

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE,  
3 CALIFORNIA, AUTHORIZING THE FIFTH AMENDMENT TO RESIDENTIAL  
4 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, on December 19, 2017, the City and Burrtec entered into the Fourth  
27 Amendment to the Residential Solid Waste Agreement Between the City of Riverside and Burrtec  
28 Waste Industries, Inc. ("Fourth Amendment"), to extend the term of the Agreement for one (1) year

1 to December 31, 2018; and

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

4 WHEREAS, Burrtec has consistently provided satisfactory residential solid waste collection  
5 services to the City at competitive rates; and

6 WHEREAS, City and Burrtec desire to amend the Agreement to extend the term for an  
7 additional eighteen (18) months, from January 1, 2019 to June 30, 2020; and

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

13 WHEREAS, the Fifth Amendment to the Residential Solid Waste Agreement Between City  
14 of Riverside and Burrtec Waste Industries, Inc. ("Fifth Amendment"), submitted currently herewith,  
15 incorporates the terms and conditions for providing residential solid waste collection services in  
16 defined service areas through June 30, 2020; and

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

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

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

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

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

28 Section 2: Burrtec Waste Industries, Inc. is authorized to provide residential solid waste

1 collection services to the City pursuant to the terms and conditions set forth in the Fifth Amendment  
2 to Residential Solid Waste Agreement between City of Riverside and Burrtec Waste Industries, Inc.

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

7  
8 ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

9  
10 \_\_\_\_\_  
11 WILLIAM R. BAILEY, III  
Mayor of the City of Riverside

12 Attest:

13  
14 \_\_\_\_\_  
City Clerk of the City of Riverside

15 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the  
16 foregoing resolution was duly and regularly introduced and adopted at a meeting of the City Council  
17 of said City at its meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2018, by the following  
18 vote, to wit:

19 Ayes:

20 Noes:

21 Absent:

22 Abstain:

23 //

24 //

25 //

26 //

27 //

28 //

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the  
City of Riverside, California, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

City Clerk of the City of Riverside

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