

**COMMITTEE ON TECHNOLOGY
SPECIAL MEETING
The Metropolitan District
555 Main Street, Hartford
Thursday, January 26, 2023**

PRESENT: Commissioners David Drake, Pasquale J. Salemi, Alvin Taylor and District Chairman William DiBella (4)

**REMOTE
ATTENDANCE:** Commissioner Joan Gentile (1)

ABSENT: Commissioners Andrew Adil and Peter Gardow (2)

**ALSO
PRESENT:** Commissioner Richard Bush
Commissioner Allen Hoffman
Commissioner Maureen Magnan (Remote Attendance)
Commissioner Jacqueline Mandyck (Remote Attendance)
Commissioner Dominic Pane (Remote Attendance)
Scott W. Jellison, Chief Executive Officer
Christopher Stone, District Counsel
John S. Mirtle, District Clerk
Kelly Shane, Chief Administrative Officer
Christopher Levesque, Chief Operating Officer
Robert Barron, Chief Financial Officer
David Rutty, Director of Operations
Robert Schwarm, Director of Information Services
Thomas Tyler, Director of Facilities
Lisa Madison, Manager of Procurement
Carrie Blardo, Assistant to the Chief Executive Officer
Victoria Escoriza, Executive Assistant

CALL TO ORDER

Chairman DiBella called the meeting to order at 12:07 PM

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

APPROVAL OF MINUTES

On motion made by Commissioner Taylor and duly seconded, the meeting minutes of January 6, 2023 were approved.

REQUEST FOR INFORMATION PROCESS

District Counsel Stone provide an explanation of the draft Request for Information documents distributed to Commissioners: a summary of the proposed RFI process, a RFI template and a RFI participation agreement.

Kelly Shane provided an explanation of the draft Request for Information template which had been distributed to Commissioners

Commissioner Salemi exited the meeting at 1:09 PM

Commissioner Gentile made a motion to adopt the RFI process, RFI template and RFI Participation Agreement. Commissioner Drake made a friendly amendment to clarify that the participation agreement applies to the reviewers rather than the RFI respondents and also for staff to clarify Request for Information Section 3.3 “Confidentiality of RFI Response” and the application of the Freedom of Information Act on confidential information received from respondents. The motion was duly seconded and approved by unanimous vote of those present.

The Metropolitan District: Request for Information (RFI) Process

In accordance with Federal Acquisition Regulation (FAR) 15.201(e) entitled “Exchanges with Industry Before Receipt of Proposals,” a Request For Information (RFI) may be used when the Government does not presently intend to award a contract, but wants to obtain pricing information, delivery, other market information, or new market capability information for planning purposes. Responses to these notices are not offers and cannot be accepted by the Government to form a binding contract.

Therefore, any RFI issued by the District will include the following language: “This RFI does not constitute a request for proposal (RFP) or a promise to issue an RFP in the future. This RFI does not commit The MDC to contract for any product or service whatsoever. All costs associated with responding to this RFI will be solely the respondents’ responsibility. Failure to respond to this RFI will not preclude participation in any future RFP, if any is issued. It is the responsibility of respondents to monitor MDC sources for additional information.”

For purposes of this process document, an RFI is defined as a formal request for information about a product, service, or existing or emerging technology to assist the District in market research and industry information as the first step in the potential development of a Request for Proposal (RFP) for goods, services, or equipment that will fulfill an identified, specific District need or solve a specific District problem.

As the RFI is a formal pre-planning procurement process, the District’s Procurement Department is responsible to manage the RFI Process. Management of the RFI process includes: (1) working with the appropriate staff or District Board/Committee(s) on development of the RFI content and documents; (2) posting and managing the RFI advertisement, vendor inquiries, and any required respondent clarifications; (3) providing District RFI response reviewers with RFI submissions, upon execution of an RFI Participation Form for RFI reviewers; and (4) any follow up communications with Respondents on the District’s behalf.

RFI Process Steps:

(1) RFI Development

Upon the District’s determination that new or additional industry information is required for procurement planning purposes, the District shall utilize an RFI Template to develop the content of the RFI to include:

- a. An overall introduction and background of the District;
- b. A Specific “Statement of Need” which shall include key details as to the purpose of the RFI, data necessary to understand the District’s requirement, and any specific questions or required information to be provided to the District for its review;
- c. An issue date, due date, and other standard District terms; and

The Metropolitan District: Request for Information (RFI) Process

- d. Instructions to respondents on response format, such as paper and/or electronic submission requirements, District point of contact for inquiries and/or clarifications, and maximum file size or number of pages.

(2) RFI Issuance

Once the RFI documentation is completed, the RFI shall be issued on its ProcureWare website.

- a. Respondents will be required to download the RFI document(s)
- b. The RFI will be advertised in applicable industry publications, newspapers, and other electronic medium as deemed appropriate for the specific RFI, with the intent of reaching as many potential respondents as possible.
- c. Communications with potential respondents will be the responsibility of the Procurement Department.

(3) RFI Response Review

In accordance with FAR 15.207(b), "Information received in response to an RFI shall be safeguarded adequately from unauthorized disclosure." To that end, District staff (as determined by the Chief Executive Officer) or District Board/Committee members (as determined by the Chairperson of the responsible Board/Committee) will be formally assigned as "Reviewers" of RFI Responses. All assigned Reviewers will be required to read and sign an "RFI Participation Form" prior to being provided RFI submissions for review.

- a. The template RFI Participation Form to be completed by each reviewer is included as Attachment (1) herein.
- b. Upon completion of the RFI Participation Form, the District Contracting Officer shall provide all reviewers with all RFI responses for their review.
- c. Reviewers will have an established time period to complete their response reviews.
- d. The Contracting Officer shall reconvene the reviewers for a meeting to discuss the RFI responses and determination of any necessary follow up with respondents.

(4) RFI Next Steps

At the conclusion of the RFI response reviews, reviewers may determine that they have received all of the information necessary to move to the next phase in the procurement process, and/or that no further action is required.

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Reviewers may also determine that more information or clarification is needed from individual respondents. In that case, the reviewers, through the District Contracting Officer, may submit written questions to one or more of the respondents.

Upon completion of any follow up written questions, the reviewers, together with the appropriate technical District staff, shall make a determination if any further procurement planning or follow up action is necessary.

At the conclusion of this RFI Process, all respondent materials shared with reviewers shall be returned to the Contracting Officer where the documentation will be stored in accordance with District record retention policies.



**THE METROPOLITAN DISTRICT
HARTFORD COUNTY, CONNECTICUT
REQUEST FOR INFORMATION**

For

RFI TITLE

ISSUE DATE: Insert date

QUESTIONS DUE: Insert date by 4PM EDT

RESPONSES DUE: Insert date by 2PM EDT

**Responses to this RFI will be received by the District Clerk until the
date and time specified above.**

**Office of the District Clerk
555 Main Street
Hartford, CT**

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PART I INTRODUCTION AND PURPOSE

1.1 INTENT

The Metropolitan District (MDC), a municipal water and sewer utility with a primary service area in the Capitol Region of Connecticut, is seeking industry information regarding XXXXXX.

This is a Request for Information (RFI) only and does not constitute a Request for Proposal (RFP) or a promise to issue an RFP in the future. This RFI does not commit The MDC to contract for any product or service whatsoever. All costs associated with responding to this RFI will be solely the Respondents' responsibility. Failure to respond to this RFI will not preclude participation in any future RFP for related goods or services related to this RFI, if any RFP is subsequently issued. It is the responsibility of respondents to monitor MDC sources for additional information regarding this RFI or any related future requirements.

1.2 ABOUT THE METROPOLITAN DISTRICT

The Metropolitan District is a specially-chartered municipal corporation established by special act of the Connecticut State Legislature in 1929, and includes the municipalities of Hartford, Bloomfield, East Hartford, Newington, Rocky Hill, West Hartford, Wethersfield and Windsor. The District provides water and sewer services to approximately 400,000 people.

The District is governed by a board of thirty-three (33) commissioners (the "Board") - with twenty-nine voting members from District member towns and four non-voting commissioners, each appointed by the "non-member" towns of the MDC, namely, Glastonbury, Farmington, South Windsor and East Granby. Of the voting members, seventeen (17) are appointed by the legislative bodies of the eight (8) member municipalities, eight (8) by the Governor of the State of Connecticut, and four (4) by the leadership of the Connecticut General Assembly (the "Board").

The District is managed by a Chief Executive Officer supported by a senior executive leadership team and employs approximately five hundred (500) full-time personnel. The District recently completed a major comprehensive organizational re-engineering process. Under the present structure, there are two (2) functional divisions: Operations & Engineering and Business Services.

Sanitary sewer services are funded through an ad valorem tax on member municipalities and, for high flow users, a sewer user charge. The funding of water services and related operations is principally through a direct use charge to customers.

Major capital improvements in excess of \$21.842 million for a single project must be approved by the electorate of the member municipalities and are financed primarily through bonding. The

2021 combined water and sewer budgets for all District operations totaled approximately \$205.5 million.

The water distribution system consists of upland impoundments in the Farmington River watershed, two (2) filtration plants and approximately 1,600 miles of distribution mains. Flows in the system are primarily by gravity, with the exception of some limited pumping of treated water to higher elevations. Average treated water use is about 50 million gallons per day and all services are metered.

The sewage collection system consists of almost 1,200 miles of sanitary sewers serving the member municipalities. Four (4) water pollution control plants treat an average of 65 million gallons per day.

In 2006, the District entered into a Consent Decree with the Environmental Protection Agency ("EPA") and the U. S. Department of Justice to implement a Sanitary Sewer Overflow ("SSO") Abatement Program, pursuant to which the District is required to eliminate structural SSO's over a seven (7) year period for the communities of Rocky Hill, Wethersfield and Windsor, and over a twelve (12) year period for West Hartford and Newington (the "Consent Decree").

Also, in 2006, the District entered into a Consent Order with the State of Connecticut Department of Environmental Protection to reduce Combined Sewer Overflows (CSO) to a one (1) year level of control, within fifteen (15) years (the "Consent Order").

The District has also identified several nitrogen removal projects designed to protect Long Island Sound and required to comply with the District's General Permit for the discharge of nitrogen based on the adopted total maximum daily load for Long Island Sound.

The District's coordinated multi-year response to the Consent Order, Consent Decree and nitrogen reduction requirements is "**The Clean Water Project**" (the "CWP"). The work under the CWP includes three (3) major elements: (1) construction of new sanitary sewers, interceptors and tunnels to reduce CSOs within the District's collection system; (2) rehabilitation of existing sanitary sewers and construction of new interceptors to eliminate structural and non-structural SSOs from the sanitary sewers of East Hartford, Bloomfield, Wethersfield, West Hartford, Windsor, Rocky Hill and Newington; and, (3) increase treatment flow capacity and reduce nitrogen levels from the discharges of some of the District's water pollution control facilities.

Authorization to spend for Phase I of the CWP was approved in the amount of \$800 million by the MDC's member towns through a referendum vote on November 7, 2006. A second referendum authorizing an additional \$800 million for Phase II of the project was approved on November 6, 2012. Additional authorizations will be required over the remainder of the life of the CWP. Funding for the capital expenditures and debt service incurred in support of the CWP is through a separate direct use charge to customers.

In addition, the District has undertaken a comprehensive program of asset management which involves a systemic replacement of water and sewer infrastructure in a proactive process. Capital improvement programs also include improvements to and modernization of MDC water treatment and water pollution control facilities.

In 2021, the District entered into a Consent Decree with the EPA over the 2016 Clean Air Act Sewage Sludge Incinerator ("SSI") rule related to EPA designating the District's incinerators as "new" under the SSI rule. The District is in compliance with the SSI rule and Consent Decree.

The District operates within a range of facilities and settings. In addition to the administrative and management staffs (legal, finance, engineering, procurement, human resources, etc.) based at the District's headquarters building in downtown Hartford, CT, the District also operates from several other facilities within a 30-mile driving distance from the headquarters building. They include (not all facilities listed):

- Water treatment and distribution facilities
- Wastewater treatment facilities including three multi-hearth sewage sludge incinerators
- Operations Command Center – emergency services/response; customer service center, training facility
- Fleet and equipment maintenance facility
- Hydro-electric generating facilities (2)
- Fresh water reservoir facilities, including associated public recreation areas, reservoirs and contiguous woodland areas.

The District has full control of its water sources. All fresh water the District supplies to its customers comes from the District's own reservoirs. There is no dependency on another agency or supplier within or outside the State for the District to meet its demand for fresh water.

There are occupational categories that may not be as common in other water districts or agencies. For example, the District has a small police force ("patrol") to protect property and equipment at its more remote facilities and also to protect the public using the designated recreation areas at the reservoirs. Another somewhat unique job category is "foresters" who maintain the watershed woodland areas that surround and feed into the reservoirs.

The District utilizes SAP-Oracle (an integrated ERP system) with other network and web-based technology. Technological change drives improvement and has, as a result, changed the required knowledge, skills, and attributes of our workforce.

The District manages an award winning Geographic Information System ("GIS") that supports its many activities. The database contains detailed utility and land base information for each of the member municipalities as well as natural resource information for watershed land. The system is capable of producing utility and street index maps as well as special purpose maps. It is also

linked to the District's business application software, allowing users to query data and locate specific utility equipment. GIS also provides mapping services to member towns.

For years, the District, as a municipality, submitted its affirmative action plan and goals to the federal government. This changed in 2009. Pursuant to Public Act 09-87, the District is considered a Connecticut state agency for the sole purpose of developing and implementing an affirmative action plan that commits the District to a program of affirmative action in all aspects of personnel and administration.

1.3 RFI PURPOSE AND BACKGROUND

1.3.1 Statement of Need

Insert a complete description of the RFI, including key details as to the purpose of the RFI, the District need, any District data needed in order to understand the District's request. Include specific questions the District is looking for industry to provide answers.

1.3.2 Background

Insert Background information for the specific RFI Statement of Need and Purpose of the request

1.3.3 Technical Submission Requirements

This section will be developed to provide an outline of what the District requires in terms of submission responses. For Example:

- *Description of the Company and Experience*
- *Details about the product, service, or new technology and how it will meet the District's Statement of Need*
- *Detail about how the product or service is currently being utilized/employed within the utility industry*
- *Business Case and Key Performance Indicators*
- *Results that can be expected*
- *Specific questions/information the Responder should provide in their submission*

PART II SUBMITTAL INSTRUCTIONS

2.1 RFI SUBMITTAL INSTRUCTIONS

Paper Responses shall be submitted in a sealed envelope that is clearly marked with the RFI Number _____, and RFI Title _____ and mailed to:

District Clerk
The Metropolitan District
555 Main Street
Hartford, CT 06103

Electronic Responses may be submitted to the District via email with the RFI Number _____, and RFI Title _____ in the subject line, by the submission deadline.

2.2 QUESTIONS AND ADDENDA

All questions and/or requests for additional information regarding this RFI must be submitted in writing via email (Subject line: RFI Number) to "insert CONTRACT SPECIALIST EMAIL" by **4:00 p.m. Eastern Time on "insert RFI DUE DATE"**.

Questions must be received no later than the date and time specified herein. Questions received after that date and time will not be answered.

Contact with any other person(s) employed by, or associated with, the District, other than the designated contact above regarding this RFI is strictly prohibited. Failure to adhere to this requirement may disqualify a Respondent from consideration under any related Request for Proposals (RFP), and such decision shall be made by the MDC in its sole and absolute discretion.

Material clarifications or revisions to this RFI, as well as answers to any questions submitted in a timely manner will be answered in the form of addenda to this RFI which will be published on the MDC ProcureWare Site at <https://mdc.procureware.com/home>. Addenda will be posted no later than seven (7) calendar days prior to the deadline for responses to this RFI. It is each Respondent's responsibility to register with and check the MDC ProcureWare Site for addenda.

2.3 SUBMISSION DEADLINE

Responses to this RFI must be received by the MDC by 2:00PM EDT on "insert RFI DUE DATE".

The MDC will not be liable for Responses not received by the specified due date. It is the Respondent's sole responsibility to ensure that its RFI Response is delivered by the specified due date. RFI responses or updates received after the specified due date will not be considered by the District.

PART III

RFI RESPONSE REVIEW

3.1 REVIEW OF SUBMISSIONS

District staff (as determined by the Chief Executive Officer) or District Board/Committee members (as determined by the Chairperson of the responsible Board/Committee) as deemed appropriate shall be formally assigned as "Reviewers" of responses to this RFI.

Reviewers will have an established time period to complete their response reviews, and then reconvene as a group to discuss the RFI responses and determine follow up with respondents is necessary.

If Reviewers determine that more information or clarification is needed from individual respondents, the District Contracting Officer may follow up with one or more Respondents. Upon completion of any follow up written questions, the Reviewers, together with the appropriate technical District staff, shall make a determination if any further procurement planning or follow up action is necessary.

3.2 RESPONDENT ATTESTATION

By submission of a response to this RFI, the Respondent attests that no person or Commissioner acting for, or employed by, the MDC is now, or will hereafter benefit financially directly or indirectly from the Respondent's participation in this RFI process, or any future related Request for Proposal (RFP).

3.3 CONFIDENTIALITY OF RFI RESPONSE

Respondents acknowledge that the District is a specially chartered municipal corporation and subject to Connecticut's Freedom of Information Act ("CT FOIA"). Respondents should be aware that all submittals provided to the District are subject to public disclosure and will not be afforded confidentiality unless clearly exempt by law. Respondent claiming in good faith that its response contains information that is exempt from disclosure under CT FOIA shall clearly segregate and mark information as confidential and provide the specific statutory citation for such exemption. Be aware that the designation of an item as exempt from disclosure may be

challenged in court by any person or entity. By the designation of material as exempt in a submittal, the Respondent agrees to indemnify, hold harmless and defend the District and its employees and agents for any award to a plaintiff for damages, costs and attorneys' fees, and for costs and attorney's fees incurred by the District by reason of any claim or action related to the Respondent's designation of materials as exempt. The MDC agrees, to the extent permitted by applicable laws and regulations, to hold all material information belonging to the Respondent, which it deems to be confidential, in strictest confidence.

DRAFT

REQUEST FOR INFORMATION PARTICIPATION AGREEMENT TERMS

1. This Agreement applies to individuals involved in the evaluation of Request for Information (RFI) (insert number) issued by The Metropolitan District (the "District" or "MDC"), known as the RFI for (insert RFI Title).
2. This Agreement contains the rules of conduct relating to this RFI. It includes rules of conduct regarding conflicts of interest as well as rules of conduct regarding the safeguarding of confidential information.
3. Your signature on this Agreement indicates that you have read this Agreement, and agree to be bound by its terms.
4. Except as set forth below, I do not presently hold, and will not obtain any financial interest¹ or affiliation² in any reasonably likely respondent to this RFI.

-
5. To the best of my knowledge, and except as set forth below, my family members³ or related persons⁴ do not have a financial interest or affiliation in any reasonably likely respondent to this RFI.
-

¹ Financial Interest - Any continuing financial interest (such as through a pension or retirement plan, shared income, continuing termination payments, or other arrangements as a result of any current or prior employment or business or professional association) or any financial interest through legal or beneficial ownership of stock, stock options, bonds, securities, or other arrangements including trusts.

² Affiliation - A relationship as an employee, officer, owner, director, member, trustee, partner, advisor, agent, representative, or consultant; or a person having any understanding, plans or pending contacts regarding such a relationship in the future. (This includes sending resumes, making telephone inquiries, or any act that reasonably could be construed as an indication of interest in a future affiliation.)

³ Family Member - a spouse, living ancestor, sibling (whether by whole or half-blood), child (natural or adopted), grandchild, great-grandchild, or spouses of siblings, children, grandchildren or great-grandchildren.

⁴ Related Person - (a) a Family Member; (b) a person with whom you are living; (c) a trust or estate in which a Family Member or anyone mentioned in (b) is a substantial beneficiary; (d) any entity (other than the District or an entity controlled by the District) controlled by you, by a Family Member, or any person mentioned in (b) or (c); (e) any domestic or foreign business or nonprofit corporation (other than the District or an entity controlled by the District) of which you are a director, or unincorporated entity of which you are a general partner or a member of the governing body; (f) any individual, trust or estate for whom or of which you are a trustee, guardian, personal representative or like fiduciary; or (g) any person or entity that is controlled by your employer.

6. To the best of my knowledge, and except as set forth below, none of the following are a reasonably likely respondent to this RFI, or represents a reasonably likely respondent with regard to this RFI:
- Any person or company with whom I have or am seeking a business, contractual or other financial relationship that involves other than a routine consumer transaction;
 - Any close relative;
 - Any person or company with whom I have been affiliated within the last year;
 - Any organization in which I am an active participant.
-
7. If, based upon one or more of the actual respondents to the RFI, the representations I made in response to items 4, 5 or 6 above are not true, I agree to abstain from any further participation in this RFI.
8. I will observe the following rules of conduct during this RFI:
- a. I will not solicit or accept, directly or indirectly, any promise of future employment or business opportunity from, or engage, directly or indirectly, in any discussion of future employment or business opportunity with any officer, employee, representative, agent, or consultant of any reasonably likely respondent .
 - b. I will not ask for, demand, exact, solicit, seek, accept, receive, or agree to receive, directly or indirectly, any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other thing of value from any officer, employee, representative, agent, or consultant of any reasonably likely respondent or .
 - c. I understand that all communications with respondents concerning this RFI must be made by or through the Contract Specialist, or his/her designee (the "Contracting Officer"). I will divert all attempted communications by respondents' representatives or any other unauthorized person to the Contracting Officer.
9. I realized that my actions in connection with my participation in this RFI response review is subject to intense scrutiny, and I will conduct myself in a way that will not adversely affect the confidence of the public in this RFI. I will avoid any action, whether or not prohibited, that could result in or create the appearance of my losing independence or impartiality. I will not use my participation in this RFI for private gain, and I agree not to engage in any personal business or professional activity, or enter into any financial transaction that involves or appears to involve, the direct or indirect use of "inside information" to further a private gain for myself or others.

10. I understand that my obligations under this certification are of a continuing nature, and if anything takes place which would cause a change to any statement, or create a violation of any representation or rule of conduct herein, I will immediately bring such matter to the attention of the Contracting Officer.

CERTIFICATION

11. I agree to the Terms of this Agreement and certify that I have read and understand the above Agreement. I further certify that the statements made herein are true and correct.

Signature

Date

Print Name

RFI Response Reviewer

Commissioner Taylor exited the meeting at 1:36 PM

BIODIESEL

District Chairman DiBella led a discussion regarding biodiesel. There are projections for the REA project in Danbury to be fully operational in February.

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

No one from the public appeared to be heard

ADJOURNMENT

The meeting was adjourned at 1:47 PM

ATTEST:

John S. Mirtle, Esq.
District Clerk

Date of Approval