The Metropolitan District
water supply · environmental services · geographic information

COMMITTEE ON TECHNOLOGY
SPECIAL MEETING
THURSDAY, APRIL 27, 2023
12:00 PM

Location
Board Room
District Headquarters
555 Main Street, Hartford

Dial in #: (415)-655-0001
Access Code: 43808661#
Meeting Video Link

Commissioners

Adil
DiBella (C)
Drake
Gardow
Gentile (VC)
Salemi
Taylor

Quorum: 3

1. **CALL TO ORDER**
2. **PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS**
3. **APPROVAL OF MEETING MINUTES OF MARCH 1, 2023**
4. **CONSIDERATION AND POTENTIAL ACTION RE: REQUEST FOR INFORMATION #2023-RFI-01**
5. **OPPORTUNITY FOR GENERAL PUBLIC COMMENTS**
6. **ADJOURNMENT**

COMMITTEE ON TECHNOLOGY
SPECIAL MEETING
The Metropolitan District
555 Main Street, Hartford
Wednesday, March 1, 2023

PRESENT: Commissioners Andrew Adil, David Drake, Pasquale J. Salemi, Alvin Taylor and District Chairman William DiBella (5)

REMOTE ATTENDANCE: Commissioner Peter Gardow (1)

ABSENT: Commissioner Joan Gentile (1)

ALSO PRESENT:
Commissioner Richard Bush
Commissioner Allen Hoffman
Commissioner John Avedisian (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
Robert Barron, Chief Financial Officer (Remote Attendance)
Robert Schwarm, Director of Information Services (Remote Attendance)
Thomas Tyler, Director of Facilities
Jamie Harlow, Director of Human Resources (Remote Attendance)
Lisa Remsen, Manager of Budget and Analysis (Remote Attendance)
Tra Phan, Controller (Remote Attendance)
Carrie Blardo, Assistant to the Chief Executive Officer
Julie Price, Executive Assistant
Dave Baker, IT Consultant (Remote Attendance)

CALL TO ORDER

Chairman DiBella called the meeting to order at 12:17 PM

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

APPROVAL OF MINUTES

On motion made by Commissioner Adil and duly seconded, the meeting minutes of February 2, 2023 were approved.

REQUEST FOR INFORMATION ON GASIFICATION/PYROLYSIS

The Technology Committee reviewed a draft Request for Information on Gasification and Pyrolysis.

Commissioner Adil made a motion to go forward with the RFI as presented, subject to the changes discussed during the meeting, which was duly seconded. The time frame for respondents to respond will be 45 days after issuance. The review panel will consist of the members of the Committee on Technology. The motion passed unanimously.

MDC

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 intended to provide the MDC with available and economically viable technologies that address the situation described herein.

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 - Request for Information on Technology Which Could Process Multiple Solid Waste Streams

1.3.1 Statement of Need

Introduction

Lack of affordable Municipal Solid Waste (MSW) for CT

From 1984 through 2012, The Metropolitan District (MDC) successfully operated the Mid-Connecticut waste-to-energy processing facility under contract with the Connecticut Resource Recovery Authority (CRRA). This plant processed solid waste received from seventy (70) Connecticut towns for use in the affiliated waste to energy plant that produced electricity.

In 2012, CRRA ended MDC's 30-year contract to manage the CRRA facility, thereby eliminating the approximate $2 million dollars in annual revenue utilized to reduce the sewer Ad Valorem tax on MDC's eight (8)-member towns. Since then, the CRRA facility, presently under the control of its successor quasi-public entity MIRA, has terminated its operation, leaving a void in the receiving, processing and disposal of municipal solid waste in the region, and particularly for the MDC member towns.

As such, the MDC is confronted with a strategic decision - whether to continue the present course or explore technologies which may be part of a solution to address the lack of MSW disposal capacity in the Hartford region, and thereby create a new revenue sources for the MDC which ultimately benefits our member towns. This RFI serves as a potential starting point for the MDC to participate, to some degree, in addressing the void in the market of MSW disposal as an alternative to trucking it out of state at an unpredictable cost through utilizing new technology to incorporate additional human biosolids waste receiving capacity.

In summary, this RFI is intended to provide the MDC with information regarding available and economically viable technologies that address the current situation described in order to evaluate whether the MDC should participate in a new business opportunity for our member towns in a new waste-to-energy processing facility , with the understanding that permitting by DEEP and approval and participation of our member towns would be required.

Lack of Human Biosolid Waste (Sludge) processing facilities in New England

There are three primary means to dispose of human waste (also called sludge or biosolids): landfill, land application and incineration. Virtually all the human waste generated in the US is disposed of via one of these means. The MDC uses incineration, which is the predominant means of processing human waste in Connecticut.

In June 2022, the National Association of Clean Water Agencies (NACWA) wrote a letter to EPA requesting their support on continuing all three means of sludge disposal to calm PFAS fears.

"Public clean water agencies have only three primary management methods for biosolids – land application, landfill disposal and incineration. For decades, EPA has supported the public clean water community by developing regulations consistent with the Clean Water Act (CWA) to ensure that biosolids are managed – regardless of the method chosen by the community – in a safe, responsible manner. The loss of even one of these management methods would have catastrophic consequences, but the public clean water community is now facing a situation where all three options are at risk of being unavailable due to the presence of PFAS. Never has EPA's engagement in and commitment to the biosolids program been more important and it is time for EPA to reaffirm its commitment to all three biosolids."

Statement of purpose: The MDC Technology Committee recognizes that among the many challenges facing the entire Municipal Solid Waste, Medical Waste, Water and Sewer industries are escalating costs (particularly due to transportation cost, energy costs and available local capacity), and the need to keep up with rapidly changing market driven services, commodities, regulatory requirements requires leveraging cost-effective, proven technologies to continuously mitigate the increasing operational expenses. This RFI marks the start of an ongoing process to gather broad information about emerging and innovative technologies, systems, and processes commercially available in the marketplace to assist the District Board and MDC staff in identifying potential solutions consistent with the following: :

- Identification of potential revenue opportunities to process **"Trash-to-Energy"**, individually or in some combination or other processes, waste streams including Municipal Solid Waste, Medical Waste, Human Biosolid Waste, and Food to Waste/Fats Oils and Grease.
- In order to serve MDC 8-member towns, potential contracted communities and other customers, the technology should have the capacity to process a minimum of 1,500 tons/day of post-recycled MSW (465,375 TPY at 85% availability) and 50,000 TPY of source-separated recyclables, and up to 2,250 tons/day of post-recycled MSW (698,063 TPY at 85% availability) and 100,000 tons/year of source-separated recyclables.
- With the discovery of the presence of forever chemicals such as PFAS within the human biosolid waste stream, the use of landfills and land application to dispose of human waste have become less attractive alternatives, thereby significantly limiting disposal capacity in the region. This lack of capacity is an opportunity for the MDC to expand its human waste disposal capacity with technologies that complement its existing incineration processes; the goals being to provide additional regional support to all New

England while increasing revenues and thereby reducing costs to our existing and future customers. MDC presently is permitted to process 175,000 wet tons per year utilizing 3-Multi Hearth incinerators. MDC's run at 95-98% capacity and does not have the added necessary capacity to meet all the private and municipal customers which request either emergency or long-term sludge deliveries;

- The demand of MSW waste stream capacity will be the driving factor as to how much Biosolids can be co-processed with the MSW;
- Maximizing the generation of energy as part this new waste processing system, as well as improving energy efficiencies and reducing energy costs associated with operating MDC's water and sewer treatment plants, should be considered;
- Ensure environmental neutrality/sustainability or reduce MDC's carbon footprint;
- Enhance MDC's ability to comply with rapidly changing regulatory requirements through vendor's proven ability to update and test required changes in products and services prior to the effective date of any new rules;
- Identify solutions that improve services and are relatively easy to test, validate and integrate without disrupting MDC's staff focus on strategic initiatives and ongoing operations.

RFI Description: This is a **request for information (RFI) only**. This RFI is issued solely for information gathering, market research, and planning purposes – it 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. Further, The MDC is not at this time seeking proposals and will not accept unsolicited proposals. 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 the respondent to monitor (MDC) sources for additional information.

As detailed in this RFP, Respondents are to describe their ability to provide both system capacities in their responses.

1.3.2 Background

The Connecticut Solid Waste System Resource Recovery Facility (CSWS RRF) (formerly referred to as Mid-Connecticut RRF), had operated since 1988 with a permitted capacity to process 888,888 tons of Municipal Solid Waste (MSW) per year. The CSWS RRF has approached the end of its service life and has been closed creating a significant challenge c to MDC's member towns in finding affordable disposal contracting services.

"Municipal Solid Waste" or "MSW" pursuant to Connecticut General Statutes Section 22a-207 means solid waste from residential, commercial and industrial sources, excluding solid waste consisting of significant quantities of hazardous waste as defined in CGS Section 22a-115, land-clearing debris, demolition debris, biomedical waste, sewage sludge and scrap metal.

The MDC Commission enacted an Ordinance on October 1, 2007 to charge a sewer service fee Clean Water Project Charge(CWPC) to those customers provided both District sewer and water service. The service fee, based upon water use, will pay solely for debt service related to the federal and state orders and permits to pay for the Clean Water Project (CWP). Nonetheless, both management and the Commission recognize that there are a number of approaches we could take to increase our revenue base. Given the expected infrastructure upgrades to sustain the District's desired service level, in addition to the CWP, it is an important priority for us to evaluate increased revenue sources that could help offset future water rate increases, sewer service fees, and or/ ad valorem tax increases.

Generally, the cost of services provided by the MDC in fulfilling its core mission continue to rise, while existing revenue sources are somewhat limited. These costs are primarily passed on to our customers through the water rates set forth in monthly water bills and sewer ad valorem payments included in their municipal property tax bills. One example of the increased strain on the water customer is the imposition of the Clean Water Project Charge (CWPC) included in their water bill. The MDC Commission enacted an Ordinance on October 1, 2007 creating the CWPC. This charge, necessary to complete construction projects necessary to comply with state and federal infrastructure improvement mandates, will pay for debt service related to the costs associated with the Clean Water Project (CWP).

It is a challenge for the MDC to continue to provide vital water and sewer services while minimizing, to the extent possible, the financial burden on our customers without increasing our revenue base. It is an important priority for us to evaluate additional revenue sources that could help offset future water rate increases, sewer service fees, and or/ ad valorem tax increases.

As part of our **Strategic Planning** effort, the MDC will establish objective and transparent investment criteria that will allow for various revenue enhancement opportunities to be evaluated and prioritized taking into consideration cost and benefit, risk, and fit with our core mission and core competencies.

In 2014 Connecticut Governor Dannel P. Malloy signed Public Act 14-94, calling for the Commissioner of the Connecticut Department of Energy and Environmental Protection (CT-DEEP), in consultation with the Materials Innovation and Recycling Authority (MIRA), to solicit proposals for the redevelopment of the Connecticut Solid Waste System Project (CSWSP).

On January 24, 2023, Gov. Ned Lamont outside the ***closed*** MIRA trash-to-energy plant, laying out an approach to reducing Connecticut's reliance on out-of-state landfills. The administration of Gov. Ned Lamont took its first steps Tuesday towards articulating a policy for disposing of the 860,000 tons of trash Connecticut must annually ship out of state since the closure in July of a major trash-to-energy plant in Hartford.

The state also would work to remove food waste from the refuse stream, a demand on consumers and businesses.

The announcement Tuesday established that the Lamont administration is opposed to placing a new trash plant on the site owned by the trash authority known as MIRA, which lost a fight two years ago to win state support for an overhaul of a plant opened decades ago under the aegis of its predecessor, the Connecticut Resources Recovery Authority.

The capacity to process the thousands of tons of biosolids (human waste/sludge) generated from the municipal wastewater treatment processes on a daily basis across the United States has been diminishing, and is a challenge specifically in the New England region.

"Biosolids" are a product of the wastewater treatment process. During wastewater treatment the liquids are separated from the solids. Those solids are then treated physically and chemically to produce a semisolid, nutrient-rich product known as biosolids. The terms 'biosolids' and 'sewage sludge' are often used interchangeably. Requirements for meeting Class A and Class B biosolids are determined by the federal regulation 40 CFR Part 503. Individual states may have more stringent requirements and additional criteria. Additionally, most states require permits to apply biosolids and a site evaluation might need to be conducted.

Nationally, approximately 55% of wastewater sludge is land applied, while 30% is landfilled and only 15% is incinerated. EPA historically has favored land application and landfilling over incineration since the 1970's, and in 2016 implemented a very stringent new air emissions rule for Sanitary Sewer Incinerators (SSI), although the planning and regulatory discussions began in 2008.

Over the years, land application and landfilling opportunities are increasingly limited due to regulatory changes and operational and trucking expenses, as a result with the incinerator capacity, while limited, has become a premium, with rates increasing in some cases more than 3 times in the past 5 years, independent of PFAS.

Professional organizations like NEBRA and NEIWPCC are in the final stages of separate, independent studies to better understand and evaluate the region's municipal sludge management capacity, as well as studying the possibilities of PFAS destruction from the biosolid waste streams. NEIWPCC concentrates on the New England portion of study, while NEBRA was the lead for the national effort. After they receive all reviewer comments, a revised report will be developed and released. **According to a NEIWPCC representative, one of the organization's conclusions is that there are short- and long-term deficiencies in disposal options and capacity specific to land application and landfilling biosolids containing PFAS.**

This immediately resulted in a genuine concern across the country specific to land application and use of landfills to dispose of PFAS-laden biosolids. Incineration began to be looked upon more positively by EPA and state regulators, even though at the time there was very sparse data available to support the proposition that Multi-Hearth Incinerators (MHI), operating at 1400 degrees Fahrenheit, would destroy PFAS. There is ongoing research on this topic, but no formal results have been published.

In 2018, this concern with PFAS in biosolids manifested began to directly affect the biosolids market even further, when cities like Lowell, Massachusetts and Portsmouth, New Hampshire stopped accepting biosolids in their landfills and/or permitting land application. ***Since the sludge disposal methods other than incineration represents 85% of the US market, all the immediate regulatory discussions surrounding PFAS in biosolids has been focused exclusively on fears of land application and landfilling.***

The District has three incinerators. Typically, two are in operation and the 3rd is a redundant or "in-reserve" unit that can be put into service when needed. Unplanned outages are rare. The three units are rotated in/out of service to obtain even "wear and tear", and are rehabilitated on a rotating basis approximately once every three years. The CT DEEP operating permit dictates the maximum hourly feed rate. This is the driver behind the limitation on the maximum volume of sludge that can be processed in a calendar year - 43,800 dry tons (approximately 175,200 wet tons actual weight of incinerated biosolids). Dry ton refers to a mass without water weight, whereas wet ton includes water weight.

For the past ten years the MDC has also systematically increased sludge processing revenue in response to market conditions, with $7.8 million revenues in 2022. In addition, the MDC's heat recovery facility generates1.7 megawatts of electricity, saving the MDC more than $1.5 million per year in power costs. at the HWPCF.

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. In such event, all respondents will have access to the information and/or clarification requested. Upon completion of any follow up written questions, the Reviewers, together with the appropriate technical District staff, will determine whether to recommend 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 therefore subject to the provisions of the CT FOIA relating to public disclosure and the applicability of any exemption(s) to such public disclosure. Respondents claiming, in good faith, that its response contains information that is exempt from disclosure under CT FOIA (for example, see Conn. Gen. Stat. § 1-210(b)(5)) 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.

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

No one from the public appeared to be heard.

ADJOURNMENT

The meeting was adjourned at 1:36 PM

ATTEST:

John S. Mirtle, Esq.
District Clerk

_____
Date of Approval