

12 POLICY RECOMMENDATIONS

WASTE MANAGEMENT POLICY WORKING GROUP, 7.21.17

CONTRACTING:

1. Within waste management matrices, revise the definition of “local” to more accurately represent local business presence. The current point allowance favors businesses with offices within the city limits regardless of the type, nature, or history of their presence in the local community. At the same time it penalizes businesses with headquarters just outside the city limits but with substantial business presence in the Austin Area.
2. Staff should strictly apply the health and public safety exemption in accordance with state statute. Using this exemption in non-urgent or non-emergency situations could have a chilling effect on potential vendor participation.
3. Check all draft solicitations for alignment with policy goals such as zero waste and create a process for the ZWAC and WWC to provide input on policy alignment of the draft prior to issuing the solicitation.

LANDFILLS:

4. Direct waste diversion by criteria not by landfill. Staff should develop criteria for waste diversion to include considerations such as: community impact and social equity, carbon footprint, amount and type of waste, existing levels of hazardous materials at landfill. Staff should prepare this matrix and it should come before the Council for approval before implementation.

CONSOLIDATING CITY WASTE CONTRACTS:

5. Perform a cost analysis on the impact of consolidating “like” services, which includes potential impacts on local business. A policy based on the cost analysis should be developed with input from ZWAC.

CONTRACTING TO PROVIDE WASTE SERVICES TO SPECIAL EVENTS:

6. Conduct a service study to determine appropriate reimbursement rates for the City’s role as vendor of last resort and whether fee waivers regarding waste services for special events are sustainable by relevant departments. This cost of service study can inform budget considerations.

DILLO DIRT:

7. We recommend retaining the Dillo Dirt program. The working group recommends 100% of biosolids will be converted to compost, while allowing for a

diverse range of composts in order to appeal to the widest range of potential markets. Representative samples of compost will be collected and tested by city staff or an independent third party for stability and maturity.

ANTI-LOBBYING ORDINANCE (ALO):

8. Apply the anti-lobbying ordinance only to the solicitation. Vendors may communicate on all other matters without violating the ALO. Add communications regarding existing contracts to “Permitted Communications.”

9. Narrow the definition of “Representations” to target lobbying.

10. Apply the ALO from the time a Request for Proposals (RFP) is released through Council’s vote on executing the contract. Should an RFP be pulled down, then the ordinance does not apply during the timeframe the RFP is pulled down.

11. Develop a body of rules in a companion regulatory document to the ALO that defines enforcement, appeal, complaint and debarment procedures. The companion document should clarify the current definition of “Representation” and what triggers debarment; clarify procedures for determining violations, judgment, and penalty enforcement; clarify the process for submitting and facilitating complaints; and incorporate an option to engage a third-party reviewer such as the Ethics Review Commission to determine violations, judgment, and penalty enforcement. City Purchasing and City Legal should develop this companion document for approval by Council and prepare any language updates to the ALO that might be required to allow for adopted rules in the companion document.

12. Any changes to the ALO would apply to the City’s interactions with all vendors.

PROCESS RECOMMENDATIONS:

A. The existing ALO should remain suspended [for waste solicitations] until Council approves proposed revisions.

B. The Purchasing Office should receive and compile further stakeholder input for Council and will work with adopted input as determined by Council.