLANT SHIFT SUPERVISOR	GRADE: 2431	RANGE: \$41,205 - \$63,190	#POS: 1
808B-PLANT SHIFT SUPERVISOR	GRADE: 2431	RANGE: \$41,205 - \$63,190	#POS: 4

Report of Positions at Environmental Management

811B-CONTROL ROOM OPERATOR	GRADE: 2200	RANGE: \$34,861 - \$53,477	#POS: 4
818B-BOILER TECHNICIAN	GRADE: 1200	RANGE: \$26,437 - \$40,518	#POS: 4
819A-TIPPING FLOOR ATTENDANT	GRADE: 1200	RANGE: \$26,437 - \$40,518	#POS: 1
960A-MAINTENANCE ASSISTANT	GRADE: 1100	RANGE: \$23,566 - \$36,192	#POS: 2
970A-MECHANIC	GRADE: 2200	RANGE: \$34,861 - \$53,477	#POS: 1
OZ1B-EQUIPMENT OPERATOR	GRADE: EOZ1	RANGE: \$29,224 - \$44,866	#POS: 8
PZ1B-POLL CTROL SPEC - ZONE 1	GRADE: PCZ1	RANGE: \$32,053 - \$49,192	#POS: 4
PZ2A-POLL CTROL SPEC - ZONE 2	GRADE: PCZ2	RANGE: \$33,342 - \$51,147	#POS: 1

LOCATION: 8060-ENVIRONMENTAL MGT WASTEC MAINT

807A-PLANT MAINTENANCE MECHANIC SUP	GRADE: 2431	RANGE: \$41,205 - \$63,190	#POS: 1
809A-PLANT MAINTENANCE MECHANIC	GRADE: 2200	RANGE: \$34,861 - \$53,477	#POS: 9
IZ1A-INSTRUMENTATION CONTROL SPECIA	GRADE: ICZ1	RANGE: \$36,941 - \$53,477	#POS: 3

Question: Why is there a difference in permits – i.e. tons to be permitted processed with Title 5 and the Solid Waste. Is there any discussion on that? Any rationale as to why it seems to be a conflict?

Answer: The numbers in the Permit are not correct. We have addressed that with the appropriate State Agencies and that request to amend that Permit has been done.

Question: The RFP states that the contract will be a ten (10) year contract with two five (5) year extensions. Conventionally we talk about a twenty (20). Any rationale on that? Understanding that it is open ended, so if we want to do anything different we can propose something different. I am hearing that pretty clearly.

Answer: We were told twenty (20) was the normal and we were going to go in the middle and do ten (10) with two fives (5) and that adds up to twenty (20). That is why we are stating this proposal is open. This is the lower limit (10 & two 5's). Longer term, we would be glad to discuss it.

Question: Bottom floor of waste estimates 150,000, but it goes all the way up to 450,000. Is there something we ought to know?

Answer: No hidden agenda. If we take off growing, again over a 10-20yr. period things can get up pretty high.

Question: Regarding WASTEC, is there a list somewhere in recent years of the money spent for capital improvement projects or maintenance?

Answer: Yes, this information is available at:

<http://www.nhcgov.com/AgnAndDpt/Finc/Pages/SolidWasteRFPandInformation.aspx>

Question: Recent years on boilers?

Answer: We can show you what is in the maintenance budget as far as what is allowed. It has been changed around. Tube work in boilers used to be a capital improvement, but then it became a debate whether it should be in M&R. It was finally placed in the M&R budget.

Question: Do you want just the capital improvements? Or do you want the capital improvements and/or maintenance repairs?

Answer: All of the above. One of the Appendices in the RFP includes a Maintenance Budget.

Question: Does that trash volumes include the C&D?

Answer: That includes everything.

Question: What is your C&D volume?

Answer: We are processing 7-8 thousand tons a year. That is just a portion of the waste that comes across the scale. That is what is actually being processed – that is what we recover.

Question: The tonnage report that I saw did not break down your tonnage as to how much is C&D, municipal solid waste and whatever. Do you have it broken down?

Answer: Yes, we have it broken down.

Question: Can that be put on the website?

Answer: Sure.

<http://www.nhcgov.com/AgnAndDpt/Finc/Pages/SolidWasteRFPandInformation.aspx>

Question: Unclear as to CAD drawing for WASTEC.

Answer: We have some CAD drawings. Otherwise we will get them scanned.

Question: First commissioned WASTEC had Performance tests done. Any recollection as to whether or not they were still around? Would like to see how it performed.

Answer: Information can be obtained at:

<http://www.nhcgov.com/AgnAndDpt/Finc/Pages/SolidWasteRFPandInformation.aspx>

Question: Do you envision if you are going to keep the folks who man the scale house? Are you still going to take care of that?

Answer: That is what we envision right now.

Question: Which means you are still going to have a group here that is going to be overseeing the Landfill and WASTEC, whether it is yourself or other folks.

Answer: The County will designate a contact administrator. Who and where that person will be has not been determined.

Question: With a thirty (30) day extension – obviously that makes it very difficult to try and come to some agreement on who you are going to choose and interview when the contract stipulates it is going to begin at the beginning of next year. It is understood you would like to get that all done, but the reality being, if one pushes out, the others will push out as well.

Answer: Yes, due to the 30 day extension, all other dates will be extended.