

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE,
CALIFORNIA, AUTHORIZING THE SEVENTH AMENDMENT TO
RESIDENTIAL SOLID WASTE AGREEMENT BETWEEN CITY OF RIVERSIDE
AND BURTEC WASTE INDUSTRIES, INC. FOR RESIDENTIAL SOLID
WASTE COLLECTION SERVICES IN DEFINED SERVICE AREAS.

WHEREAS, in September 2000, the City issued Bid No. 5778 to solicit proposals for the provision of residential solid waste collection services within defined service areas in the City of Riverside; and

WHEREAS, on February 27, 2001, the City Council awarded Bid No. 5778 to Burrtec Waste Industries, Inc. (“Burrtec”); and

WHEREAS, on May 11, 2001, City and Burrtec entered into that certain Residential Solid Waste Agreement Between City of Riverside and Burrtec Waste Industries, Inc. ("Agreement"), wherein Burrtec agreed to provide residential solid waste collection services in defined service areas for the period of May 12, 2001, through May 11, 2008; and

WHEREAS, on April 13, 2004, the City and Burrtec entered into the First Amendment to Residential Solid Waste Agreement for Integrated Solid Waste Management Services (“First Amendment”) to provide for an additional day to permit a re-route of its services; and

WHEREAS, on January 1, 2007, the City and Burrtec entered into the Second Amendment to the Residential Solid Waste Agreement Between City of Riverside and Burrtec Waste Industries, Inc. (“Second Amendment”), to extend the terms and conditions for providing residential solid waste collection services through January 1, 2017, and provide for a low emission alternative fuel fleet; and

WHEREAS, on November 8, 2016, the City and Burrtec entered into the Third Amendment to the Residential Solid Waste Agreement Between the City of Riverside and Burrtec Waste Industries, Inc. (“Third Amendment”), to extend the term of the Agreement for one (1) year to December 31, 2017; and

WHEREAS, on December 19, 2017, the City and Burrtec entered into the Fourth Amendment to the Residential Solid Waste Agreement Between the City of Riverside and Burrtec Waste Industries, Inc. (“Fourth Amendment”), to extend the term of the Agreement for one (1) year

1 to December 31, 2018; and

2 WHEREAS, on October 19, 2018, the City and Burrtec entered into the Fifth Amendment to
3 the Residential Solid Waste Agreement Between the City of Riverside and Burrtec Waste Industries,
4 Inc. (“Fifth Amendment”), to extend the term of the Agreement to June 30, 2020; and

5 WHEREAS, on June 18, 2020, the City and Burrtec entered into a Sixth Amendment to
6 Residential Solid Waste Agreement for Integrated Solid Waste Management Services (“Sixth
7 Amendment”) to extend the term of the Agreement for two (2) years to June 30, 2022 with the
8 option to extend the agreement for one additional year to June 30, 2023; and

9 WHEREAS, City and Burrtec desire to amend the Agreement to exercise the option to
10 extend the term to June 30, 2023 and provide for the collection of residential food waste, and

11 WHEREAS, Public Resources Code section 40059 provides that a City may determine that
12 aspects of solid waste handling are a matter of local concern and that the City may contract for such
13 services with or without use of a competitive bidding process. Section 40059 further provides that
14 the governing body of a local government agency may by resolution or ordinance, prescribe terms
15 and conditions upon which authority to provide solid waste handling services may be granted; and

16 WHEREAS, the Seventh Amendment to the Residential Solid Waste Agreement Between
17 City of Riverside and Burrtec Waste Industries, Inc. (“Seventh Amendment”), submitted
18 concurrently herewith, incorporates the terms and conditions for providing residential solid waste
19 collection services in defined service areas through June 30, 2023; and

20 WHEREAS, it appears to be in the best interest of the City to execute the Seventh
21 Amendment with Burrtec for residential solid waste collection services in defined service areas.

22 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside,
23 California, as follows:

24 Section 1: On the basis of the forgoing recitals and evidence presented in the staff report
25 and such other evidence as was introduced at the City Council meeting at which this resolution was
26 adopted, the City Council hereby makes the following findings:

27 A. Collection of residential solid waste is an aspect of solid waste handling which is a
28 matter of local concern.

B. Utilization of a competitive bidding process for the extension of the contract is not required for the provision of residential solid waste collection services.

Section 2: Burrtec Waste Industries, Inc. is authorized to provide residential solid waste collection services to the City pursuant to the terms and conditions set forth in the Seventh Amendment to Residential Solid Waste Agreement between City of Riverside and Burrtec Waste Industries, Inc.

Section 3: The City Manager, or his designee, is hereby authorized to execute the Seventh Amendment to Residential Solid Waste Agreement between City of Riverside and Burrtec Waste Industries, Inc. to provide residential solid waste collection services in accordance with the terms and conditions set forth therein.

ADOPTED by the City Council this _____ day of _____, 2022.

PATRICIA LOCK DAWSON
Mayor of the City of Riverside

Attest:

DONESIA GAUSE
City Clerk of the City of Riverside

I, Donesia Gause, City Clerk of the City of Riverside, California, hereby certify that the foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City at its meeting held on the _____ day of _____, 2022, by the following vote, to wit:

Ayes:

Noes:

Absent:

Abstain:

1 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the
2 City of Riverside, California, this _____ day of _____, 2022.
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DONESIA GAUSE
City Clerk of the City of Riverside

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