

**Request for Proposals**  
**For**  
**Landfill Methane Program**



Proposals must be received no later than 4:00 p.m. CST.

September 1<sup>st</sup>, 2023

Reno County  
206 West First Avenue  
Hutchinson, KS 67501

## **A. INTRODUCTION AND PURPOSE**

Reno County ("County") is soliciting proposals from qualified and experienced firms ("Firm") to beneficially utilize landfill gas (LFG) generated from the Reno County Landfill.

The County's purpose for this LFG project is to identify a Proposer who will:

1. Identify an end user who will beneficially use LFG.
2. Assume all operational duties of LFG management.
3. Comply with applicable regulatory (State and Federal) requirements.
4. Provide revenues to the County for the exclusive rights to the LFG.

The purpose of this Request for Proposals is to outline the intended Project, describe the information to be provided in the proposal, and the process which will be used in selecting a Proposer to develop and complete this Project.

## **B. COUNTY RESERVATIONS AND REQUIREMENTS**

Reno County reserves the right to reject any response to this Request for Proposals not in compliance with all prescribed procedures and requirements and to accept any submittal and negotiate a final contract that is in the best interest of the County. Reno County reserves the right to waive irregularities or discrepancies in submittals if the County determines that the waiver is in the public's best interest. Reno county reserves the right to reject all submittals or to cancel this request for proposals if it is in the public's best interest to do so, as determined by the County.

This is not a contract offer. The Proposer assumes any liability for the costs incurred in the preparation and transmittal of proposals in response to the solicitation. Proposers are solely responsible for the cost of preparing their responses to this Request for Proposals. Reno County is not liable to any proposer for any loss or expense caused by or resulting from cancellation or rejection of a solicitation, bid, quotation, proposal, or award.

The proposal and all documents submitted in response to this RFP are subject to public disclosure as required by applicable state and federal laws and county policies. If a proposer intends to submit any information with their proposal which Proposer believes is confidential, proprietary, or otherwise protected from public disclosure (trade secret etc.) in addition to identifying same in proposal transmittal letter, Proposer must clearly identify all such material. The cover page of the separate binding must be red, and the header or footer for each page must provide as follows: "Not subject to Public Disclosure." Where authorized by law, and at its sole discretion, Reno County will make its best efforts to resist disclosure of properly identified portions of the proposals.

Errors and omissions in this Request for Proposals shall be brought to the attention of the Department of Solid Waste prior to the submittal due date so that appropriate addenda or clarifications may be issued, if warranted. Failure to do so on the part of the successful Proposer (hereinafter referred to as the developer) does not relieve it of responsibility or a correct and complete project scope. Only a written interpretation or correction by addendum shall be binding.

### **C. CONDITIONS OF WORK**

Proposers are required, prior to submission of proposal, to carefully examine the requirements of this Request for Proposals, the conditions for the contemplated work and the level of effort required to implement the project.

### **D. AGREEMENT**

The Developer shall be required to enter into a formal agreement for the subject services and to provide insurance certificates and other information required by the County. Any potential agreement resulting out of a negotiation phase following this RFP process will include specific contract terms pertaining to site use, financing, operations, regulatory compliance, compensation, ownership, security, insurance indemnification, warranties, performance guarantees and conditions which reflect the unique nature of a LFG utilization project to be implemented by the Developer. Respondents should outline in the Proposal any specific terms and conditions they would like the County to consider. Reno County reserves the right to include terms and conditions specific to a LFG utilization process in any potential agreement.

Each proposer must inform itself of the conditions relating to the execution of the work. Each proposer must inform themselves on all laws and statutes, both Federal and State, relative to the implementation of the project, the execution of the work, the compliance with state and federal law, the employment of labor, worker health and safety, protection of public health, access to work and similar requirements.

### **E. PROPOSAL QUALIFICATIONS**

Reno County will only consider proposals that satisfy the following requirements:

- LFG conversion technologies proposed must have a proven record of operation with a minimum of three successful and current operations of commercial scale facilities in the United States.
- Proposer and development team have a proven record of successful implementation and ongoing operation of a minimum of three commercial scale LFG conversion facilities in the United States.

### **F. FACILITY BACKGROUND**

The Reno County Landfill is an active solid waste disposal facility located in Reno County, Kansas, about four miles west of the City of Hutchinson. The landfill consists of five disposal sites named A through E. Sites A, B, and C received both MSW and C&D from 1960 through 1996. Site D opened in 1996 and has received MSW only. Site E opened in 2011 and only receives C&D waste. Both Sites D and E are currently active. Sites A through D have a gas collection and control system (GCCS) in place. Because Site E receives C&D waste only it does not have a GCCS installed.

Waste disposal data show that the landfill currently has about 5.9 million tons of waste in place (not including C&D waste placed in Site E since 2011). Site D (the only active MSW site) has

approximately 8.4 million tons of remaining capacity as of January 2023. Annual MSW tonnage typically ranges from 110,000 to 120,000 tons/yr.

The GCCS wellfield system currently comprises 119 vertical extraction wells, two horizontal collectors, a flare, and other appurtenances. A total of 60 gas wells are located on Site D, and the remaining wells are located on the older landfill sites (Sites A, B, and C). The current well-field layout provides relatively comprehensive coverage of each of the four disposal sites. Well spacing ranges from about 200 feet in Site D up to about 350 feet in Site B and portions of Sites A and C. LFG flow to the flare is typically between 750 scfm and 800 scfm. Gas composition at the flare has averaged 43% Methane (CH<sub>4</sub>), 34% Carbon Dioxide (CO<sub>2</sub>), 2% Oxygen (O<sub>2</sub>), and 21% balance gas over the past year.

## **G. SCOPE OF SERVICES**

For the purposes of this solicitation, the Scope of Services includes, but is not limited to the following general tasks and responsibilities to be undertaken by the Developer at no cost to Reno County:

- Financing of the LFG conversion project
- LFG conversion facility planning, design, permitting for project development and implementation (land use, construction, operation, etc.)
- LFG and/or conversion product marketing, sale and distribution
- Regulator and permit compliance for LFG emissions, migration control and nuisance odor control.

## **H. COMPENSATION TO RENO COUNTY**

While Reno County's primary objective of this solicitation is to see a beneficial use for LFG generated at the landfill, compensation to the County from revenue realized through the LFG conversion project will be a factor in considering proposals received. Compensation from the sale of LFG conversion products, the value realized from environmental attributes (renewable energy credits, carbon/greenhouse gas offset credits, or any other revenue).

Assuming some level of compensation to Reno County in exchange for granting the Developer the right to operate and utilize the LFG from the Landfill for beneficial use, the Developer shall agree to compensate the County based on the quantity of LFG delivered to the Developer's facility, revenue generated from the sale of LFG conversion products, or another mutually agreed upon metrics and revenue sharing agreement.

## **I. PROPOSAL CONTENTS**

The proposal shall, at a minimum, address each of the following items and be organized in accordance with this section.

1. Executive Summary. The executive summary shall provide an overall synopsis of the proposal including brief descriptions of the Proposer's experience and qualifications, financial strength, approach to operation and improvements and operation and the facility that the proposer is offering to implement.
2. Parent Company Confirmation. Reno County is seeking a guaranteed long-term LFG utilization project. A Developer who is wholly or partially owned by another corporation or other entity must submit a parent company confirmation to certify that any potential agreement with the Developer resulting from this RFP process will be co-signed by the Developer's parent company. A Developer who does not fall into this category must note that in their Proposal.
3. Proposer Experience and Qualifications
  - a. A description of a minimum of three currently operating LFG conversion facilities where the Proposer served or currently serves as the project developer, owner or operator of the LFG conversion facility including:
    - i. A discussion of the current level of involvement the Proposer has in the operation and management of each facility.
    - ii. Contact information for the landfill owners providing LFG to the Proposer's facilities.
    - iii. A description of the LFG conversion facilities and processes, capacity, longevity of operation, conversion product metering and marketing, etc.
    - iv. A description of compensation arrangements with the partner landfill facilities
    - v. A description of the arrangements with the partner landfill facilities for procurement of LFG, including identifying responsibilities for the operation and maintenance of the system, expansion responsibilities, cost-sharing arrangements, regulatory and permit compliance, etc.
    - vi. A discussion of any regulatory or permit compliance issues including notices of non-compliance, violation, enforcement actions, etc., issued to the owner or operator of the LFG conversion facilities or the host landfills.
    - vii. A list of firms that the Proposer teamed with for the implementation of the reference LFG conversion facilities (permitting, design, construction, operations, and maintenance).
    - viii. A discussion of any LFG utilization facilities developed, owned, or operated by the Developer that have been shut down within the last 5 years. The information should include dates of operation, reason for shut down, capacity, conversion technology, location, conversion product purchaser and landfill contact information.
    - ix. A discussion of the Proposer's implementation team for this project including, but not limited to business, financial and technology partners. If determined at proposal submittal time, technology and infrastructure providers, design and permitting consultants, LFG conversion facility operator, etc.

## **J. PROJECT APPROACH**

The RFP should include as much of the following project information as is available and applicable:

- A discussion of the Proposer's LFG conversion facility technology contemplated in response to this RFP, including a description of the conversion process and technology, infrastructure requirements and space needs.
- A discussion of the Proposer's LFG conversion facility impact mitigation strategies (lighting, noise, emissions, traffic, etc.) It is important to note that there are private residences adjacent to the landfill and Reno County is sensitive to any impacts that may affect nearby residences.
- A discussion of the Proposer's approach to the planning, design, permitting, construction and operating of the LFG conversion facility.
- A discussion of the modifications and improvements that the Proposer foresees to the existing landfill infrastructure and operation that should be considered for initial development and operations of the Proposer's LFG conversion facility.
- A discussion of the Proposer's approach to operations, regulatory monitoring, and compliance.
- A description of the Proposer's approach to LFG conversion product marketing and securing of end use purchasers.
- A proposed schedule for project implementation which includes milestone completion dates, assuming an agreement is formally entered into on January 1, 2024.
- A discussion of the project lifespan and affecting factors.
- Project Pro-Forma and Financial Information
- A detailed presentation of total estimated capital costs, project financing, debt service, fees, insurance, operations and maintenance costs for the proposed LFG conversion facility and Landfill operations, expansion, and maintenance.
- A detailed discussion of LFG conversion product marketing, revenue projections and assumptions.
- A detailed discussion on County revenue sharing structure, projections, method of determination, and assumptions.
- A certified copy of the Proposer's two most recent audited year-end financial statements showing income, expenses, and outstanding debts.
- A list of any pending or recently completed litigation and parties in which the Proposer is the defendant including the amount of damages being contested.
- A list of any litigation in which the Proposer is a litigant and the amount of financial recovery being sought.
- Model Agreement. If available, a model agreement for possible use as a basis for the development of an agreement between Reno County and the proposer.

## **K. PROPOSAL SUBMITTAL SCHEDULE**

Proposals must be received by 4pm September 1, 2023 and are to be submitted using one of the two following formats:

Format 1: Physical submittal of one printed copy and one digital pdf copy addressed to:

Reno County Landfill  
Attn: Megan Davidson  
4015 W Clark Rd  
Hutchinson, KS 67501

Format 2: Email submittal of a digital pdf copy addressed to: [Megan.davidson@renogov.org](mailto:Megan.davidson@renogov.org)

## **L. SELECTION PROCESS**

Submittals will be reviewed by Reno County employees who may recommend one or none or more than one for consideration by the Reno County Board of Commissioners. At the County's option Proposers may be asked to provide a presentation to the evaluators or the Board of Commissioners. Proposers are not permitted to lobby county staff or commissioners.

In the event the county is unable to come to terms with the successful Proposer, the county may, at its option, elect to enter negotiations with another Proposer.