**REQUEST FOR APPLICATIONS (RFA)**

**Sustainable Materials Management Regional Waste Authority (RWA) Grant Program**

**Issue Date: January 24, 2023**

The Connecticut Department of Energy and Environmental Protection (DEEP) is pleased to announce the availability of $1.5 million in grant funding for technical assistance for Connecticut municipalities and regions through the Sustainable Materials Management (SMM) Grant program, pursuant to Public Act, Spec. Sess., June 2021, No. 21-2, § 308.

DEEP invites proposals seeking grant funds to help municipalities and regional waste authorities evaluate interest and identify governance to form new or expand existing Regional Waste authorities. Supporting municipalities that want to pursue forming regional waste authorities will help to alleviate the state’s waste disposal crisis by creating the framework and structure needed to develop and implement recycling and organics diversion programs, and/or establish new solid waste infrastructure to improve the state’s self-sufficiency and help to advance the statewide 60% diversion rate set forth in the Comprehensive Materials Management Strategy (CMMS).

Preference will be given to proposals from coalitions of municipalities, or existing regional waste authorities, which have the potential to include the largest number of municipalities or municipalities with the largest volume of waste generated. This RFA is posted to DEEP’s Municipal and Regional Grants and Technical Assistance webpage.

Please read through this Request for Applications (RFA) and the Application for Sustainable Materials Management Regional Waste Authority Grant Program in its entirety.

1. OVERVIEW

In 2021, Connecticut generated over 3.3 million tons of municipal solid waste (MSW), with a diversion rate of 35%, such that nearly 1.2 million tons were diverted from disposal through recycling or composting. This left nearly 2.2 million tons of MSW requiring disposal at Resource Recovery Facilities (RRFs) or landfills. Because Connecticut has no landfills actively receiving MSW, all 1.8 million tons of MSW disposed of within Connecticut’s borders in 2021 were processed at RRFs.

In July 2022, the Materials Innovation and Recovery Authority (MIRA) made the decision to cease operations at their Hartford RRF, causing a loss of over 700,000 TPY (or roughly one-third of) permitted in-state disposal capacity. DEEP estimates that the MIRA RRF closure has caused the percentage of MSW exported out of state to increase from 17% to 40% annually, since the remaining in-state RRFs were already operating near capacity and are likely unable to accept additional MSW tonnage. With the closure of the MIRA facility and a trend of increasing out-of-state exports, Connecticut now has a “self-sufficiency deficit,” with approximately 860,000 of the state’s MSW tonnage being exported out-of-state annually.

With fewer and aging waste to energy (WTE) disposal options in the state, residents and municipal leaders can expect tipping fees to increase at the remaining in-state WTE facilities, along with increasing transportation and disposal costs for out-of-state WTE facilities and landfills. Disposal capacity in Northeast landfills may decline as much as 40% by 2026. Landfilling also exposes business and towns to unpredictable cost increases as they compete for transportation and disposal capacity as well as potential long-term liability if a landfill has a release, is mismanaged or is otherwise a source of pollution in the future.

In response to this waste crisis, DEEP has been engaging with business and municipal leaders, regional waste authorities, legislators, environmental and environmental justice advocates, and other stakeholders to advance programs and policies that can help address this waste disposal crisis by reducing or diverting MSW tonnage from disposal.

Connecticut has significant potential to reduce the self-sufficiency deficit by implementing or scaling up strategies to divert material from disposal. These “diversion strategies” include source reduction (efforts to reduce the use of materials), reuse, and recycling of valuable materials that are found in significant quantities in the tonnage sent for disposal at RRFs and out-of-state landfills.  Although implementation of diversion strategies can significantly reduce the self-sufficiency deficit, the state may also need to construct additional MSW disposal capacity in order to regain self-sufficiency. Regional Waste Authorities (RWA) play an important role in determining what type of facilities may be constructed and where such facilities may be located.

Section 7-273aa-bb of the Connecticut General Statutes authorizes municipalities to establish, by municipal ordinance, regional resource recovery authorities with a broad range of powers to support a comprehensive program for solid waste disposal and resources recovery in accordance with the state solid waste management plan.

Facilitating municipal partnerships in the form of RWAs to support new solid waste programs and infrastructure development is just as important for “self-sufficiency” as replacing the physical capacity of the MIRA RRF. RWAs provide leverage of scale and greater buying power on behalf of their member towns to issue bonds and negotiate multi-year MSW service agreements with RWA or privately financed disposal facilities.

In addition, RWAs can offer a range of services for member towns, including:

* Managing hauler registration and fee collection on behalf of member towns
* Assisting municipalities with filing required reports to DEEP
* Managing public outreach and education programs
* Implementing recycling and diversion programs
* Facilitating household hazardous waste programs
* Negotiating regional agreements for household hazardous waste, textile, and other recycling programs
* Applying for grants to offset costs for member towns
* Funding recycling coordinators and other services shared by member towns

These types of services are essential to municipalities being able to effectively scale up recycling and organics diversion programs, such as curbside collection.

On September 30, 2022, DEEP, through the Connecticut Coalition for Sustainable Materials Management (CCSMM), hosted a virtual “Regional Waste Authorities 101” informational meeting, with presentations from representatives of two of Connecticut’s regional waste authorities, the Housatonic Resources Recovery Authority (HRRA) and the Southeastern Connecticut Regional Resources Recovery Authority (SCRRRA). Materials from that informational meeting can be found on [DEEP’s website](https://portal.ct.gov/DEEP/Waste-Management-and-Disposal/CCSMM/Full-Coalition-Meeting).

**2. CALL FOR APPLICATIONS**

DEEP is seeking proposals for grant funding to support municipalities and regions in the evaluation of the interest in forming or expanding a regional waste authority, identifying the governance of a regional waste authority and inventorying the infrastructure availability and need in such region.

The SMM Grant program will provide funding for technical assistance pursuant to Spec. Sess. P.A. 21-2, § 308. DEEP reserves the right to provide additional funding, pursuant to this RFA, as resources are available.

**2.1. ELIGIBLE APPLICANTS**

To be eligible for SMM RWA Grant funding, Applicant must be a Connecticut municipality, a group of Connecticut municipalities, or a Connecticut regional entity (council of governments, regional planning agencies, resource recovery authority, recycling operating committees, or other entity representing Connecticut municipalities).

Municipal applicants are encouraged, but not required, to join the [Connecticut Coalition for Sustainable Materials Management](https://portal.ct.gov/DEEP/Waste-Management-and-Disposal/CCSMM/Full-Coalition-Meeting) (CCSMM), which makes available information, resources, technical assistance and networking for municipal members. Municipal applicants are also encouraged, but not required, to participate in SustainableCT to take advantage of additional sustainable materials management support, resources, and funding.

**2.2. ELIGIBLE PROPOSALS**

Eligible proposals will support formation, or expansion, of regional waste authorities that contribute to reducing MSW generation, increasing diversion and collection/processing of recyclables and organic materials, increasing in-state solid waste disposal capacity, and providing efficient and streamlined services and administrative capacity for their member municipalities.

***Eligible Expenses***

* Technical assistance (e.g., identifying potential services provided by the RWA; providing inventory and evaluation of infrastructure and service needs in the region)
* Legal assistance (e.g., determining governance structure; preparing legal documents including memorandums of understanding/agreement, bylaws, municipal resolutions/ordinances)
* Administrative costs (approved by DEEP to be prudent and reasonable for project implementation)

**3. APPLICATION PROCESS**

 **3.1. RWA FORMATION PLANNING GRANTS**

To receive funding under the SMM RWA Grant program, applicants must submit an application (refer to timeline in 3.3 below), outlining the proposal parameters and providing basic information to DEEP. The application includes a proposal narrative, identification of partner organizations and/or all involved municipalities, an explanation of how the grant will assist you in establishing a regional waste authority, and what level of funding is requested for your proposal. This RFA and direct links to the Application can be found on DEEP’s Municipal and Regional Grants and Technical Assistance webpage and is included as part of this RFA.

***Applications***

Applications must include responses to the following five questions:

1. Please provide the name of the municipality or region applying
2. Please provide the following contact Information
	1. Name
	2. Title
	3. Address
	4. Phone number
	5. E-mail
3. Are you applying with other municipalities? If yes, please indicate the municipalities and contact information for the co-applicants including name(s), title(s) and email (s).
4. Are you currently a member of a regional council of government or regional waste authority?
5. Please briefly describe your proposed activities, details on how the grant will assist you in forming a regional waste authority and what activities that proposed RWA will incorporate.

***Application Evaluation and Review Criteria***

Applications will be reviewed for completeness, and to determine if the proposal satisfies the minimum program requirements. All applicants will be notified in writing regarding the status of their application following DEEP’s review. Notification may include approval, request for additional information, deferred action, or denial.

Applications will be evaluated based upon the following Review Criteria:

1. Detailed description of proposed budget.

2. Timeline for implementation.

3. Municipalities identified in proposal are compliant or actively working towards compliance with all applicable recycling and waste related laws and regulations.

4. Preference will be given to proposals from coalitions of municipalities or existing regional waste authorities which have the potential to include the largest number of municipalities or municipalities with the largest volume of waste generated.

5. Demonstrated support from key stakeholders.

6. For those applicants who have previously received funding through the Department of Energy and Environmental Protection, past performance will be a factor considered in the approval process.

7. Environmental compliance history using CGS Section 22a-6m as a proxy with other applicable environmental regulations or statutes may impact eligibility.

**3.3. SCHEDULE & DEADLINES**

Proposals must be submitted to DEEP.MMCAPlanning@ct.gov by Friday, March 31st at 5:00 PM. DEEP reserves the right to postpone or reschedule the deadline for submissions.

**4. IMPLEMENTATION AND REPORTING REQUIREMENTS**

**4.1 AWARDS**

Approved projects will receive awards in the form of a contract, and reimbursable work may not proceed until such time as the contract is fully executed.

The municipality/region will be required to begin the program within 60 days of an executed contract, or any funds awarded will be refunded to DEEP. All reports and documentation of actions must be submitted to DEEP prior to final disbursements of any award(s)/retainages. Final request for reimbursement must be no later than 90 days following the expiration of the date of the grant contract.

Any municipality receiving an award that is not in compliance with the following will expected to actively work towards compliance within the first few months of being awarded a grant.

* 1. C.G.S Sec. 22a-241j equitable collection requirement that municipalities offering curbside collection of MSW must also provide curbside collection of recyclables. Size of recycling collection containers must be equal to or greater than MSW containers and large enough to contain the volume of recyclables that are generated at each household
	2. C.G.S Sec. 22a-241j requirement that collectors include recycling collection charges integrated in the charge for solid waste collection (i.e., one bundled price for trash and recycling collection). This applies to private collectors operating within the municipality.
	3. Relevant DEEP solid waste and recycling reporting requirements (Annual Municipal Recycling Report, Municipal Transfer Station Quarterly Reports, etc.)
	4. CGS Section 22a‐ 220a(d)(1) requirement that municipality registers haulers.

**4.2 REPORTING**

Applicant agrees to provide timely progress reports on the proposed project as agreed upon with DEEP which shall include, but not be limited to:

* 1. A description of milestones achieved and any challenges to the program implementation, detailing how such challenges were resolved.
	2. Program budget expenditures.

**5. OTHER**

**5.1 INQUIRY PROCEDURES**

Applicants may reach out to DEEP.MMCAPlanning@ct.gov with questions about the RFA.

**5.2 CONFIDENTIAL INFORMATION**

Applicants are advised not to include in their proposals any proprietary information. The Connecticut Freedom of Information Act (FOIA) generally requires the disclosure of documents in the possession of the State upon request of any person (Conn. Gen. Stat. sec. 1-200 et seq.). Certain categories of information may be protected from FOIA. However, such information must be identified as proprietary or confidential prior to its submission to DEEP. Both redacted and unredacted versions of the protected information must be submitted if required by the application. FOIA-protected information must be isolated from other material in the application and labeled “CONFIDENTIAL”. With this submission of information claimed and labeled as confidential, you must also provide the legal basis for the confidentiality claim, describe what efforts have been taken to keep the information confidential, and provide whether the information sought to be protected has an independent economic value by not being readily known or provide the exemption under FOIA that is applicable to the information. With your legal support and reasonable justification for confidentiality as described herein, the Department is better equipped to safeguard your confidential information should it become the subject of a Connecticut Freedom of Information Act inquiry. Information deemed confidential will remain confidential until no longer deemed as such by the Department or the applicant withdraws the exemption for the information.

**6. RESERVED RIGHTS OF THE STATE – DEEP / TERMS AND CONDITIONS**

“Proposal” shall mean quotation, bid, offer, application. Expression of Interest, and/or services. Applicant shall also mean proposers, offerors, bidders, or any person, municipality or firm responding to the RFA.

Neither CT-DEEP, its staff, its representatives, nor any of its consultants or agents will be liable for any claims or damages resulting from the solicitation, collection, review or evaluation of responses to this RFA. The State-DEEP reserves the right to accept or reject any and all proposals, in whole or in part, to reserve the right to partner proposers, to waive any technical defects, irregularities, and omissions, and to give consideration to past performance of the Proposers where the interests of the State and State will be best served. DEEP reserves the right, for any reason and without prior notice, to supplement, amend or otherwise modify this RFA, or otherwise request additional information The State-DEEP reserves the right to directly negotiate with any entity who submits a proposal in response to this RFA and to award a contract based upon those negotiations alone. The State reserves the right to request interviews of Applicants, discuss all project details, and to select and negotiate a preferred development proposal that is in the best interest of the State prior to final award.

The State-DEEP shall not be responsible, in any manner, for the costs associated with responses to the solicitation. The individual responses to this solicitation including all artwork, drawings, plans, photos, models, and narrative material shall become the sole property of the State-DEEP upon their receipt. The State-DEEP shall have the right to copy, reproduce, duplicate, publicize, or otherwise dispose of each response to this solicitation in any manner that the State chooses unless otherwise agreed upon, in advance, with the Applicant.

The RFA Is Not An Offer. Neither this RFA nor any subsequent discussions shall give rise to any commitment on the part of the State-DEEP or confer any rights on any Applicant unless and until a contract is fully executed by the necessary parties. The contract document will supersede all prior negotiations, representations or agreements, alleged or made, between the parties. The State-DEEP shall assume no liability for costs incurred by the Applicant or for payment of services under the terms of the contract until the successful Proposer is notified that the contract has been accepted and approved by the Department and, if required, by the Attorney General’s Office.

|  |
| --- |
| **Application for Sustainable Materials Management****Regional Waste Authority Grant Program****Deadline to Submit: March 31, 2023** |
| **PROJECT SUMMARY –** Descriptive details, partners, purpose of the project |
| **PROJECT TITLE:** |  |
| **Municipality or Regional Waste Authority:**  |  |
| **Contact Name:****Title:****Address:****Phone Number:****Email:** |  |
| **Co-applicants (additional municipalities):****Indicate municipalities and contact information:** |  |
| **Are you currently a member of a regional council of government or regional waste authority?****If yes, please identify** |  |
| **TYPE OF ASSISTANCE PROPOSED:**Check all that apply | **Regional Waste Authority Formation:****[ ]** Technical Assistance (including but not limited to identifying potential services to be provided, inventory and/or evaluation of infrastructure and service needs)[ ]  Legal assistance (including but not limited to determining governance structure, preparing legal documents including memorandums of understanding/agreement, bylaws, municipal resolutions/ordinances)[ ]  Administrative Costs Other (describe): |
| **PROJECT DESCRIPTION:** **Please briefly describe your proposed activities, details on how the grant will assist you in forming a regional waste authority and what activities that proposed RWA will incorporate**. |  |
| **PROJECT LOCATION:** Include site map, Lat/Long, address, or other related information. Find Lat/Long here: <https://getlatlong.net/>. Or indicate if it is a statewide project. |  |
| **ENVIRONMENTAL JUSTICE COMMUNITY(S)**<https://portal.ct.gov/DEEP/Environmental-Justice/Environmental-Justice> | Please identify the area(s) from the [CT mapper](https://ctdeep.maps.arcgis.com/apps/webappviewer/index.html?id=d04ec429d0a4477b9526689dc7809ffe) and include % for minority, poverty level and/or limited English proficiency. |
|  |