



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: JUNE 21, 2022

FROM: PUBLIC WORKS DEPARTMENT WARDS: ALL

SUBJECT: SEVENTH AMENDMENT TO BURRTEC WASTE INDUSTRIES, INC. RESIDENTIAL SOLID WASTE AGREEMENT EXTENDING THE TERM THROUGH JUNE 30, 2023 – WITH RESOLUTION

ISSUE:

Approve the Seventh Amendment to Burrtec Waste Industries, Inc. Residential Solid Waste Agreement to extend the agreement term through June 30, 2023, pursuant to Purchasing Resolution No. 23812, Section 702(h).

RECOMMENDATIONS:

That the City Council:

1. Adopt a Resolution authorizing the Seventh Amendment to the Residential Solid Waste Agreement between City of Riverside and Burrtec Waste Industries, Inc.
2. Approve a Seventh Amendment to Burrtec Waste Industries, Inc. Residential Solid Waste Agreement extending the term through June 30, 2023.
3. Authorize the City Manager, or his designee, to execute the Seventh Amendment, including making minor and non-substantive changes.

BACKGROUND:

The City of Riverside's waste system is comprised of collection and processing/disposal. Collection is the physical process of picking up trash at the curb and transporting waste to a transfer station for processing and sorting. Riverside trash, green waste, and recycling collection is provided through a combination of City crews and contract services. Commercial collection is provided by three contractors (Athens Services, Inc., Burrtec Waste Industries, Inc., and CR&R, Inc.) as approved by City Council in 2001. Residential collection is provided by City crews that service two-thirds of City residents and by Burrtec Waste Industries, Inc. which collects waste for the remaining one-third of City residents.

On June 16, 2020, City Council approved the Sixth Amendment to Burrtec Waste Industries, Inc. Residential Solid Waste Agreement which added a two-year extension through June 30, 2022, and added a one-year option to extend for a final expiration date of June 30, 2023. This aligned the residential contract with the three commercial contracts.

DISCUSSION:

Burrtec Waste Industries, Inc. currently services approximately 25,905 residential accounts and continues to provide excellent service to City residents. Due to a staffing shortage within the Solid Waste Division, City staff have implemented a provision in the contract with Burrtec Waste Industries, Inc. to assist the City with servicing approximately 6,000 additional residential refuse services on a temporary basis.

In response to a mandate imposed by the State of California, a Food Waste Program is being incorporated into the Seventh Amendment. This food waste program requires residents to separate the collection of their food waste and place in the green waste cart for collection.

The Seventh Amendment will extend the Residential Solid Waste Agreement with Burrtec Waste Industries, Inc. for one additional year through June 30, 2023. Additionally, the one-year extension would allow time for the City staff to address the labor shortage situation as soon as possible.

Pursuant to Purchasing Resolution No. 23812, Section 702(h) which states, "Competitive Procurement through the Informal Procurement and Formal Procurement process shall not be required in any of the following circumstances...(h) When Services, except for Professional Services, can be Procured from a Contractor who offers the same or better price, terms and conditions as the Contractor previously offered as the Lowest Responsive Bidder under Competitive Procurement or negotiations conducted by the City or another public agency, provided that, in the opinion of the Manager, it is in the best interests of the City to do so".

The Purchasing Manager concurs that the recommendation to approve the amendment is in compliance with Purchasing Resolution 23812, Section 702(h).

STRATEGIC PLAN ALIGNMENT:

The Burrtec Waste Industries, Inc. Residential Solid Waste Collection Program supports **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 agreement aligns with the cross-cutting threads as follows:

1. **Community Trust** – This agreement provides the weekly collection of trash, green waste, and recycling services for city residents. Adding additional programs to the agreement, such as the Food Waste Program improves the greater public good by minimizing landfill waste and reducing harmful methane gas.
2. **Equity** – The City ensures that all residents have equal access to refuse services and programs.
3. **Fiscal Responsibility** – The Seventh Amendment will extend current services and add additional services through June 30, 2023. The City is also in the process of issuing an RFP to ensure competitive pricing.
4. **Innovation** – The City has an anaerobic digester capable of processing food waste from

the Food Waste Program included in the Seventh Agreement. This capability will decrease landfill waste, reduce harmful methane gas, and create energy that can be used to power the City of Riverside Water Quality Control Plant.

5. **Sustainability & Resiliency** – The City's curbside collection of trash, green waste, and recycled materials is critical in efforts to divert materials from the landfill into recycling opportunities. Recycling efforts helps our current demands while preserving open spaces for future generations.

FISCAL IMPACT:

The total fiscal impact of the Seventh Amendment to the Residential Solid Waste Agreement in Fiscal Year 2022/23 is approximately \$6,065,834.00. Sufficient funding has been budgeted in the FY 2022-2024 budget that will be presented to City Council on June 21, 2022 for adoption. Funds are budgeted in the Refuse Fund, Solid Waste Private Hauler, Burrtec Waste Ind, Inc account number 4130300-459014.

Prepared by: Gilbert Hernandez, Public Works Director
Certified as to
availability of funds: Edward Enriquez, Interim Assistant City Manager/Chief Financial Officer/Treasurer
Approved by: Kris Martinez, Assistant City Manager
Approved as to form: Phaedra Norton, City Attorney

Attachments:

1. Resolution
2. Seventh Amendment to Burrtec Waste Industries, Inc. the Residential Solid Waste Agreement