



Open Session Item

**SUBJECT:** Contract Award (PUR-1636) – Resh Solar II

**PRESENTATION DATE:** February 6, 2024

**PRESENTATION BY:** Brandi Naugle, CPPO, Buyer; Dave Mason, P.E., Deputy Director, Solid Waste Department

**RECOMMENDED MOTION:** Move to award a contract for the Resh Solar II project for the Division of Environmental Management Department of Solid Waste to the responsive, responsible firm, Community Power Group, LLC, of Washington, DC who submitted the Total Lump Sum in the amount of \$95,000.

**REPORT-IN-BRIEF:** The purpose of the contract is to generate revenue through land lease payments. The Department of Solid Waste is proposing the construction of new solar fields on a portion of the closed Resh Road Landfill. The bidder is proposing to build one field over Cells 1, 4, and 5 (Site 2 on the attached drawing) located on the Southern portion of the landfill and another in the field along the east side of the property (Site 3). Given the history of the site, there is no other approved use for the land. The proposed agreement will be a land lease only, there will be no power-sharing agreement. There will be no cost to the County for this project.

The Project must be in operation for at least twenty (20) years. The term of service under this contract shall begin on the agreement date and continue through the Guaranteed In-service Date and twenty (20) years of operation with an option to renew for up to two (2) additional consecutive five (5) year periods, subject to written notice given by the County at one hundred eighty (180) calendar days in advance of its expiration date. If the Proposer wishes to renew the agreement, he/she must submit a letter of intent to the Director of Purchasing at least one hundred twenty (120) calendar days prior to the expiration of each agreement period. Consideration for renewal shall be given based on performance. The County reserves the right to accept or reject any request for renewal that the Proposer may request at that time. All other terms and conditions shall remain unchanged. The County reserves the right to terminate this agreement if the successful proposer does not execute an agreement and begin work within a the time frame set forth in Request for Proposal.

Notice of the Request for Proposal (RFP) was published on the County's website, the State's e-Maryland Marketplace Advantage website, and in the local newspaper. Forty-Two (42) persons/firms accessed the RFP from the County website. Three (3) firms submitted proposals, one of which was deemed non-responsive.

**DISCUSSION:** N/A

**FISCAL IMPACT:** No local or federal funds will be required for this project. The County will receive the revenues from the land lease (490000-21-21010).

**CONCURRENCES:** Recommended by the Coordinating Committee that was comprised of the Deputy Director - Solid Waste & Watershed (Committee Chairman), County Buyer, Recycling/Operations Coordinator, Division Director of Environmental Management, and Director of Purchasing.

**ALTERNATIVES:** N/A

**ATTACHMENTS:** Excerpt from the RFP document containing the “Scope of Work”

**PUR-1636  
REQUEST FOR PROPOSALS  
REGARDING QUALIFICATIONS AND EXPERIENCE/  
TECHNICAL PROPOSALS AND PRICE PROPOSALS**

**DIVISION OF ENVIRONMENTAL MANAGEMENT  
DEPARTMENT OF SOLID WASTE  
RESH SOLAR II**

**September 13, 2023**

**I. PURPOSE**

This Request for Proposals (“RFP”) is to solicit proposals from interested parties (Developers) in developing an Environmental Beneficial Repurposing of a Landfill Project(s) (“Project”) at the locations noted in Attachment No. 6, which are owned and maintained by Washington County Board of County Commissioners (“Owner” or “Authority”). The Developer must have relevant experience for the proposed project on a closed landfill and be able to demonstrate a detailed explanation of the state and local permitting requirements for the proposed use of a landfill. The execution and use of the land identified in any land lease or land-use agreement must be conducted to avoid impinging on the Owner’s primary business, nor shall such activities limit the Owner’s rights to its property such that the activities interfere with its current and future operations.

As a public entity, the Owner has a fiduciary responsibility to maximize its income from secondary activities. The successful Developer will propose the means of meeting these objectives and the Owner reserves the right to select a proposal taking into consideration a Developers ability to execute on its proposal.

It is the intent of the Authorities to pursue a single, multi-year ground lease agreement with the selected Developer.

**II. BACKGROUND**

This RFP relates to the sites as identified in Attachment No. 6 (“Site Photos”). The Sites are located in Potomac Edison utility territory which has indicated there is 1.29 MW ac of capacity on the local 3-phase distribution lines as noted in Attachment No. 6. The site is located at 13300 Greencastle Pike, Hagerstown, MD 21740 and the following some details with regards to each potential site:

Site# 1

- Approximately 2.3 Acres for Development
- Year Closed: 2001
- Waste Type: Municipal Solid Waste
- Cap Type: Full, Synthetic
- Depth of Soil Above Cap: 2 feet

- Overview of any Current Onsite Activity: Methane is collected and flared. Leachate is also collected and trucked from the site from two (2) locations on this site. Two (2) underground tanks are located on the east side of the site and two (2) underground tanks are located on the west side of the site. Site# 2

- Approximately 12 Acres for Development
- Approximate Year Closed: 1985
- Waste Type: Municipal Solid Waste
- Cap Type: Partial, Synthetic
- Depth of Soil Above Cap: 2 feet
- Overview of Any Current Onsite Activity: Leachate is collected and trucked from the site from one (1) location from the southern side of the site. The underground tank is located to the south of this site.

Site# 3

- Approximately 7 Acres for Development
- Overview of Any Current Onsite Activity: This area was never a part of the active landfill area or burn site. There may be random pockets of trash throughout the area to the north, the depth of trash and the amount of cover is unknown. The southern and eastern parts of this area may have scattered pockets of trash but significantly less than the northern section. The Highway Department currently uses the existing shop bays for equipment storage. Access to these facilities and the southern leachate area will need to always remain open.

### **III. SCOPE OF WORK**

The goal of this project is for the Owner to produce revenue through land-lease payments. The Developer will provide detailed explanations of the areas to be leased and the term of the use of the land (including terms of access, land use period, any renewal periods, process for restoration of the land, and process for maintaining the land used). The Developer should also provide a summary of land lease requirements that specifically address issues related to landfills.

It is expected that the successful project will include the following aspects which must be detailed in each firm's proposal:

- Summary – Provide a summary of the nature and extent of the project.
- Design – Preliminary design of the project stamped by a Maryland Engineer.
- Permitting/Licensing – Describe the organizations that will be involved in required construction or operational permits. Describe in detail what permitting activities/deliverables will be required by each organization.
- Schedule – Provide a detailed schedule for the project. This schedule should include design, permitting, construction, and financial milestones throughout the life of the project.

