

REQUEST FOR QUALIFICATIONS
FOR THE
LANDFILL OPERATION AND MAINTENANCE AT THE
BURLINGTON COUNTY RESOURCE RECOVERY COMPLEX



ISSUED: May 22, 2015

DUE: June 29, 2015

ISSUED BY:
BURLINGTON COUNTY BOARD OF CHOSEN FREEHOLDERS

BURLINGTON COUNTY, NEW JERSEY

REQUEST FOR QUALIFICATIONS

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1.0 INTRODUCTION AND DESCRIPTION OF THE QUALIFICATION PROCESS

1.1 Issuing Entity, Project Commitment, Inquiries, and Correspondence

This Request for Qualifications (the “RFQ”) is being issued by the County of Burlington, New Jersey (the “County”) pursuant to N.J.S.A. 40A:11-1, *et seq.*, to receive Qualification Statements from responding firms (the “Respondent”) to provide for the operation and maintenance of the Burlington County Resource Recovery Complex Landfill (the “Landfill”). The Qualification Statements will be reviewed by the County in order to identify and select a limited number of qualified firms (the “Designated Vendors”). The County will then issue a Request for Proposals (the “RFP”) to the Designated Vendors for the operation and maintenance of the Landfill.

It is anticipated that the RFP will result in the execution of an agreement (the “Service Agreement”) with one company (the “Vendor”) for the operation and maintenance of the Landfill. All determinations under the RFQ and RFP will be within the sole discretion of the County and not subject to challenge or appeal.

All inquiries and correspondence relating to this RFQ shall be directed to:

Jerome Sheehan, Director
Department of Solid Waste
PO Box 429
Columbus, New Jersey 08022
Via US Postal Service
1200 Florence-Columbus Road
Bordentown, New Jersey 08505
Via Courier

All questions shall be sent in writing via mail to the above address or by facsimile to (609) 499-5212. Responses to questions will be distributed by the Director of Solid Waste to all Respondents and will be deemed as official responses. Any responses from other parties will not be considered valid responses.

1.2 Qualification Statements Submission Date

One original and four paper copies as well as one electronic copy (submitted on CD or memory stick), of the Qualification Statements pursuant to this RFQ must be submitted no later than **4:00 p.m. Eastern Time on June 29, 2015** (the “Submission Date”). The Qualification Statements shall be submitted in a sealed package, the outside of which is clearly labeled “Qualification Statements for the Operation and Maintenance of the Burlington County Resource Recovery Complex Landfill”, and addressed to:

Jerome Sheehan, Director
Department of Solid Waste
PO Box 429
Columbus, New Jersey 08022
Via US Postal Service
1200 Florence-Columbus Road
Bordentown, New Jersey 08505
Via Courier

Qualification Statements submitted after the deadline will not be evaluated by the County and will be returned unopened to the responding firm. The only acceptable evidence of timely submission is a receipt from the office of the Director of Solid Waste. Instructions on the form and content of the Qualification Statements are given in Section 6.0 of this RFQ.

1.3 Overview of Project Concept

The Landfill is located at the Burlington County Resource Recovery Complex (the “Complex”) in Florence and Mansfield Townships, New Jersey. The Landfill is owned by the County and is currently operated by a private firm. The present operation and maintenance agreement expires January 16, 2016. The County is seeking a contractor to provide proposals to operate and maintain Landfill No. 2 for either a ten (10) year period or a five (5) year period with an option to renew for an additional five (5) years.

Landfill No. 1, a closed landfill within the Complex, is 54 acres in size and had an original design capacity of 5,397,000 cubic yards of air space. The landfill was designed in a series of ten sections, with systems for leachate containment, collection and treatment. As of December 1999, sections 1 through 10 were filled to their permitted design elevations. In 1997, a final capping system and landfill gas extraction wells and collection system were installed on 26 acres of the landfill. The County completed installation of the gas extraction wells and collection system on the remainder of the closed landfill in 2001. Construction of the final cap was completed in February 2003.

Landfill No. 2 is adjacent, but distinct from, Landfill No. 1. The 69.8 acre Landfill No. 2, as originally designed, consists of 26 sections ranging in size from 2 to 4.2 acres and will provide a capacity of 8,185,000 cubic yards of airspace. Landfill No. 2 has been designed with a composite liner, a leachate collection and recirculation system, a landfill gas collection system and a landfill cap that will be constructed in three phases. Landfill No. 2 is expected to provide capacity for the disposal of Burlington County’s waste until 2018.

The County recently submitted a Solid Waste Facility Permit application for a 5.15 acre horizontal expansion of Landfill No. 2 (Phase 6) which is scheduled for construction in the summer of 2016. With the addition of Phase 6, Landfill No. 2 is projected to meet the County’s disposal needs for an additional eight years, or through 2027.

The County plans to execute a contract with the Vendor for the operation and maintenance of Landfill No. 2. The Vendor will be selected pursuant to the process described in Section 1.5

and will enter into a Service Agreement to operate and maintain the Landfill. The County will continue to own the Landfill during the term of the Service Agreement.

1.4 Project Participants

The major parties involved in this procurement (the “Project Team”) are identified below:

Board of Chosen Freeholders:	Freeholder Director Mary Ann O’Brien or designee
County Administrator:	Eve Cullinan
Chief Financial Officer:	Marc Krassan
County Treasurer:	Edward Troy
County Solicitor:	Kendall Collins
Department Director:	Jerome Sheehan
Senior Environmental Specialist:	Laurie van Genderen
Solid Waste Coordinator:	Robert W. Simkins
Legal Advisor:	Capehart & Scatchard, P.A.
Financial Advisor:	Acacia Financial Group, Inc.

The Project Team will be directly involved during the procurement process. Other County personnel and consultants may assist as needed.

As the governing body of the County, the Board of Chosen Freeholders has ultimate responsibility for implementation of the County’s Solid Waste Management Plan and is responsible for authorizing all activities related to the operations and maintenance of the Landfill. The Project Team will serve the function of directing and reviewing the detailed activities undertaken in regard to the Landfill operations and maintenance procurement.

1.5 Procurement Process and Project Schedule

1.5.1 Local Public Contracts Law

The County intends to procure the services described herein in accordance with the requirements of the Local Public Contract Law (N.J.S.A. 40A:11-1, *et seq.*). The Local Public Contracts Law permits procurement of services through a negotiated bidding process with the consent of the Director of the New Jersey Department of Community Affairs, Division of Local Government Service (the “Director”). The Director consented to this negotiated procurement. The negotiated bidding process will include:

- Issuance of Request for Qualifications;
- Pre-Qualification Meeting;
- Response to Inquiries;
- Receipt of Qualification Statements;
- Selection of Designated Vendors;
- Issuance of Request for Proposal;

- Pre-Proposal Conference with Designated Vendors;
- Receipt of RFP Responses;
- Negotiation of Agreement;
- Approval of Agreement by the Board of Chosen Freeholders; and,
- Commencement of New Contract.

1.5.2 Schedule

The following schedule identifies anticipated major activities and dates in the procurement process up to the receipt of Proposals:

Issuance of Request for Qualifications	May 22, 2015
Pre-Qualification Meeting	June 11, 2015
Deadline for Receipt of Inquiries	June 15, 2015
Responses to Inquiries	June 22, 2015
Receipt of Qualification Statements:	June 29, 2015
Selection of Designated Vendors:	July 22, 2015
Issuance of Request for Proposals:	July 27, 2015
Pre-Proposal Conference with Designated Vendors:	August 10 and 11, 2015
Receipt of RFP Responses:	August 24, 2015
Negotiation of Agreement:	September 1 – 30, 2015
Presentation of Agreement to Board of Freeholders	October 28, 2015
Commencement of New Contract	January 17, 2016

The Pre-Qualification Meeting, which is **not mandatory** for Respondents, will be held at the Rutgers EcoComplex at 2:00 pm on June 11, 2015 and will include a brief tour of the Landfill if requested. The Rutgers EcoComplex is located at 1200 Florence-Columbus Road, Bordentown, New Jersey 08505. Directions to the EcoComplex can be found at the following website: http://ecocomplex.rutgers.edu/about_us_directions.php

The Respondent will be permitted to review documents after issuance of the RFP, at the time and in the manner set forth in the RFP.

1.5.3 Minimum Qualification Criteria

Qualification Statements will be evaluated by the County, assisted by its consultants, to determine if the Respondents meet the Minimum Qualification Criteria set forth in Section 5.0 herein. In addition to evaluating whether a Respondent meets the Minimum Qualification Criteria, the County will consider the reputation and experience of the Respondent and members of the Respondent's team in determining whether a Respondent is qualified. Respondents deemed qualified by the County and its consultants will be entitled to receive the RFP.

1.5.4 Conditions

By responding to this RFQ, Respondents acknowledge and consent to the following conditions and statements relative to the qualification process and the selection of Designated Vendors:

- All inquiries shall be directed in writing to the Director of Solid Waste as stated in Section 1.1 of this RFQ. All Respondents are prohibited from contacting any other County official or County employee regarding the activities addressed in this RFQ.
- This document is an RFQ and does not constitute an RFP.
- This RFQ does not commit the County to issue an RFP.
- This RFQ is not intended and shall not be construed to commit the County to procure or to contract for any services.
- All costs incurred in connection with responding to this RFQ and a subsequent RFP will be the responsibility of the Respondents.
- The County reserves the right to reject, for any reason, any and all responses and to eliminate any and all Respondents responding to this RFQ from further consideration from this procurement.
- The County reserves the right to eliminate any Respondent who submits incomplete or inadequate responses or is otherwise not responsive to the requirements of this RFQ.
- The County reserves the right to determine the Respondents who are qualified to receive the RFP and to submit proposals in response to the RFP.
- The County may qualify Respondents whose responses contain immaterial deviations from the Minimum Qualification Criteria.
- Only those Respondents who are deemed qualified by the County through the RFQ process herein shall be eligible to receive an RFP.
- The County reserves the right, without prior notice, to supplement, amend, or otherwise modify this RFQ, or otherwise request additional information.
- All Qualification Statements submitted to the County will become the property of the County and will not be returned and shall be made available to the public.
- All activities related to the Landfill will be subject to all applicable federal, State and local laws, regulations, rules and/or requirements.
- Any and all Qualification Statements received after 4:00 p.m. Eastern Time on June 29, 2015 will be rejected.

- The County (including its staff and advisors) reserves the right to visit any of the facilities referenced in the Respondents' Qualification Statements to observe the operations of such facilities. Such site visits will be made at a mutually agreeable time and the cost of such visits shall be borne by the County.
- All Respondents agree to answer written questions and attend an interview with the County, if so requested, prior to RFP issuance.
- The formation of a joint venture after qualification, and any change in a pre-qualified joint venture, will be subject to the written approval of the County prior to the deadline for submission of proposals to the RFP. Such approval may be denied if (i) partners withdraw from a joint venture and the remaining partners do not meet the qualifying requirements; (ii) the new partners to a joint venture are not qualified, individually or as another joint venture; or (iii) in the opinion of the County, a substantial reduction in competition may result.
- Respondents may be required to update the financial information used for pre-qualification at the time of submitting their proposals to the RFP, to confirm their continued compliance with the qualification criteria and to verify accuracy and completeness of the information provided in the Qualification Statements. A proposal shall be rejected if the Respondent no longer meets the qualifications set forth in their Proposal.
- The County reserves the right to permit a Respondent to remain in the procurement process as long as it is able to demonstrate that it meets the Minimum Qualification Criteria set forth in Section 5.1 and 5.2 hereof.

2.0 BACKGROUND INFORMATION ON THE COUNTY AND ITS SOLID WASTE PLAN

2.1 General County Profile

Burlington County, geographically New Jersey's largest county, occupies 805 square miles and stretches across the center of the State from the Delaware River to the Great Bay on the Atlantic Coast. The New Jersey Pinelands National Preserve occupies 70 percent of the County's total land area. In order to preserve irreplaceable natural resources, growth and development in this region are closely regulated by the New Jersey Pinelands Commission. In addition, more than 6,000 acres have been permanently preserved in Burlington County through the Farmland Preservation Program. This total is more than one third of the total farmland acres preserved in the entire State.

Burlington County has a population of 460,000 and a diversified economic base which includes the only U.S. Army training center and the only U.S. Air Force base in New Jersey. In addition to farming, Burlington County has a wide variety of light manufacturing, a sizeable retail trade sector, as well as a concentration of service firms in insurance, banking, business, education and health care.

2.2 Solid Waste Management Plan

The New Jersey Solid Waste Management Act designates each county in the State as a solid waste management district and requires each solid waste management district to develop a comprehensive plan for waste management. The Solid Waste Management Plan developed by the County calls for a Complex of county-owned solid waste processing and disposal facilities. The Burlington County Resource Recovery Complex, began operation in 1989 and presently includes: a closed 54 acre sanitary landfill, an active 69 acre landfill, a scale house facility with four truck scales, a wastewater treatment facility (currently not operating), wastewater storage tanks, a household hazardous waste facility, storage and processing facilities for bulky recyclables, a landfill gas to energy facility and a biosolids composting facility. The County operates a curbside recycling collection program in all forty of its municipalities and operates a facility in Westampton Township for processing of commingled recyclables.

Consistent with the goals of the Solid Waste Management Plan, the County provides for the recycling of clean wood waste. The County owns and operates a wood waste shredder capable of processing 100 tons of wood per hour. Wood chips are presently used on site or as amendment for the composting operation with excess used for stabilization of clay stockpiles and for mixing with soil and crushed glass for intermediate cover on the landfill.

2.3 Historic Waste Flow

Annual tonnages of municipal solid waste (MSW) and bulky waste disposal of at the Burlington County Landfill for the last six years are shown below in Table 1. The County has Solid Waste Agreements with its forty municipalities as well as the Joint Base McGuire Dix Lakehurst for waste processing and disposal services. Under these agreements, the municipalities agree to deliver to the Landfill, waste that is generated within their geographical

boundaries collected by or on behalf of the municipality. The County in turn provides disposal of the above mentioned waste and collection, processing and marketing of recyclable materials generated by the residential sector. While the Landfill does accept commercial solid waste generated within the County, the County does not have agreements with any commercial waste collection firms.

TABLE 1
TOTAL SOLID WASTE DISPOSED
AT THE RESOURCE RECOVERY COMPLEX LANDFILL

Year	Burlington County Landfill		
	MSW Disposed (tons)	Bulky Waste Disposed (tons)	Total Waste Disposed (tons)
2009	234,791	36,420	271,211
2010	221,257	31,093	252,350
2011	214,407	23,443	237,850
2012	245,391	22,034	267,425
2013	294,075	33,913	327,988
2014	288,008	29,915	317,923

Since 2005, the amount of waste received at the Complex declined at a steady rate for multiple reasons, increased recycling rates, less waste is being generated, the economic recession and the loss of waste to other facilities. The decrease in waste disposal at the Landfill during the period of 2009 – 2011 of Table 1 is attributed to the loss of all waste types, but mainly commercial and bulky waste to other facilities.

In an effort to curtail economic losses, the County established regulatory flow control of Waste Types 10, 23 and 25 generated by any residential, public, commercial, industrial or institutional establishment located within Burlington County in the summer of 2012. Since then, all solid waste vehicles collecting the aforementioned waste types within Burlington County are required to transport the waste to the Burlington County Resource Recovery Complex for disposal. As expected, the volume of waste disposed of at the Complex has increased over the last three years.

3.0 DESCRIPTION OF THE LANDFILL

3.1 Project Site

The active Landfill is located on a 69 acre portion of the Burlington County Resource Recovery Complex.

Figure 1 is an aerial photo of the Burlington County Resource Recovery Complex.

3.2 Landfill No. 2 Description

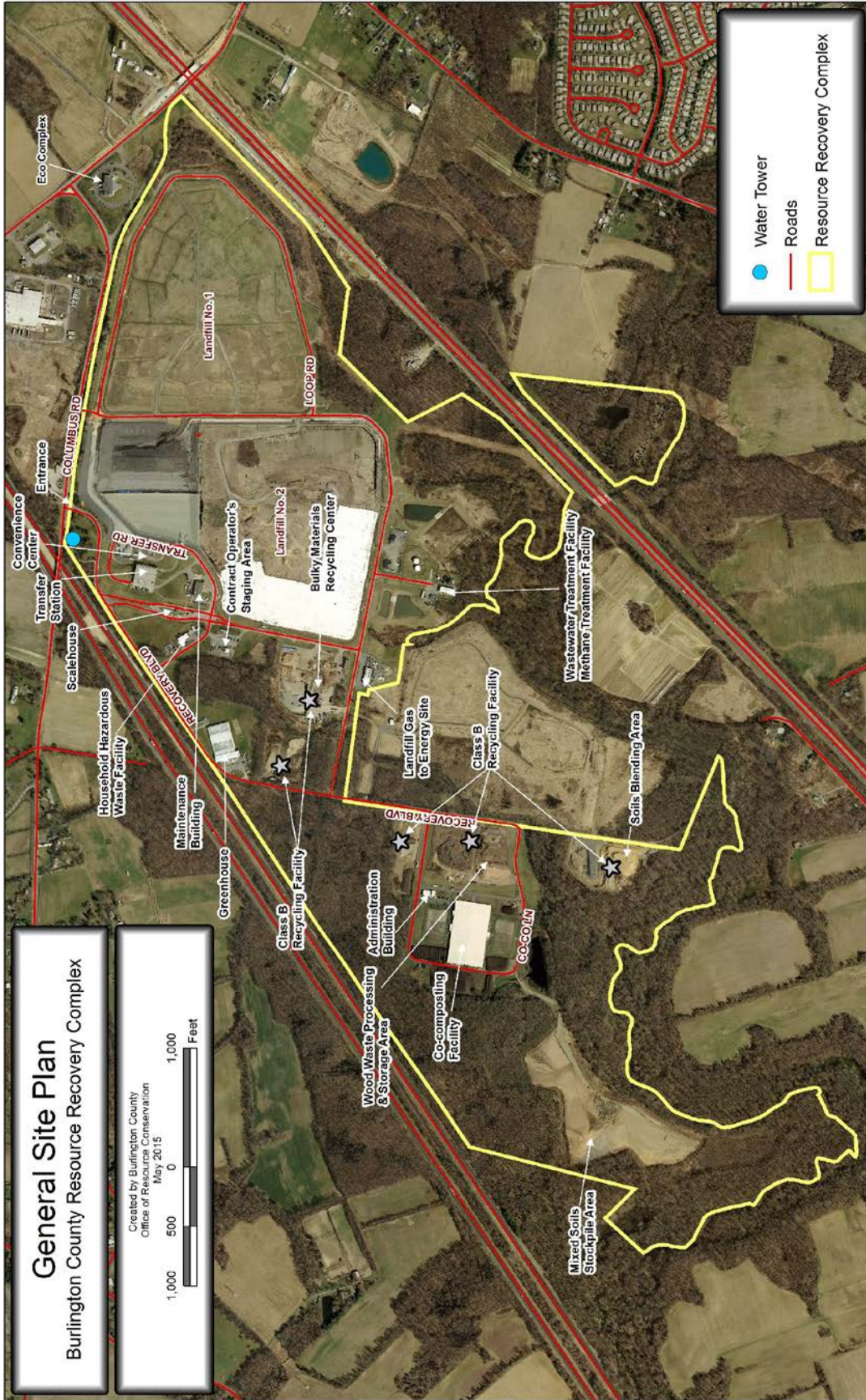
Landfill No. 2 is a 69.8 acre bioreactor landfill which was designed to be constructed in five (5) phases including 26 sections ranging in size from 2.0 to 4.2 acres. Landfill No. 2 has a composite liner, a leachate collection and recirculation system and a landfill gas collection system. Landfilling in the first two sections of Landfill No. 2 began in August 1999. The first phase of construction was completed in March 2000. The second phase of Landfill No. 2 construction was completed in December 2002, the third phase in December 2005 and the fourth phase in October 2008. Installation of the first phase of interim cap (20 mil polyethelene) was completed on 18.5 acres of Landfill No. 2 in January 2007 and remains in place.

As currently permitted, Landfill No. 2 is expected to provide capacity for the disposal of Burlington County's waste until May of 2018. The County has submitted a Solid Waste Facility Permit application for a 5.15 acre horizontal expansion of Landfill No. 2 (Phase 6) which is scheduled for construction in the summer of 2016. With the addition of Phase 6, Landfill No. 2 is projected to meet the County's disposal needs until 2027.

Burlington County embraced the concept of the sustainable landfill in 1996 when it submitted its design and permit application to the New Jersey Department of Environmental Protection, (the "NJDEP") for Landfill No. 2 which embodied state-of-the-art design for a bioreactor landfill. The design includes a system to re-circulate landfill leachate and other wastewaters generated on-site into filled landfill cells. The re-circulating water increases and maintains the moisture content of the waste material which enhances the anaerobic digestion of the biodegradable fraction of the waste. The recirculation of wastewaters is carried out through a low level and high level distribution system. The low level system is constructed as the waste is being landfilled. It consists of a series of horizontal, 8 and 10-inch diameter perforated pipes, spaced on 150 foot centers, located 50 feet off the bottom of the fill. The horizontal pipes are connected to a leachate recirculation header pipe located in the perimeter berm around the landfill. Wastewater is pumped into the header pipe which delivers it to valved lateral pipes connected to the horizontal distribution system. A high level distribution system is a grid design of piping located 10 feet below the final design elevation of the top of fill. To date, only the low level system has been installed.

Due to the propensity of bioreactor landfills to produce significantly more biogas than traditionally design landfills, care must be taken to capture landfill gas in greater volumes and at an earlier stage. Accordingly, the design of the County's bioreactor landfill included a three

level gas collection system. The low level system utilizes the leachate collection pipes as gas collectors. The second level is a series of horizontal, perforated pipes on 150 foot centers located ten feet above the low level leachate re-circulation. The third level consists of 10-inch vertical perforated pipes located on 200 foot centers that run from the top surface of the fill to several feet off the bottom.



3.3 Permits

The operation of the Landfill is governed by several permits issued by the NJDEP as outlined in Table 2.

TABLE 2
BURLINGTON COUNTY RESOURCE RECOVERY COMPLEX PERMITS

Permit Name	Permit Number	Effective Date	Expiration Date
Solid Waste Facility Permit	150098	11/29/2010	11/29/2015
Discharge to Surface Water	NJ0055395	04/01/2011	03/31/2016
Stormwater Basins at Sanitary Landfills	NJG0130303	09/01/2014	03/04/2018
Discharge to Ground Water	NJ0083798	02/01/2011	11/30/2016
Title V Operating Air Permit*	45949	09/13/2010	04/30/2015

*Application submitted to NJDEP, waiting for draft and final permit to be issued

The County will be responsible for obtaining, maintaining, reporting and monitoring under the required permits. The Vendor may be responsible for assisting the County with any permit renewals and any new permit applications. The Vendor will also be responsible for adhering to the obligations pursuant to the permits and related to the operation of the Landfill.

As stated in Section 3.2, the County has submitted a Solid Waste Facility Permit application for the Phase 6 expansion of Landfill No. 2 which has been deemed administratively complete. A final permit action is anticipated by the end of the summer of 2015.

4.0 IMPLEMENTATION RESPONSIBILITIES OF THE COUNTY AND THE VENDOR

The RFP will provide a definitive allocation of responsibility between the County and the Vendor for Landfill operation and maintenance. The following is intended to provide Respondents with an understanding of the type of business arrangement the County contemplates with the Vendor and the scope of responsibilities and liabilities the Vendor will be required to assume. It establishes the context for the Minimum Qualification Criteria set forth in Section 5.0.

4.1 County Responsibilities

It is anticipated that the County will be responsible for the following:

- Maintaining required permits, licenses and approvals for the operation of the Landfill.
- All aspects of the operation and maintenance of the scales and scalehouse. The County shall maintain all records and reports pertaining to waste receipts that are required by law and shall make copies thereof available to the Vendor. The County will provide, operate, and maintain the scales and collect all tipping fees.
- Operation and maintenance of the leachate and sanitary sewer system, storage tanks and treatment plant, including disposal of all leachate and wastewater.
- Operation and maintenance of the landfill gas treatment facility, including the gas collection and conveyance system, flare and odor control system.
- Making monthly payments to the Vendor of an operating fee.
- Ownership of the Landfill. The Service Agreement will provide the Vendor with the right to access the Landfill site during the term of the Service Agreement.
- Obtaining materials for use as intermediate cover. A tarp is used for daily cover which is the responsibility of the operator to supply.
- The maintenance of closed Landfill No.1 except for maintenance of the vegetative cover. (as Phase VI area is opened, maintenance will transfer to Vendor).
- Preparing and updating the Facility Operation and Maintenance Manual.
- Maintaining intermediate cover.
- Maintaining stormwater infrastructure.

4.2 Vendor Responsibilities

It is anticipated that the Vendor will be responsible for the following:

- Operation and maintenance of the Landfill and the assumption of all costs related thereto for the term of the Service Agreement in return for County payment of an annual operating fee.
- Operations and maintenance shall include, but are not limited to, the following:
 - Inspecting, handling, spreading and compacting solid waste, applying intermediate cover material and deploying daily cover tarp.
 - Landfill solid waste in Landfill No. 2 in accordance with the Facility Operations and Maintenance Manual (O&M).
 - Cleaning with a wet sweeper all asphalt roads and parking lots within the Complex.
 - Construction and maintenance of all roads on Landfill No. 2.
 - The installation and maintenance of the exposed geomembrane interim cap.
 - Maintain the cover stockpile, blending and storage area.
 - Landscaping grass and open areas, including maintenance of trees, shrubs, and grass areas within the limits defined in the Facility O&M.
 - Supply and maintain all necessary equipment to complete all above responsibilities.
- Operation of the Landfill in compliance with contractually stipulated operating parameters and guarantees and compliance with all applicable local, state and federal laws, rules, and regulations. In the event the Vendor fails to comply with the operating guarantees, it will be liable for payment of performance damages to the County.
- Provision of assistance to the County in obtaining environmental permits, licenses and approvals.
- Participation in County educational programs and events.

5.0 MINIMUM QUALIFICATION CRITERIA

This Section of the RFQ establishes the Minimum Qualification Criteria which a Respondent must satisfy to be designated as a Qualified Respondent. Minimum Qualification Criteria are established in Technical, Business and Financial categories. A Respondent who seeks to be qualified as a Designated Vendor must satisfy the Minimum Qualification Criteria set forth herein.

5.1 Minimum Technical Criteria

Compliance with the following requirements will be determined based upon an evaluation of both the past experience of the Respondent and the information on reference facilities submitted in the Qualification Statement. The Respondent must satisfy each of the following technical criteria:

Criteria I: The Respondent shall possess at least five years of experience in the operation and maintenance of **active municipal solid waste sanitary landfills** which received, on average, 250,000 tons of solid waste annually. The Respondent's operating experience shall demonstrate compliance with regulatory and contractual requirements.

Criteria II: The Respondent shall be fully registered with the New Jersey Department of Environmental Protection to conduct solid waste business in the State pursuant to N.J.S.A 13:1e-126 et seq. and N.J.A.C. 7:26-16.1 et seq.

Criteria III: The Respondent also shall demonstrate experience in installation and operation of sanitary landfill gas and leachate collection systems, have at least three years of experience in operation of a bioreactor landfill or demonstrate experience with leachate and landfill gas management.

The Respondents shall provide the information requested below as it pertains to the reference facility offered to demonstrate the appropriate technical experience:

1. Each Respondent shall submit a description of its overall experience with landfill operations, including the overall experience of its licensors or franchisors, if any, on similar projects.
2. Each Respondent shall provide a listing of all reference facilities which meet the minimum qualifications defined in Criteria I, II, and III that such Respondent wishes to submit in its Qualification Statements. For each facility, Respondents shall provide the information listed below **utilizing the same alphanumeric notation.**
 - a. Location of facility.
 - b. Names and telephone numbers of owner and operator references.

- c. Landfill design capacity, including daily and annual tonnage rates.
 - d. A description of the landfill and the equipment employed for operation thereof.
 - e. Number of people employed and job categories for those operating the landfill.
 - f. In the event a failure to meet performance or compliance standards has occurred: a description of such failure, the reasons therefore, any corrective actions taken, and actual environmental compliance and performance reports (or other similar information) with respect to air quality test data (indoor and outdoor), odor control, discharge reporting, etc., as appropriate. In the event that there has been no failure to meet performance or compliance standards, a statement by the Respondent to this effect.
 - g. Current status of the reference facilities.
 - h. Any pending investigations, claims, litigation, judgments, notices of violations, or administrative enforcement actions against the Respondent arising out of the operation and maintenance of the landfill or that will have a material adverse affect on the financial condition of the Respondent.
 - i. Name of environmental regulatory agencies having oversight of facility including contact name and telephone number.
 - j. All performance guarantees or requirements (if any) and any failure to meet such guarantees or requirements.
3. If a Respondent desires to submit the qualifications of a subcontractor or joint venture partner in order to satisfy the technical qualification criteria, the Respondent must provide detailed information regarding the relevant experience of such subcontractor or joint venture partner. The Respondent shall also identify the names, addresses and telephone numbers of subcontractor or partner's contacts and include written evidence from the Respondent's subcontractors or partner showing that they intend to act as a subcontractor or joint venture partner for the Respondent on the Landfill. The professional and business relationship between the Respondent and the subcontractor and/or equipment suppliers must be defined.
4. Respondent shall provide information with respect to key individuals presently employed by the Respondent's team and available to operate and maintain the Landfill, including number of years of experience and resumes.

These Technical Criteria may be satisfied by an Affiliate of the Respondent if that Affiliate provides a letter setting forth its intention to be part of the Respondent's team.

5.2 Minimum Business and Financial Criteria

The following Business and Financial Criteria must be satisfied by the Respondent, its Parent Company, or a third party financial guarantor (as applicable, the "Principal Company"). The Principal Company must submit a letter of intent from its Chief Executive Officer stating that it is prepared to assume responsibility for the performance requirements of its team and to provide financial guarantees on its own, or through its Parent Company or third party guarantor of its performance in the event it is designated as a Qualified Respondent. These requirements and guarantees, at a minimum, will include:

- Operating the landfill in conformance with all performance guarantees including those set forth in Section 5.4 hereof.
- Paying performance damages during the term of operations in the event of failure to meet performance guarantees.

The Principal Company must meet one of the following three Minimum Financial Criteria:

Criteria I: Principal Company has an investment grade rating by Standard and Poor's Corporation and/or Moody's Investor's Service (the "Rating Agencies") on its long-term debt.

Criteria II: The Principal Company demonstrates:

- Organization and existence for at least three full years prior to the Submission Date.
- Shareholders' equity at the end of each of the three most recent fiscal years of at least \$15 million.
- Pre-tax earnings for two of the three most recent fiscal years of at least \$4 million.
- A ratio of current assets divided by current liabilities of at least 1.10 for two out of the three most recent fiscal years.
- Cash and cash equivalents of at least \$5 million as of the date of its most recent audited annual financial statements.
- No material adverse changes in its financial position since the end of its most recent fiscal year that would affect the Principal Company's ability to meet any of the above criteria.

- A current debt to equity ratio of no more than 1:1.
- Debt Service Coverage (defined as pretax net operating income divided by the sum of interest expense plus the current portion of long term debt) of 110%.

Criteria III: The Principal Company provides evidence of its ability to obtain a two million dollar (\$2,000,000) letter of credit for each year during the term of the contract, from a bank whose long-term debt is rated at least “A” by the Rating Agencies, to secure the performance of its obligation to the County during the term of the Service Agreement.

The Respondent shall further provide a description of all material liabilities and contingent liabilities, disputes, claims, litigation, judgments, notices of violations, or administrative enforcement actions arising out of the construction and/or operation of landfills.

The County requests all information relevant to determining if the Respondent has an acceptable record of business dealing including compliance with state and federal labor and environmental laws. The Respondent shall provide all information with respect to the Respondent, its subsidiaries’ and affiliates’ experience in this regard in connection with the construction and operation of landfills.

5.3 Joint Ventures and Teams

A Respondent may be a joint venture whose participants collectively satisfy the Technical, Business and Financial Criteria. Additionally, a Respondent may organize a team of companies which collectively satisfy these Technical, Business and Financial Criteria; however, one member of the team (the Respondent) shall be designated as the responsible party for negotiation of the Service Agreement and shall assume responsibility for all operations, maintenance, performance, and financial guarantees.

The role and qualifications of each team member shall be described in the Qualification Statement. Once qualified, the Respondent cannot change or substitute team members without the written consent of the County.

5.4 Contract Principles

The following are summaries of certain principles anticipated to be contained in the Service Agreement to be executed with the Vendor. These principles are not all inclusive and are subject to change and addition.

- The Parent Company of each partner or major owner of the Respondent will execute a guaranty of the Respondent’s performance of the Service Agreement.
- The Respondent will comply with all applicable federal, State and local laws and pay all fines and bear all other consequences for failure to comply with such laws.

- The Respondent will be required to provide to meet a minimum MSW fill density of 1350 lbs of MSW landfilled for each cubic yard of air space occupied annually. Failure to meet such guarantee will require the Respondent to pay throughput shortfall damages.
- The Respondent will be required to provide and meet odor, noise, dust and other environmental requirements.
- The County will have the right to terminate the Service Agreement for any reason upon the payment of a termination payment.
- The term of the operation and maintenance portion of the Service Agreement, including all renewals, if any, will not exceed ten (10) years; but the Service Agreement will be terminable by the County for breach of contract, or convenience upon payment of termination payment.
- All major subcontractors shall be approved by the County.

6.0 INSTRUCTIONS TO RESPONDENTS

6.1 Submission of Qualification Statements

Respondents to this RFQ shall submit their Qualification Statements to the County no later than 4:00 p.m. Eastern Time on June 29, 2015. Responses shall be directed to the Director of Solid Waste, at the address below:

Jerome Sheehan, Director
Department of Solid Waste
PO Box 429
Columbus, New Jersey 08022
Via US Postal Service
1200 Florence-Columbus Road
Bordentown, New Jersey 08505
Via Courier

One original and four paper copies as well as one electronic copy (submitted on CD or memory stick) of the Qualification Statements are to be submitted as specified above and detailed herein. All Qualification Statements must be submitted complete with all requested information in strict conformance with the instructions set forth herein. The Qualification Statements and all related information must be bound, signed and acknowledged by the Respondent in accordance with the directions herein.

All questions shall be sent in writing via mail to the above address or by facsimile to (609) 499-5212 no later than 4:00 p.m. Eastern Time on June 15, 2015. Responses will be distributed to all Respondents by the Director of Solid Waste by June 22, 2015 and will be deemed as official responses. Any responses from other parties will not be considered as valid responses.

6.2 Content and Format of Qualification Statements

At a minimum, the Qualification Statements must include the following sections:

- Technical
- Business
- Financial

The Respondent shall provide appropriate information in accordance with the following outline and shall provide all of the information requested.

A. Introduction and General Information

- I. Letter of Qualifications (Appendix A of this RFQ shall be used).
- II. Letter of Intent (Appendix B of this RFQ shall be used).
- III. Introduction

B. Technical Section

- I. Description of the Respondent's ability to meet the Minimum Technical Qualifications Criteria specified in this RFQ.
- II. Reference facility data and information in accordance with the requirements of Section 5.1 of this RFQ.

C. Business Section

- I. Statement of the Respondent's willingness to assume overall responsibility for implementation of the project and to offer the types of financial and performance guarantees set forth in Section 5.2.
- II. Project Organization Plan.
- III. History of compliance with laws, regulations and guarantees.
- IV. Business Approach including description of any proposed joint venture.

D. Financial Section

- I. Description of the Respondent's ability to meet the minimum financial qualifications set forth in this RFQ.
- II. A completed Business Form (BF-1) providing basic information on the Respondent.
- III. The Respondent or Principal Company will provide audited financial statements for the last three fiscal years including balance sheets, income statements, statements of changes in financial position and cash flow statements. If the Respondent is not a public company, it will provide independently audited financial statements and may request the information be treated confidentially by the County. If the Respondent or Principal Company has been in existence less than three years, the information will be provided for the period of its existence.
- IV. If the Respondent or Principal Company is a public company, a copy of the most recent 10K filed with the Securities and Exchange Commission and all form 10Qs since the last 10K.
- V. Full information concerning facts or events that would materially affect the Respondent's business, including, but not limited to significant changes in business operations, bankruptcy proceedings, mergers and acquisitions and pending litigation.

- VI. Letter from a bank or other financial institution providing evidence that the Respondent or the Principal Company will be able to obtain payment and performance bonds in the amount of \$2 Million.

All information shall be provided in the English language. If the audited financial statements of the Principal Company are not in the English language, then a certified English translation shall be provided (including numeric conversion of amounts into Standard English units such as dollars).

Each section of the Qualification Statement should be tabbed for easy reference and, to the extent possible, cross-referencing should be avoided.

APPENDIX A

LETTER OF QUALIFICATIONS

(Note: To be typed on Respondent's Letterhead. The County will not accept modifications to the language in this letter.)

Jerome Sheehan, Director
Department of Solid Waste
PO Box 429
Columbus, New Jersey 08022
Via US Postal Service
1200 Florence-Columbus Road
Bordentown, New Jersey 08505
Via Courier

Dear Director of Solid Waste:

The undersigned has reviewed our Qualification Statement submitted in response to the Request for Qualifications (RFQ) issued by the County of Burlington, New Jersey on May 22, 2015.

We hereby certify that the contents of our Qualifications Statement, which is incorporated herein by reference, is true, accurate, and complete and is made in good faith with the express understanding that any false or inaccurate statement may result in the disqualification of (Name of Respondent).

(Respondent shall sign and complete the spaces provided below. If a joint venture, appropriate officers of each company shall sign.)

(Signature of Chief Executive Officer)

(Signature of Chief Financial Officer)

(Typed Name and Title)

(Typed Name and Title)

(Typed Name of Firm)

(Typed Name of Firm)*

Dated: _____

Dated: _____

* If a joint venture, partnership or other formal organization of firms is submitting a Qualification Statement, each participant shall execute and submit this Letter of Qualifications.

APPENDIX B

LETTER OF INTENT

(Note: To be typed on Respondent's Letterhead. The County will not accept modifications to the language in this letter)

Jerome Sheehan, Director
Department of Solid Waste
PO Box 429
Columbus, New Jersey 08022
Via US Postal Service
1200 Florence-Columbus Road
Bordentown, New Jersey 08505
Via Courier

Dear Director of Solid Waste:

The undersigned, as Respondent, has submitted the attached Qualification Statement in response to a Request for Qualifications (RFQ), issued by the County of Burlington, New Jersey on May 22, 2015 in accordance with the provisions contained therein.

(Name of Respondent) is interested in being invited to respond to the County's Request for Proposals (RFP). It is the intent of (Name of Respondent), if deemed a Qualified Respondent, to complete and submit a Proposal which provides all of the services described in the RFQ.

(Name of Respondent) agrees to participate in good faith in the procurement process as described in the RFQ and to adhere to the County's project schedule.

(Name of Respondent) acknowledges that all costs incurred by it in connection with this submission or any negotiation which results therefrom shall be borne exclusively by (Name of Respondent).

(Name of Respondent) agrees that it will assume overall responsibility for the performance of its team in implementing the project and is prepared to offer the types of financial guarantees of its performance as indicated in the RFQ.

(Name of Respondent) hereby declares that the only persons participating in this Qualification Statement as principals are named herein and that no principal not herein mentioned has any participation in this Qualification Statement or in the contract to be entered into. Additional persons may subsequently be included as participating principals only if acceptable to the County.

(Name of Respondent) declares that this Qualification Statement is made without connection with any other person, firm or party who has submitted a Qualification Statement, except as

follows: _____

and that it has been prepared and has been submitted in good faith and without collusion or fraud.

(Respondent shall sign and complete the space provided below. If a joint venture, appropriate officers of each company shall sign.)

(Signature of Chief Executive Officer)

(Typed Name and Title)

(Typed Name of Firm)*

Dated: _____

* If a joint venture, partnership or other formal organization of firms is submitting a Qualification Statement, each participant shall execute and submit this Letter of Intent.

FORM BF-1

RESPONDENT BACKGROUND INFORMATION

1. _____ (Respondent Name).

2. Principal Place of Business (Respondent Headquarters).

3. Type of Business Entity (corporation, partnership, business trust, etc.).

4. Names of Company Officers:

Chief Executive Officer _____

Chief Financial Officer _____

Chief Operating Officer _____

5. Name of Principal Owners: (Partners or shareholders with more than 30 percent of the stock).

6. Summarize the Company's principal line(s) of business.

7. Contact Person:

Name: _____

Title: _____

Telephone Number: _____

Fax Number: _____

Email Address: _____