

1 RESOLUTION NO.

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

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

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

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

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

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

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

26 WHEREAS, the Second Amendment included an option to extend the term for up to five
27 years; and

28 WHEREAS, Burrtec has consistently provided satisfactory residential solid waste collection

1 services to the City at competitive rates; and

2 WHEREAS, City and Burrtec desire to amend the Agreement to extend the term for an
3 additional one year to December 31, 2018; and

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

9 WHEREAS, the Fourth Amendment to the Residential Solid Waste Agreement Between City
10 of Riverside and Burrtec Waste Industries, Inc. ("Fourth Amendment"), submitted currently
11 herewith, incorporates the terms and conditions for providing residential solid waste collection
12 services in defined service areas through December 31, 2018; and

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

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

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

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

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

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

28

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

5
6 ADOPTED by the City Council this _____ day of _____, 2017.

7
8 _____
9 WILLIAM R. BAILEY, III
Mayor of the City of Riverside

10 Attest:

11
12 _____
City Clerk of the City of Riverside

13 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the
14 foregoing resolution was duly and regularly introduced and adopted at a meeting of the City Council
15 of said City at its meeting held on the _____ day of _____, 2017, by the following
16 vote, to wit:

17 Ayes:

18 Noes:

19 Absent:

20 Abstain:

21 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the
22 City of Riverside, California, this _____ day of _____, 2017.

23
24 _____
25 City Clerk of the City of Riverside