


This RCA not only provides false information, but also fails to provide pertinent details about the disposal, recycling and composting facilities to be used for materials collected as part of this contract, and how the staff intends to account for profits and losses from the sale of compostables and recyclables it is taking control of.

AGENDA				
				
Recommendation for Council Action (Purchasing)				
Austin City Council	Item ID:	64878	Agenda Number	<ITEM_OUTLINE>
Meeting Date:	December 1, 2016	FALSE: Waste Management of Texas, Inc., announced as sole respondent at bid opening held in the Purchasing Office on July 28, 2016, at 2:15 p.m.		
Department:	Purchasing	FALSE: Waste Management of Texas, Inc., announced as sole respondent at bid opening held in the Purchasing Office on July 28, 2016, at 2:15 p.m.		
Subject				
Authorize negotiation and execution of a 36-month contract with REPUBLIC SERVICES , or one of the other qualified offerors to Request For Proposals SLW0514, to provide citywide refuse, recycling, organics and special waste collections for City facilities , in an amount not to exceed \$7,725,000, with three 12-month extension options in an amount not to exceed \$3,090,000 per extension option, for a total contract amount not to exceed \$16,995,000 .				
Amount and Source of Funding				
Funding in the amount of \$1,818,750 is available in the Fiscal Year 2016-2017 Operating Budgets of various City departments. Funding for the remaining 27 months of the original contract period and extension options are contingent upon available funding in future budgets.				
Fiscal Note				
A fiscal note is not required. FALSE: Waste Management of Texas, Inc., announced as sole respondent at bid opening held in the Purchasing Office on July 28, 2016, at 2:15 p.m.				
Purchasing Language:	The Purchasing Office issued a Request for Proposals (RFP) SLW0514 for these services on June 6, 2016 and it closed on July 28, 2016 with two offers received . The recommended offer is the best evaluated offer submitted by a responsible offeror. Additional information on the solicitation is included below the line. The recommended offeror is the current provider for these services.			
Prior Council Action:	FALSE: TDS and other companies now have contracts covered by the RFP.			
For More Information:	Sandy Wirtanen, Senior Buyer, 512-974-7711			
Boards and Commission Action:	November 9, 2016 – To be reviewed by the Zero Waste Advisory Commission. November 9, 2016 – To be reviewed by Water and Wastewater Commission. November 14, 2016 – To be reviewed by the Electric Utility Commission.			
Related Items:				
MBE / WBE:	This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.			
Additional Backup Information				

FALSE: Solicitation is not limited to only City facilities and allows for the collection of material from private facilities, venues & special events. Represents a \$10.95 million increase over existing contract for refuse and recycling collection services from City facilities.

Since Republic does not have landfill, MRF or compost facilities in the Austin area, there are sub-contracting opportunities available, unless the City intends to direct the flow of all compostable and recyclable materials to the City's contractors who have agreed to be the City's toll processor for such City owned and controlled materials.

FALSE: The staff's RFP solicitation is not limited to only City facilities and clearly allows for the collection of material from private facilities and venues, as well as special events on City controlled lands and right of ways.

The contract will provide transportation, collection, and processing of refuse, recycling, brush, and compostable materials generated by City department facilities, City co-sponsored special events and in the event of emergencies. This contract does not provide collection of material from non-City department facilities or events.

Austin Resource Recovery does not provide these services because they do not have the type of equipment that is required. The majority of all containers will be serviced on a weekly basis, with some sites utilizing roll-off containers, compactors and balers that will be serviced on an as needed basis. A provision of this contract allows for containers to be added or removed as departmental requirements change.

In addition, the contract will provide services for the management and disposal of industrial Class 2 and non-hazardous special wastes for Austin Energy (AE), and other departments as needed. AE manages several facilities and work sites that generate non-hazardous liquid and solid wastes, generally through routine maintenance activities. Waste includes items such as weathered utility poles and contaminated soil from transformers and construction/demolition debris. In order to comply with federal, state, and local regulations, AE requires the turn-key services of a waste disposal contractor to transport and dispose of the industrial Class 2 and non-hazardous special wastes generated. This requires the recommended contractor to own and operate the facility where disposal of Class II Non-Hazardous Special Waste will occur. Yet, the designated disposal facility is not disclosed in this RCA.

An evaluation team with expertise in this area evaluated the offers and scored Republic Services as the best to provide these services based on community impact and zero waste, company history and experience, facilities and equipment, regulatory compliance, references, total evaluated cost, and local business presence.

This request allows for the development of a contract with a qualified offeror that Council selects. If the City is unsuccessful in negotiating a satisfactory contract with the selected offeror, negotiations will cease with that provider. Staff will return to Council so Council may select another qualified offeror and authorize contract negotiations with this provider. Any contract (with its RFP response incorporated) negotiated certainly should be vetted through ZWAC and Council prior to execution.

Requested authorization amounts were determined using the departments estimated usage for current programs and locations as well as additional planned programs and locations. Also included is Class 2 waste from Austin Energy. If the City is unable to secure a contract, City facilities will be unable to properly dispose of refuse, recycling and compostable materials. FALSE: City staff has properly managed Austin Energy's waste materials without a contract in place since Dec. 11, 2015, when Council chose not to renew the Republic contract.

A complete solicitation package, including a response list, is on file in the City's Purchasing Office and is available on the City's Financial Services Austin Finance Online website. Link: [Solicitation Documents](#)

REPUBLIC SERVICES				
	# months	Contract Amount	Contract Amendment	Revised Amount
Original Term	36	\$ 7,725,000	n/a	n/a
Extension Option 1	12	\$ 3,090,000	n/a	n/a
Extension Option 2	12	\$ 3,090,000	n/a	n/a
Extension Option 3	12	\$ 3,090,000	n/a	n/a
TOTAL	72	\$ 16,995,000	\$ -	\$ -

Note: If City co-sponsored events, such as SXSW, ACL and numerous others listed, are eligible to qualify as a service falling under this contract, then thousands of other locations will also apply where Green Builder co-sponsored C&D waste landfill diversion jobs are underway, and as the City's Central Business District expansion adds businesses and extends throughout the City along main roadway business arteries.

Represents an increase of \$10,949,460.00 over the existing contract for refuse and recycling collection services from City facilities. That contract is serviced by Republic.

This contract also includes a very broad provision for additional services related to URO, Zero Waste or other City needs as required.

It is patently FALSE to portray this contract as being solely for City departments and facilities. disposal of facility is not disclosed in this RCA.