

TDS POLICY RECOMMENDATIONS – SEPTEMBER 11, 2017

1. Competitive Solicitations

The City should continue to competitively solicit waste contracts; retain the ability to utilize provisions in existing, Council-approved waste contracts that allow for procurement of additional services; and retain the ability to utilize provisions in Texas state law allowing for direct procurement of waste services.

2. Anti-Lobbying Ordinance (ALO)

The City should exempt waste contracts from the ALO. Alternatively, the ALO should be revised to go into effect no sooner than 14 days after each solicitation is issued and no later than 14 days before each proposed contract is posted for consideration by either a City board or commission or the City Council; to eliminate debarment; to apply only to communications specific to solicitation responses; and to allow appeal to both the Ethics Review Commission and the City Council as well as state or federal district court. If debarment is not eliminated, it should be made to apply only to future solicitations and contracts.

3. Landfill Utilization

The City should not contract to send any City-generated or City-controlled waste to the Waste Management Austin Community Landfill (WM-ACL) based on ongoing environmental concerns and community opposition; should maintain its opposition to expansion of the WM-ACL; and should oppose the consolidation of the WM-ACL and Republic Services' Sunset Farms Landfill and/or the closed Travis County landfill, coupled with the excavation and reburial of toxic waste known to be buried on the WM-ACL site.

4. Contract Consolidation

The City should not consolidate waste contracts across City departments unless consolidation can be demonstrated to increase competition and reduce overall City costs.

5. Diversion Requirements

The City should not set diversion requirements for emergency cleanup services unless the requirements are flexible, verifiable and not cost prohibitive.

6. Utility Poles

The City should require reuse of utility poles when appropriate, and safe disposal when not.

7. Biosolids Management

The City should require 100% of Austin biosolids to be fully composted, stabilized and used by the City or marketed as Dillo Dirt; and require discontinuation of all land application of Class A and / or Class B biosolids sludge. All compost shipped from the City's Hornsby Bend facility should be a stabilized, fully mature and screened compost that meets the United States Composting Council's (USCC) description and definition of compost and satisfies the USCC Seal of Testing Assurance

(STA) program criteria before the compost is shipped off site. This matches the standards the City met in its production of Dillo Dirt for many years.

8. Special Event Services

The City, which has acknowledged competing with licensed private haulers, should discontinue contracting waste-related services to special event organizers, both directly –using City personnel and equipment – and through private contractors, in order to fully comply with City Code 15-6-11 through 15-6-13. This will not prevent the City from continuing to provide ARR services in the public right-of-way for which the special event can seek Council fee waivers. TDS would support the City providing a payment voucher or reimbursing special event organizers for recycling and potentially other waste services provided by licensed private haulers. This would allow the City to continue to incent recycling at special events without competing with licensed private haulers.

9. City Provision of Commercial Collection Services

The City should not provide collection services to any commercial accounts or properties other than those serviced by the City before January 1, 2015 as per City Code 15-6-13(C).

10. Review of Draft Solicitations

The City should present draft waste solicitations (e.g. draft Scopes of Work and Scoring Criteria) to appropriate Boards / Commissions for review and input prior to issuance, to ensure full compliance with City waste policies. Alternatively, waste-related solicitations should be made available for public review and comment after issuance for at least 14 days prior to application of the ALO to provide oversight and assistance in ensuring that solicitations are consistent with stated Council policy.

11. Posting of Negotiated Contracts

The City should post the full contents of proposed negotiated waste contracts at least 14 days prior to consideration by any City board or commission and the City Council. The City did this in the past with major waste services contracts.

12. “Local Business Presence” Scoring

The City should amend waste proposal scoring matrices to award all possible local business presence points to respondents with offices located within the City or within five miles of the City limits, to account for the desirable physical location of waste processing and disposal facilities just outside of the City limits.

13. Facility Authorizations

The City should ensure that all waste processing and disposal facilities relied upon for the disposal or processing of City-generated or City-controlled waste are fully authorized under all local, state and federal laws.