



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: FEBRUARY 25, 2025

FROM: PUBLIC WORKS DEPARTMENT WARDS: ALL

SUBJECT: CONSENT TO ASSIGNMENT AGREEMENT WITH WASTECH CORP., A DELAWARE CORPORATION, FOR MASTER SOFTWARE SERVICES AGREEMENT BY AND BETWEEN RUBICON GLOBAL LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND THE CITY OF RIVERSIDE, PURSUANT TO SOURCEWELL CONTRACT #020221-RUB DATED FEBRUARY 29, 2024

ISSUE:

Approval of a Consent to Assignment Agreement with Wastech Corp., a Delaware Corporation, for the Master Software Services Agreement by and between Rubicon Global LLC, a Delaware Limited Liability Company and the City of Riverside, pursuant to Sourcewell Contract #020221-RUB dated February 29, 2024.

RECOMMENDATIONS:

That the City Council:

1. Approve the Consent to Assignment Agreement with Wastech Corp. for the Master Software Services Agreement by and between Rubicon Global LLC and the City of Riverside, pursuant to Sourcewell Contract #020221-RUB executed on February 29, 2024; and
2. Authorize the City Manager, or designee, to execute the Consent to Assignment Agreement with Wastech Corp. for the Master Software Services Agreement.

BACKGROUND:

The City of Riverside Public Works Department is responsible for providing comprehensive solid waste (trash and recycling) management services to our residents and businesses to meet State regulatory requirements and with the goal of preserving the health, welfare, and sustainability of our community. Solid waste collection and street sweeping services for the City's 63,484 residential accounts and 7,408 commercial accounts are currently provided through a combination of City staff and contracted haulers.

On February 27, 2024, the City Council approved the Master Software Services Agreement with Rubicon Global LLC, for RubiconSmartCity™ Solid Waste Technology for a five-year term from

March 1, 2024, through February 28, 2029, for a total amount of \$418,800 plus 10 percent contingency, with two optional one-year extensions.

DISCUSSION:

Technological improvements to solid waste operations are imperative to achieve compliance with state mandates. Implementing new technology applications such as Rubicon Global LLC RubiconSmartCity™ will improve operational efficiency, document contamination and other residential violations, and improve route optimization.

Although the Master Software Services Agreement between the City of Riverside and Rubicon Global LLC was fully executed on February 29, 2024, the City is seeking approval of a Consent to Assignment Agreement. This is largely due to an Asset Purchase Agreement, executed on May 7, 2024, by Rubicon Technologies, Inc. and Rubicon Technologies Holdings, LLC to sell and assign assets of the RubiconSmartCity and RubiconPro business to Wastech Corp (“Wastech”), a Delaware corporation.

The Software will still be purchased under Sourcewell Contract #020221-RUB, which was recently extended through March 26, 2026, and reassigned to Wastech Corp. on September 22, 2024.

Purchasing Resolution 24101, Section 702(t) “Exceptions” states, “Competitive Procurement through the Informal Procurement and Formal Procurement process shall not be required when the Procurement is for the annual maintenance, license(s), support, or similar need for current technology systems, including hardware, and the items procured are from the owner/developer of the software/hardware or from a sole source provider, and the Manager is satisfied that the best price, terms and conditions have been negotiated.”

The Purchasing Manager concurs that the recommended actions are in accordance with Purchasing Resolution 24101.

The City Attorney’s Office concurs with the recommendation to approve the Consent to Assignment Agreement.

STRATEGIC PLAN ALIGNMENT:

This item contributes to **Strategic Priority 4 – Environmental Stewardship**, and **Goal 4.4 –** Implement measures and educate the community to responsibly manage goods, products, and services throughout their life cycle to achieve waste reduction outcomes.

This item aligns with each of the five Cross-Cutting Threads as follows:

1. **Community Trust** – The Rubicon software allows for real-time monitoring of waste management services that optimize the impact and efficiency of waste removal services, increasing community trust through accountable waste management practices.
2. **Equity** – Efficiency of waste management practices will improve the solid waste collection experience for all residents serviced by the City of Riverside.

3. **Fiscal Responsibility** – Rubicon aids the City of Riverside by increasing efficiency, optimizing operational costs, and promoting cost-effective strategies in the waste management process.
4. **Innovation** – The digitization of solid waste field operations and the introduction of a technology-enabled suite contributes to enhanced innovation in the field by promoting data-driven decision-making and continuous improvement in waste management processes.
5. **Sustainability & Resiliency** – Rubicon enhances sustainability by enhancing resource utilization and strengthening community resiliency through improved waste management practices and reduced environmental impact.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

Prepared by: Victor Keroles, Administrative Analyst
Approved by: Gilbert Hernandez, Public Works Director
Certified as to
availability of funds: Kristie Thomas, Finance Director/Assistant Chief Financial Officer
Approved by: Kris Martinez, Assistant City Manager
Approved as to form: Jack Liu, Interim City Attorney

Attachments:

1. Consent to Assignment Agreement
2. Master Software Services Agreement, executed February 29, 2024
3. Rubicon Contract Assignment
4. Sourcewell Contract 020221 - Wastech Assignment
5. Wastech-Rubicon 020221 - Contract Extension