

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE,
3 CALIFORNIA, AUTHORIZING THE SIXTH 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, 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, City and Burrtec desire to amend the Agreement to extend the term for an
6 additional two (2) years, from July 1, 2020 to June 30, 2022, with an optional extension for an
7 additional year through June 30, 2023; 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 Sixth Amendment to the Residential Solid Waste Agreement Between City
14 of Riverside and Burrtec Waste Industries, Inc. ("Sixth 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, 2022; and

17 WHEREAS, it appears to be in the best interest of the City to execute the Sixth 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.

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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 Sixth 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 Sixth 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 _____, 2020.

WILLIAM R. BAILEY, III
Mayor of the City of Riverside

Attest:

City Clerk of the City of Riverside

I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a meeting of the City Council of said City at its meeting held on the _____ day of _____, 2020, by the following vote, to wit:

Ayes:

Noes:

Absent:

Abstain:

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IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the
City of Riverside, California, this _____ day of _____, 2020.

City Clerk of the City of Riverside

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