

**ATLANTIC COUNTY UTILITIES AUTHORITY  
BID NUMBER 2022-SW-06  
Addendum No. 2  
JUNE 23, 2022**

To All Plan holders:

The following changes, additions, and/or deletions are hereby made part of the Bid Documents for the Atlantic County Utilities Authority Bid Number **2022-SW-06 – TRANSFER AND DISPOSAL OF SOLID WASTE** as fully and completely as if the same were set forth therein.

All Bidders shall acknowledge receipt and acceptance of the **Addendum Number 2** by inserting its number, date, and bidder's initials on the Addenda Acknowledgment Form contained within the specifications. **Bid packages submitted without a completed Addenda Acknowledgment Form will be considered unresponsive.**

Oren R. Thomas, IV, QPA, RPPO  
Purchasing Manager  
Atlantic County Utilities Authority

## I. QUESTIONS AND ANSWERS

1. **Just to clarify please: The original award will only be for 1-year with four (4) one (1) year options to extend?**

Correct.

2. **[Vendor] respectfully requests that the opportunity be for a 5-year contract?**

No, the contract term is laid out in the bid document.

3. **Is there any chance that the contract begins 1/1/2023 for up to 100 tons per day and then ramp up to the 500 in 2024?**

No.

4. **Can you clarify the weight of the trailer with waste? Is it 17 to 20 tons or 80,000 pounds?**

Max 80,000 (legal road weight), we expect to be able to fit 15 to 20 tons of waste per trailer without exceeding that limit. ACUA is unable to guarantee specific tonnage per trailer due to inconsistencies in the size and density of waste material. All attempts will be made to load trailers to the maximum legal road weight, as this will benefit all parties.

5. **What are the averages currently and how many loads a day do you run?**

Not currently transferring waste. No operational data to provide.

6. **Is there a specific type of trailer you are requesting?**

No.

7. **Can it be a tipper trailer (as they can handle up to 24 tons)?**

Trailers that meet legal road requirements are allowed.

8. **How is 13 and 13C Waste being accepted currently? Is it staged separately? Our concern would be contamination.**

During periods when only 13 and 13c are being shipped out ACUA will segregate those waste types from others in the transfer station.

9. **Is it possible to get a longer notice for the potential start date should it be sooner than 1/1/2024? Is it possible to provide us at least 12 Months' Notice?**

Start date will not be before 01/01/2024. Per the bid document, ACUA will notice awarded vendor of the tonnages 6 months prior to the start of the contract. See question 14 for additional details on the timeline for award of the contract.

**10. Can we tour the transfer station? It would be of interest for us to see the facility.**

Yes, arrangements can be made through the Purchasing Office.

**11. What is the process for making a claim for any damage done to trailers, trucks, or any equipment during the loading process? Just further clarification from Page 27 of Bid Packet.**

Any incidents that occur on ACUA property will require an incident report to be completed by an ACUA employee along with photographs taken by an ACUA employee while Contractor is still on site. The report will be submitted to ACUA's Safety and Risk Manager for handling. Claims may be referred to a third-party administrator. All claims will be handled in accordance with NJ laws.

**12. We don't typically put our deductibles on certificates or forms that is shared publicly as our deductibles are confidential. The insurance agent statement form has a section for deductible in which our insurer will put: "All deductibles are the sole responsibility of [vendor in question]." We can provide them with our deductibles as long as it is in confidentiality and is not shared publicly. Will that be an issue?**

This is acceptable.

**13. Our policies are endorsed to only provide notice of cancellation to 3rd parties. The insurance carrier will not agree to provide any other notice. Will that be an issue?**

This is acceptable.

**14. Is there an established contract award date?**

Per **NJSA 40A:11-24** "The contracting unit shall award the contract or reject all bids within such time as may be specified in the invitation to bid, but in no case more than 60 days, except that the bids of any bidders who consent thereto may, at the request of the contracting unit, be held for consideration for such longer period as may be agreed."

**15. Are we able to lock in a date for how long the pricing/proposal is valid for? Can that be locked in on the proposal?**

Per the bid document:

- Prices and terms shall not be subject to adjustment or supplementation for any reason after opening of bids.

- All prices quoted shall be firm from the time of bid opening through the life of the contract and shall not be subject to increase for any reason during the contract term. Should the bidder reduce its prices for the bid item or items generally during the contract term, the price provided to the Authority shall reflect the price as reduced.
- The Contractor shall be responsible for delivering all waste to the Disposal Facility designated in their bid, at the per ton rate, which is proposed in its bid, without adjustment of any kind except for adjustment by the **Fuel Price Adjustment Factor** if and when applicable.

**16. Are trailers loaded on a scale, Full or Split?**

Will not be loaded on the scale.

**17. Loading Equipment List: Make, Model, Hours**

**a. What is the replacement plan?**

The ACUA replaces equipment based on standard industry practices for heavy equipment. However, at times due to the unique operation at the ACUA (24 hr operation) some equipment is retired based off specific use. The equipment that will be allocated to the hauling operation includes three (3) CAT966 high reach loaders and two (2) 1021 CASE high reach loaders. This equipment ranges from 1 – 5 years old. The ACUA currently uses a Volvo Model EC300E Excavator with a grapple attachment, with 2902 hours (rental) to top load recycling to ensure efficient loading. In the event that the awarded vendor requires a similar operation, arrangements will be made to acquire additional equipment for loading.

**18. Will the ACUA extend loading hours in year 3, 4 and 5 as outbound tonnage increase?**

Will expand as necessary to meet the demands of the waste volume.

**19. What equipment was being used to get the 15-20 average ton calculation?**

The 15–20 ton average is based on a 20 ton max road weigh. However, given ACUA cannot guarantee a full 20 tons due to material inconsistency, a 15–20 ton average is provided. It is in the best interest of all parties to maximize capacity and reach 20 tons, ACUA will attempt to max load all trailers.

**20. Considering the Equipment intensiveness of this contract, would the ACUA consider a 5-year term?**

ACUA is only considering a one (1) year contract with the option for one (4) additional one (1) year extensions. Given the current national economic uncertainty and remaining capacity at the ACUA landfill the Authority does not wish to lock into a long-term contract at this time.

**21. Does the ACUA's Transfer Station Operations Plan allow for 24-hour tonnage removal or does the floor need to be cleaned by a specific time of day?**

Yes.

**22. Confirm, billing off the disposal manifest?**

Yes, the billing invoices shall be based on the disposal facilities' scale tickets/receipts. ACUA will weigh each tractor/trailer or staged trailer and provide a scale ticket to track loads and reconcile against the disposal facility's records.

**23. Will the transfer station be equipped to handle type 27 waste (or any other for that matter) OR is this waste going to be for MSW and C&D types 10,13,13c only?**

This contract will be mostly for types 10, 13, and 13c. Year 5 may include minimal tonnages of types 23, 25. Type 27 waste is not included in this bid document or subsequent contract.

**24. As material is classified as Type 27 through NJ, what will be the process for Type 27 and Type 27A be handled at out of state disposal facility (i.e. Pennsylvania)?**

Type 27 waste is not included in this bid document or subsequent contract.

**25. What will be notification process to ensure customer with Type 27 and Type 27A waste sets up profile and approval with out of state disposal facility?**

See question #24.

**26. Is contractor able to add stipulations to bid pertaining to different waste types with the rights to reject unacceptable loads due to safety or environmental reasons?**

If any waste is rejected by the disposal facility, ACUA MUST be notified immediately. Contractor shall document with photographic evidence when possible. If possible, any rejected waste shall be returned to ACUA, weighed for proper tonnage credit, and properly disposed of. If return of any rejected/unacceptable waste is impossible ACUA

will work with the contractor on quick remedy on a case-by-case basis to reimburse for reasonable documented costs.

**27. What will be process if unacceptable material is found?**

See question #26.

**28. How will the customer and/or ACUA monitor and/or compensate the contractor for cleaning up and/or returning unacceptable loads of material?**

See question #26.

**29. Does the ACUA plan on expanding the existing disposal facility? If so, what is the timing of the expansion?**

At this time the ACUA has no pending application for expansion of the existing landfill footprint.

**30. Will you provide a list of all attendees that are in person or via zoom?**

Attendee sign-in sheet is scanned and attached to this document. Zoom attendees were:

- Liam Tanelli
- Eric, SEI
- Mike Dougherty, Win-Waste Innovation
- Gary Smalley, Republic Services
- Rick Dovey, ACUA

**31. What is the estimated remaining life of the existing facility?**

Current capacity is through 2027.

**32. Section 14.3 states that the contract can be terminated without cause. Vendor suggests that this language be changed to “with sufficient cause”.**

No.

**33. To be clear, Types 13 and 13C will not be loaded separately?**

No, they will be mixed together.

**34. Will trucks be permitted to park onsite overnight?**

ACUA will allow up to 20 tractor-trailers to be parked overnight on ACUA property.

**35. Do you have a preferred disposal location for the materials?**

Location must be permitted in accordance with all pertinent New Jersey laws.

**36. Live loading?**

ACUA’s preference will be to stage trailers, behind ACUA’s Transfer Station, for the selected contractor to service. This will allow the fastest turn-around times for the selected

contractor and allows ACUA to control the traffic flow on site. However, if it is deemed necessary ACUA will have the ability to live load tractor-trailers. Any live loaded tractor trailers will need to be weighed in and out for each transaction.

**37. Type 27, a lot of that material has to be profiled for a specific state. It can't be consolidated with other streams?**

See question #24.

**38. It wouldn't be sent to transfer? Would it be sent directly?**

See question #24.

**39. Does ACUA plan on expanding the existing disposal facility?**

See question #29.

**40. Can you estimate the remaining life of the existing facility?**

See question #31.

**41. Is 2027 including this bid?**

This one-year contract is schedule to start January 1, 2024, with an option for four (4) one-year renewals. If a third renewal is optioned, the contract may continue into 2027.

**42. Section 14.3 states that the contract be terminated without cause, suggest that the wording be changed to with sufficient cause.**

See question #32.

**43. Although you can't guarantee the volume, would the award guarantee 100% of inbound volume based on historical figures?**

The projected tonnage quantities cannot be guaranteed, the tonnages listed in Exhibit A represent historical data, and the maximum tonnages that would be shipped in the specific contract years. The ACUA cannot guarantee 100% of inbound volume, as it is possible, though unlikely, inbound volume could exceed the projected tonnages designated in Exhibit A.

**44. Would that language be useful 100% of the material, 100% of xx?**

No, the first four years would not be all of it. Year five would likely be 100% of material, however if tonnages exceeded the quantities listed in year five, ACUA may choose not to ship out tonnages in excess of the quantities listed.

**45. Will Type 13 & 13C be loaded separately?**

See question #33.

**46. How many tons are expected per day during contract?**

See Exhibit A of the bid document, and questions 43 and 44.

**a. Does the ACUA anticipate hauling MSW out prior to year 3 of the contract?**

No.

**47. Can we dispose of more than 500 tons per day during the contract period?**

No, not during years one and two. See Exhibit A of the bid document.

**48. Can we prop the C&D and MSW loads for the following day and take them back to our yard so that we can get an early start to the disposing Landfill?**

No.

**b. How about weekends Friday afternoon until Monday morning?**

No.

**49. How many trucks does the ACUA expect are needed for this contract?**

The ACUA has provided information on tonnage, and maximum tons per trailer, it is up to the vendor to determine the number of trucks they will need to complete the scope of work.

**50. How many loads per truck per day is the ACUA expecting or requiring and at what net tonnage of C&D and MSW per load?**

It is the vendor's responsibility to determine the number of loads each truck can service per day. See question 4 regarding tons per trailer.

**a. Is there a penalty to the ACUA if the walking floor trailers are not loaded with a minimum of 20 tons of MSW material?**

No.

**51. Will the ACUA reimburse tolls to the contractor?**

No. All costs should be part of the price submitted by the contractor. It is the responsibility of the contractor to factor all costs into their price. No reimbursements of additional fees of any kind shall be paid by the ACUA.

**52. Will the contractor scale at both the ACUA and disposing landfill?**

ACUA cannot speak to what the final disposal site will require given the disposal site is to be determined by the bidder.



**53. What kind of delays can we expect at the ACUA landfill? Lines at the scale and or to dump off loads?**

Occasionally there are some wait times at the ACUA scales.

**a. Can we put a monetary claim in for overtime or downtime caused by either landfill?**

No.

**54. Will we have designated lanes at the ACUA so that we can get in and out as quick as possible?**

No.

**55. Will the contractor have to wait in scale lines at the ACUA?**

Yes.

**56. Is the anticipated contract good for a full 5 years, or is there a different anticipated contract completion date?**

The specifications are clear about the term and potential option(s) to extend.

**57. Is the tonnage anticipated to stay the same based off of the bid specs or does the ACUA anticipate hauling out larger or smaller tonnage quantities?**

See questions 43 and 44.

**58. Does this contract guarantee 500 tons of C&D over the next two years of the contract?**

This is made clear in the specifications.

**a. If not how many tons exactly?**

See previous answer.

**b. Can we put a claim in if we do not get to 500 tons per day?**

No.

**59. Is there an overtime clause for truck drivers' hours? If not, can we bill for overtime and Saturday work?**

No.

**60. Is this contract a union contract and based on the current prevailing wage rate?**

This is not a prevailing wage contract.

**a. If prevailing wage, what County or State wage rate would apply?**

Not applicable.

**61. Does the contractor have to supply weekly or monthly manning reports for this project?**

No.

**62. Is there a drug and alcohol policy specifically needed for this contract? If so, is it based off of the contractor's policy or the ACUA policy?**

Drivers must adhere to all federal and state motor vehicle laws.

**63. Are the trucks leaving the ACUA allowed to leave over 80,000 lb gross?**

No.

**64. Is there a scale in the loading area?**

No.

**a. If not, once the truck is scaled and it is over 80,000 lbs leaving, does it have to go back inside the loading area and dump the material?**

Contractor's trucks will be weighed in advance to provide a tare weight to ensure total vehicle weight with trailer does not exceed 80,000 lbs.

**b. Can we bill for down time in this situation?**

No.

**65. If this is not a prevailing wage job, is there a mandatory rate that the ACUA will make the contractor pay its drivers?**

Not applicable.

**a. Does the ACUA have a special prevailing rate for truck drivers with the New Jersey Department of Labor?**

Not applicable.

**c. And/or union affiliate?**

Not applicable.

**66. What are the conditions of the ACUA Landfill on days that it rains or summertime peak volumes times?**

Not applicable.

**67. Does this project have special county, state or federal funding or grants because it is a County Project?**

No.

**68. Does the ACUA have any affiliation with the Teamsters or other unions?**

Not applicable.

**a. If so is the contractor obligated to sign a agreement with the teamsters?**

Not applicable.

**b. Or just pay the prevailing rate to the drivers?**

Not applicable.

**69. Does this bid require ACUA or Atlantic County have Minority/Women (MBE/WBE) Participation?**

The awarded vendor must comply with N.J.S.A. 10:5-31 et seq. as stated in your bid document.

**a. Does the contractor have to hire a percentage minorities and women truck drivers in this contract?**

See above.

**70. How many loads per day is the ACUA anticipating one truck can do in an 8-hour truck day start to finish?**

See question #50.

**a. Does the contractor have to give the drivers 15-minute break in the morning and 30-minute break for lunch because of the prevailing rate in an 8 hour day?**

The contractor shall be responsible meeting ACUA's hauling requirements; the contractor's obligations to its employees are the responsibility of the contractor.

**71. Is the contractor going to have to submit certified payrolls for truck drivers and/or daily logbooks, etc.?**

This is not a prevailing wage contract under N.J.S.A. 34:11-56.5, therefore certified payroll reports are not required.

**a. Weekly or monthly?**

See previous answer.

**72. In the specification it reads that 20 trailers are needed for this project at the ACUA for propping loads, why so many?**

The specification does not state that 20 trailers are needed.

**a. Can we do the project with less trailers?**

Not applicable.

**73. Is the ACUA going to put plastic down prior to loading MSW and walking floor trailers?**

No, it is the vendor's responsibility to provide trailers that do not leak.

**a. If not, who is responsible if liquids draining from walking floor trailers?**

Vendor.

**b. Possible violations from NJDEP or DOT who is responsible to pay them?**

Vendor.

**c. Do we have to use tip trailers?**

See question #6.

**74. Can this contract be extended without rebid?**

No.

**a. If so for how long can it be extended?**

See above.

**75. If the truck route in this bid is changed can there be a change of circumstances to the contract for more money?**

There is no truck route included in the bid specification. Contractor is required to follow rules of the Atlantic County Solid Waste Management Plan regarding truck routes. The contracted amount will not change if the bidder chooses to deviate from the truck route documented in their bid.

**a. Is this job a tax exempt?**

See page 4 paragraph 8 of the bid document.

**76. Does waste flow apply to this contract as Atlantic County has waste flow regulations?**

Not applicable.

**a. If not was the change to waste flow approved by Atlantic County Commissioners and the New Jersey DEP?**

If contract is awarded ACUA will apply for an amendment to the County Solid Waste Management Plan.

- b. Does the new ACUA solid waste changes as of the January 2022 apply to this contract?**

Question is vague, there have been no changes to ACUA solid waste policy that are relevant to this contract.

- c. Did this contract go front of Atlantic County SWAC for approval?**

See question #76. a.

- d. Did this contract go in front of Atlantic County Commissioners for approval?**

See question #76. a.

- 77. Is the ACUA responsible for all damages to the walk-in floor trailers being that ACUA will be loading and propping walk-in floor trailers?**

Any and all claims for damages must be reported to ACUA immediately and will be investigated. ACUA would only be responsible for damages caused due to ACUA's negligence, and not for any standard wear and tear to equipment.

- a. Is there a protocol to have damaged equipment repaired?**

There is not a specific protocol for handling damaged equipment, as each situation differs. However, it is protocol that any damage is to be reported to ACUA immediately and will be investigated.

- b. Do we get a copy of your insurance certificate to put in claims for damaged equipment?**

An insurance certificate will be provided by ACUA and is required from the successful bidder.

- c. Or do we bill Atlantic County directly?**

Atlantic County is not a party to this contract. ACUA should not be billed for anything directly and the successful bidder should file a claim for any alleged damage as referenced in sections 10, 16, and 18 of the bid documents.

- 78. Will the contractor have 24-hour access to the ACUA Landfill?**

No.

- 79. When the hauling of MSW begins, will C&D loads be mixed with MSW?**

See question #33.

- a. If mixed will the contractor be required to use walk in floors or tippers?**

See question #7.

**80. Will the contractor be required to sign a long-term deal with the Disposal Facility?**

See section 2.1 of the bid document.

**a. Contractor would need to lock in airspace with disposing facility.**

See section 2.1 of the bid document.

**b. If rates go up at the disposing landfill, can the contractor's disposal rate be increased or adjusted due to the rate.**

No.

**81. Are the operators loading the trucks union?**

Yes.

**82. Will the ACUA load staged trucks after hours?**

Trailers will be staged during normal operating hours. If necessary due to emergent conditions ACUA can load and stage trailers outside of normal operating hours.

**a. Is there a charge?**

Loading trailers is part of ACUA's responsibility under this contract.

**83. Is there a fuel surcharge associated with the contract?**

See sections 1.1 and 2.1 of the bid document.

**84. Does the ACUA still have a shared service contract to dispose of a minimum of 20,000 tons/ year and a maximum of 30,000 tons/year of Type 10 and Type 13 with the Cape May County Landfill at a rate of \$78.39?**

No.

**a. If awarded, can we utilize this agreement?**

Not applicable.

**b. Original Shared Service Agreement signed in 2021 was for a 10-year period.**

This is not a question.

**85. When a trailer is prepared and ready for hauling, but does not meet the required weight (under or overweight) who is responsible for the labor and time expenditures while the Contractor is waiting due to ACUA not having the trailer prepared correctly?**

See question #64.

**86. Will the ACUA reimburse for damages to contractors' equipment, i.e. flat tires, trailer dents and will they include the vehicle "Down Time" to be included in the previous question reimbursement equation?**

See question #77.

**87. Can we stage a fuel tank at the ACUA to fill up our vehicles?**

No.

**88. Will the questions and answers be given to all potential bidders?**

Pursuant to N.J.S.A. 40A:11-23(c)(1) when issuing addenda, the ACUA shall provide notice prior to the official receipt of bids to any person who has submitted a bid or who has received a bid package.

**a. Can we put rebuttal questions to your answers?**

No.

**89. Can we set the Fuel Surcharge Base Price at \$3.00 so pricing is normalized? With the drastic fluctuation in fuel pricing daily it would help solidify pricing.**

See section 1.1.

## **II. PRE-BID MEETING**

### **TRANSFER AND DISPOSAL OF SOLID WASTE BID NO. 2022-SW-06**

**JUNE 14, 2022 - 11:00 AM  
ACUA GEO CONFERENCE ROOM**

Oren Thomas, Purchasing Manager, stated this is a Pre-Bid Meeting for ACUA Bid No. 2022-SW-06. The project is Transfer and Disposal of Solid Waste. This morning there will be an overview of the project from Greg Seher, Maintenance Resource Coordinator, followed by a question period and Addendum #2 will be issued. The Addendum will contain a copy of the meeting minutes, a copy of the sign-in sheet and any issues that come up will be addressed. Any questions after today must be sent in writing to the fax number on the front of the specifications 609-272-6936 or 609-272-6946. The cut off for all questions will be at the close of business Friday, June 17, 2022, at 4:00 p.m. Addendum #2 will be issued by Friday, June 24, 2022. Anyone on Zoom can type in their questions and they will be added to the addendum. Official answers will be issued with Addenda #2.

The bid opening will be on July 13, 2022, at 11 a.m. in this same room. If anyone would like a tour of the facility today, we can provide that. If you'd like to schedule a separate tour, please follow directions in the bid and we'll make those arrangements.

Greg Seher (ACUA – Maintenance Resource Coordinator) stated this is for hauling and disposal of various types of solid waste varying from Type 10, 13, 13C, 23, 25, to 27. The contract is a one (1) year minimum term with the option to renew for four (4) additional years, with a maximum of five (5) years. Tonnages in the bid package are not guaranteed and are based on historical tonnages.



**Sign-In Sheet**  
**PRE-BID MEETING**  
**2022-SW-06**  
**TRANSFER AND DISPOSAL OF SOLID WASTE**  
**JUNE 14, 2022**  
**11:00am**

Name	Company	Time In
BRIAN LEANE	ACUA	1055
Gregy Sehar	ACUA	1055
GARY CROWNE	ACUA	1055
MATT DENARO	ACUA	1057
Justin Haskins	Voyager	10:58
Christian Saeoz	Mant	10:45
Soe Daily	—	10:50
Jim DiNatale	SIRE	10:50
Steve Kave	WM	10:52
Brittany Poplawski	ACUA	10:50
Heather Bryant	ACUA	1055
Rick Thomas	ACUA	10:56
Linda Pazzano	ACUA	11:00