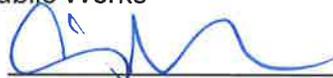


STAFF REPORT
COUNCIL MEETING DATE:
July 9, 2012

ITEMS FOR COUNCIL CONSIDERATION:

Solid Waste Program Consultant Agreement

Report prepared by: Erin Maker, Environmental Coordinator
Department: Public Works



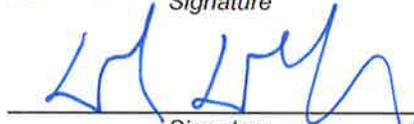
Signature

**Reviewed by
Public Works
Director:**



Signature FOR CHARLES W. EBELING

**Reviewed by
City Manager:**



Signature

ACTION **NON-ACTION** **STAFF RECOMMENDATION:**

Recommendation: That the City Council approve an agreement with Solid Waste Solutions, Inc., for Fiscal Year 2012/2013 Solid Waste Program Management.

Sample Motion: I move to approve the contract with Solid Waste Solutions, Inc., for on-going Solid Waste Program Management.

I. BACKGROUND:

The City of Carpinteria Solid Waste Program administers all aspects of solid waste handling in the City, including recycling, green waste and household hazardous waste programs. Program responsibilities include monitoring the City's waste stream to ensure compliance with goals set by the State of California Department of Resources Recycling and Recovery (CalRecycle). In addition to offering curbside solid waste and recycling, the City runs an Antifreeze, Battery, Oil and Paint (ABOP) collection program to encourage proper disposal of those types of materials.

The City also holds an annual Household Hazardous Waste Collection Day that allows residents to drop off e-waste and other hazardous wastes not collected through the ABOP program.

During the 1980's, California faced waste stream problems due to a lack of suitable landfill sites and a projected shortage of landfill capacity that had the potential to impact health and safety. In 1989, Assembly Bill 939, the Integrated Waste Management Act, established the Integrated Waste Management Board (now CalRecycle). Through AB 939, California created waste diversion mandates, established permitting and enforcement mechanisms and authorized local jurisdictions to impose fees to establish, implement and administer solid waste programs.

CalRecycle monitors local jurisdictions compliance through annual reporting. Agencies must measure and report their progress in meeting the goals of the Integrated Waste Management Act. Program implementation includes meeting the 50% waste diversion rate set by AB 939, meaning 50% of all waste generated in the City must be diverted from the landfill by recycling.

The City has employed Solid Waste Solutions and E.J. Harrison & Sons, Inc. for reporting and compliance and waste collection services, respectively. Solid Waste Solutions oversees the annual reporting and assists the City with implementation of some aspects of the Solid Waste Program, such as tracking residential, commercial and industrial diversion rates and managing solid waste grants.

E.J. Harrison & Sons has a Franchise Agreement with the City for all regular solid waste service, including residential and commercial waste, recycling and green waste services. Residential and multi-family residential recycling is mandatory under the agreement. The City's commercial recycling is currently a voluntary program. CalRecycle estimates that the commercial sector generates approximately 68% of the solid waste in California. The commercial sector is not directly subject to the requirements of the AB 939.

To address this gap in regulations, the California Global Warming Solutions Act of 2006 (AB 32) was adopted with a mandatory commercial recycling measure designed to achieve a reduction in greenhouse gas emissions of 5 million metric tons of carbon dioxide (CO₂) equivalents. CalRecycle is currently engaged in an informal rulemaking process with the California Air Resources Board while developing the mandatory recycling measure. The projected adoption date of commercial recycling standards is April 2011, with an effective date of January 2012. Jurisdictions and businesses will then have until July 2012 to implement commercial recycling programs.

California has also adopted new legislation regarding construction and demolition recycling with the goal of increasing the current diversion rate. The California Green Building Code required a mandatory 50% diversion of all construction and demolition waste, increasing the voluntary goal to 65-75 percent for new homes and 80 percent for commercial projects, starting January 2011. Currently, the Department of Public Works is working to establish a program in place to easily track waste hauling from construction sites.

II. DISCUSSION:

As previously discussed, the City has employed Solid Waste Solutions, Inc. for program management, reporting and compliance assistance. Additionally, Solid Waste Solutions, Inc. oversees the program's annual report to CalRecycle and assists the City with implementation of

many aspects of the Solid Waste Program, such as tracking residential, commercial and industrial diversion rates and managing solid waste grants. The purpose of this staff report is to recommend to the City Council that the City renew its contract with Solid Waste Solutions, Inc. to continue to provide program management assistance as described above through Fiscal Year 2012-2013.

III. FINANCIAL CONSIDERATIONS:

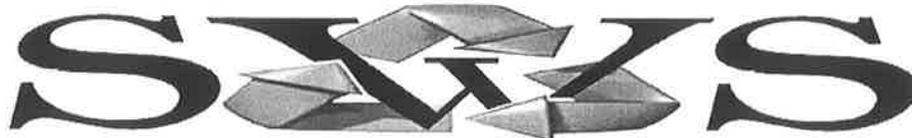
Solid Waste Solutions, Inc. submitted a proposal for the renewal of their annual contract in the amount not to exceed twenty three thousand five hundred dollars (\$23,500) for the fiscal year of 2012/2013. Services include preparing the CalRecycle Annual Report and Air Resources Board Annual Report, tracking residential, commercial and industrial solid waste disposal and diversion tonnage from haulers operating in the City, management of the Solid Waste Franchise Agreement and assistance with grants.

These expenses for were anticipated and have been budgeted for. The Solid Waste Solutions, Inc. contract for program management assistance and reporting is funded by the AB939 fees the City collects to administer and manage the Solid Waste Program

IV. ATTACHMENTS:

Attachment A: Solid Waste Solutions, Inc. Proposal
Attachment B: Billing Rates

ATTACHMENT A



Solid Waste Solutions, Inc.

June 27, 2012

Charles Ebeling, Public Works Director
City of Carpinteria
5775 Carpinteria Avenue
Carpinteria, CA 93013

Subject: Solid Waste and Project Management Services Proposal for FY 2012/2013

Dear Charlie,

Attached please find the scope of work and costs associated for the request for Solid Waste Solutions, Inc. (SWS) to provide continued solid waste and project management services to the City of Carpinteria for FY 2012-2013.

Please note that an additional task has been added to assist the City with the implementation of California Assembly Bill 341. This bill has made multi-family and commercial recycling mandatory for everyone with 4 yards of refuse service or more weekly. The city is responsible for the implementation, education and monitoring of this program. The State is presently visiting all jurisdictions to see if cities are in compliance with AB 341 which is effective July 1, 2012.

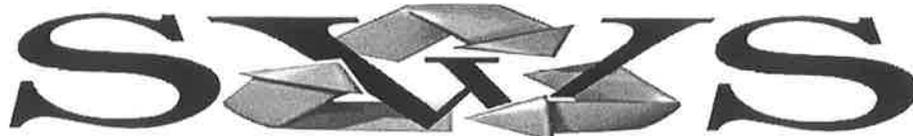
We would like to thank you in advance for your continued confidence in our firm. It is our goal to provide professional cost effective service to our clients.

Sincerely,

Kimberly C. Nilsson
President

Lars J. Nilsson
Vice President

Attachment



Solid Waste Solutions, Inc.

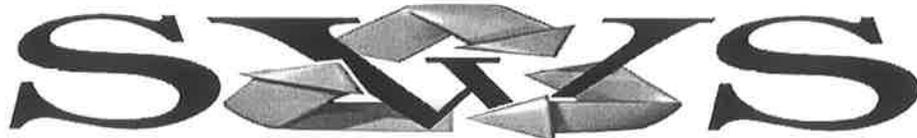
Exhibit A: Scope of Services

Solid Waste Services: SWS will provide on call solid waste services to the City of Carpinteria. Services shall include, but not be limited to the following:

1. **Preparation of the Cal Recycle Annual Report:** In accordance with California Assembly Bill 939, every August all cities are required to prepare and submit an annual report on the status of the solid waste diversion for their jurisdiction. The Preparation of the CalRecycle Annual report has recently changed format but the submittal dates are the same. This task includes the gathering of all disposal and diversion data from the local landfill or reporting agencies, the solid waste haulers and any data regarding City implemented programs that have diverted material from the landfill or instituted policies for more environmental practices. This report shall include all required back up documentation, disposal tracking, etc. and preparation of the on-line annual report as developed by the CalRecycle.
2. **Household Hazardous Waste Program Coordination:** Through the establishment of a new franchise agreement the City will want to coordinate and expand the existing Household Hazardous Waste program. Our firm can assist in establishing new programs as defined by the City while keeping the City up to date on any required reports needed by the CalRecycle and/or the EPA.
3. **Solid Waste Franchise Agreement Coordination:** There are many requirements to the solid waste franchise agreements from the quarterly and annual solid waste and diversion reports to meeting diversion requirements. In addition, the solid waste hauler is required to advertise their programs and educate the public both residentially and commercially so that they become better recyclers. These tasks are managed by our firm and approved by City Staff.
4. **Program Development:** Our firm will assist the City staff in updating existing City solid waste programs to further increase the diversion of waste from the landfill. These tasks may include but not limited to:
 - Implementing City's adopted policy for diversion of the Construction and Demolition (C&D) Debris Recycling Program.
 - Increase Commercial Recycling Program participation.
 - Assist in expansion of the public outreach programs to the community for all programs
 - SWS shall prepare the Air Resources Board Annual Report, due annually in January.
 - Participate in local and regional stakeholder meetings
 - Assist the City in evaluating grants as they become available
5. **AB 341 Program implementation and monitoring.** With the Passage of California Assembly Bill 341, the City is required to implement a multi-family and commercial recycling program for anyone that received more that 3 (three) cubic

S.W.S. Inc., - City Permit Services, 25 W. Rolling Oaks Dr., Suite 201, 1000 Oaks, CA 91361

Phone: (805) 495-7521 Fax: (805) 495-7621



Solid Waste Solutions, Inc.

yards of refuse service weekly. This task includes the education/outreach, implementation, tracking and monitoring of said programs. Note that this program will be monitored by CalRecycle for compliance with State Law.

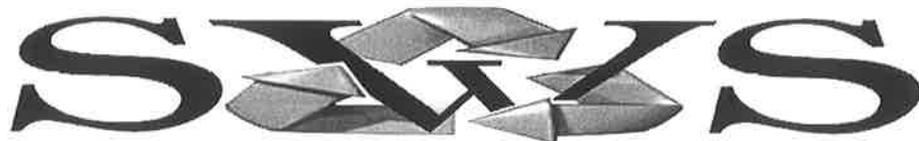
6. Grant Coordination: SWS will assist with the coordination of grants including the tracking of expenditures and assist in expending grant funding as required by each grant.
 - o CalRecycle Used Oil Payment Program (OPP): Review and assist the City with the CalRecycle Program Funding and Expenditures of funds received. Assist in tracking and annually reporting to the State on the OPP Program expenditures.
 - o CalRecycle-Beverage Container Recycling Grant: Review the CalRecycle Beverage Container Recycling funds received and expenditures.
 - o Miscellaneous Grants: Assist the City to apply, review or expend funds for any other grants the City may be interested in.

Each of the tasks listed have separate but overlapping tasks. SWS estimates that the work will be broken out as follows, with a not to exceed cost of \$23,500. To set strict individual task budgets would be very difficult to maintain as CalRecycle requirements change often, but individual tasks and the overall budget will be monitored monthly.

Tasks	Total
Annual Report Preparation and Disposal Tracking	\$4,500
Household Hazardous Waste Coordination	\$3,000
Solid Waste Franchise Agreement and Hauler Permit Coordination	\$3,000
Program Development	\$4,000
General Program Implementation: Residential, Commercial and Industrial	\$4,000
AB 341 Compliance	\$4,000
CalRecycle Used Oil Grants/ Beverage Grants	\$2,500
Miscellaneous Grants	\$ 500
TOTAL	\$23,500

Please note that the tasks listed above will at times require assistance from you or your staff to gather the data. Please review this package and let us know if this is acceptable to you. All future work shall be billed in accordance with Exhibit B, Standard Billing Rates.

ATTACHMENT B



Solid Waste Solutions, Inc.

Exhibit B: Compensation

Contract Compensation as defined in Exhibit A: Scope of Work shall be billed at the billing rates listed below.

Standard Billing Rates 2012

	<u>Billing Rates</u>
Clerical:	\$52.00/hour
Recycling Coordinator & Permit Processor:	\$70.00/hour
Project Coordinator:	\$86.00/hour
Project Management:	\$109.00/hour
Computer Programming:	\$141.00/hour
Principal:	\$163.00/hour
2012 IRS Mileage Reimbursement:	\$0.555/mile

Note: All hourly rates are effective for 12 months after the date of proposal or contract execution, at which time they can be raised due to cost of living increases and inflation.