



# Agenda Report

**Date:** May 12, 2015  
**To:** Jeffrey W. Collier, City Manager, WUA Executive Director  
**From:** David A. Pelser, Director of Public Works  
**Subject:** Solid Waste Collection Procurement Process

## **RECOMMENDATION**

It is recommended the City Council:

1. Receive and file this report and provide direction to staff.

It is recommended the WUA Board of Directors:

1. Receive and file this report for information and concur with City Council direction to staff.

## **BACKGROUND**

Current solid waste franchise agreements with Consolidated Disposal Services and Waste Management Inc. expire on June 30, 2016 and no additional term extensions are provided for under the agreements. This report provides information on the alternative approaches and recommendations for solid waste collection services after the current agreements expire.

The California Public Resources Code (PRC) Sections 40000 et seq., gives cities broad authority over solid waste matters, including, but not limited to, frequency of collection, means of collection and transportation, level of services, charges and fees, and nature, location, and extent of providing solid waste handling services. In addition, a local agency can provide solid waste services by means of non-exclusive franchise, exclusive franchise, contract, license, permit or otherwise.

The Whittier City Charter Article XIV (Attachment A) authorizes the City to grant a franchise for solid waste collection services not exceeding 25 years after first adopting a resolution of intention setting a public hearing, publishing the resolution of intention, and then granting the franchise by ordinance. The Whittier Municipal Code (Section 8.12.100.C) authorizes the City Council to enter into contracts, with or without competitive bidding, for solid waste collection services.

### **Service Zones**

The Whittier Municipal Code (Section 8.12.020) allows the City Council to establish by resolution sanitary zones for the purpose of regulating, collecting and disposing of trash and refuse. In 1992 the Council adopted Resolution No. 6291 establishing three zones which remain to this day (see Refuse Collection Zones Map, Attachment B). Waste

Management Inc. (WMI) has a very small Zone 2 for only residential solid waste collection service. Consolidated Disposal Services (CDS, now owned by Republic Waste Industries) has an exclusive franchise for Zone 1 for both residential and commercial accounts, and CDS has an exclusive franchise for commercial accounts in Zone 1 where WMI collects residential waste. In Zone 3 City employees exclusively collect the garbage, and CDS is paid to collect green waste and mixed recyclables as a contract service provider for the City (different from an exclusive franchise).

Service Provider

The City Council may determine who provides solid waste collection services in the City of Whittier. Options include:

- A public system with services provided exclusively by City employees
- An open system (any permitted waste hauler can compete for any customer)
- Managed competition (multiple zones of exclusive franchise agreements with the City serving one or more zones and managed price competition among the City and private firms in the other zones – this type of system requires a much larger City and is difficult to manage)
- Exclusive or non-exclusive franchise (typically, residential services is provided by an exclusive provider and commercial services may be either exclusive or non-exclusive)
- Service contracts (no franchise fee)
- Some combination of the above

Firms doing business in the immediate vicinity of Whittier include:

<b>AREA</b>	<b>PROVIDER</b>
City of Whittier Waste collection services	City Employees CDS (Republic) WMI
City of Whittier Foreign trash disposal	Burrtec, CR&R
City of Santa Fe Springs	Republic, CR&R, Serv-Well
LA County – So. Whittier	Burrtec
LA County – W. Whittier	Valley Vista
City of La Mirada	EDCO
City of La Habra	WMI
City of La Habra Heights	Republic
City of Hacienda Heights	Valley Vista
City of Industry	Valley Vista
City of Pico Rivera	NASA Services

### Procurement Process

Several months ago, the City received an unsolicited proposal from Athens Services for an exclusive franchise agreement. However, the City Manager determined to recommend the City pursue a price competitive procurement process. Other providers of solid waste management services have also expressed interest in bidding on the City's solid waste collection service. Sloan-Vazquez, a consulting firm specializing in solid waste collection, was retained by the City Attorney's office.

### Labor Issues

The employment conditions for City solid waste collection employees are covered in a Memorandum of Understanding (MOU) with the Whittier City Employees Association (WCEA) (City Agreement No. A13-060). The MOU Section 8 reserves the right of the City to contract out City services with 90 days advance notice to WCEA and commits the City to meet and confer on the impact to City employees. The City Manager's designees met with the WCEA president on April 17, 2015 to initiate the meet and confer process.

### **DISCUSSION**

There are several key policy decisions associated with SWC services beyond June 30, 2016. These are analyzed separately in the sections below.

### Service Zones

As noted previously there are currently three service zones within the City of Whittier. Zone 2 is very small and does not make sense to continue into the future. However, the City could continue to have two collection service zones of approximately equal size somewhat similar to the City's water service area and the Suburban Water Service area. Continuing that comparison, the City could continue to provide collection service to the west half of the City, like the City's water system, and then competitively select a private service provider for the east half of the City analogous to Suburban's water area. Then again, the Council could decide to competitively bid two zones, or one City-wide zone. Generally, the economy of scale favors larger service areas (regardless of the service provider) such as one solid waste collection zone for the entire City. As discussed in more detail below concerning the size of the City Yard, the City would be seriously challenged to provide all the collection (including recycling) services to either the west half of the City or on a City-wide basis.

There are many challenging aspects to the introduction of collection services to a new service area. Servicing the entire City requires a significant outlay of capital expenditures to purchase trucks and containers that would range upwards of \$10M. Additional costs are required to acquire and prepare an operating yard to house and service the collection vehicles and the associated personnel. The transition from one hauler to another is challenging and costly. A competent transitional team must be dedicated to plan and oversee the acquisition of equipment, identification and set-up of an operating yard, distribution of bins, creation of collection routes, the accurate set-up of service and billing accounts, recruitment and training personnel such as supervisors, drivers and customer service staff, and other such tasks. Because of these high costs, it is not cost-effective to program changes in service providers too frequently.

Furthermore, the solid waste industry continues to change as society demands more environmentally friendly programs. In response, many firms have expanded and invested in systems to keep ahead of the demands for additional waste diversion and recycling goals by developing Materials Recovery Facilities (MRFs), green waste processing facilities and equipping their vehicles with the latest technologies such as On-Board-Computers to better track services and to gain operational efficiencies.

There is some benefit to customers throughout the City having the same service provider with uniform City-wide fees, billing system, scope of services, customer services representatives, etc. The advantages of a uniform program offer additional encouragement to the use of a single City-wide collection zone.

### Service Providers

Typically, public sector waste collection is comparable to or slightly more costly than competitively bid private waste collection services pursuant to an exclusive franchise agreement. Private waste firms have a distinct advantage when they can vertically integrate their collection services with company-owned disposal and processing facilities. Since Whittier owns and operates its own landfill, this economic advantage of private waste firms is not present for waste collection and disposal. However, Whittier does not own and operate processing facilities for (1) materials recovery from waste or mixed recyclables, (2) green waste composting, (3) construction and demolition ("C&D") debris recycling, (4) food waste and other organic waste composting, or (5) Household Hazardous Waste (HHW) processing. This fact results in the City operating at an economic disadvantage compared to private firms who have such facilities. For example, the City's Zone 1 collection area currently depends on CDS to collect mixed recyclables and green waste. In coming years, organic waste collection and processing will be required under recently adopted State regulations.

AB 1826 Chesbro (Chapter 727, Statutes of 2014) requires businesses to recycle their organic waste on and after April 1, 2016, depending on the amount of waste they

generate per week. This law also requires that on and after January 1, 2016, local jurisdictions across the state implement an organic waste recycling program to divert organic waste generated by businesses, including multifamily residential dwellings that consist of five or more units (please note, however, that, multifamily dwellings are not required to have a food waste diversion program).

Organic waste means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste. This law phases-in the mandatory recycling of commercial organics over time. In particular, the minimum threshold of organic waste generation by businesses decreases over time, which means that an increasingly greater proportion of the commercial sector will be required to comply.

A business that meets the waste generation threshold must engage in one of the following organic recycling activities:

- Source separate organic waste from other waste and participate in a waste recycling service that includes collection and recycling of organic waste.
- Recycle its organic waste on site, or self-haul its organic waste off site for recycling.
- Subscribe to an organic waste recycling service that may include mixed waste processing that specifically recycles organic waste.

Beginning April 1, 2016, businesses that generate more than 8 cubic yards or more of organic waste per week must arrange for recycling services for that organics waste. On January 1, 2017, the amount of organic waste decreases from 8 cubic yards or more to 4 cubic yards or more. On January 1, 2019, a business that generates 4 cubic yards or more of commercial solid waste per week must arrange for organic waste recycling services.

Local jurisdictions are required to implement an organic waste recycling program on and after January 1, 2016, to divert organic waste generated by businesses.

The law also requires that each jurisdiction's program contain certain common elements.

1. Identifying the businesses that meet the applicable thresholds.
2. Conducting annual education and outreach to inform businesses about the law and how to recycle organics in the jurisdiction. Jurisdictions can build on their education, outreach and monitoring activities into the activities that they are doing to implement the Mandatory Commercial Recycling law.
3. Implementing annual monitoring activities to identify those not recycling and to inform them of the law and how to recycle organics in the jurisdiction.

The City Yard is located on Hadley Street between the Whittier Greenway Trail and the County Fire Station, and northeast of the Whittier Market Place retail shopping mall. The Yard is overcrowded and is barely able to meet the needs of the City. There is insufficient space at the Yard to accommodate an increase in the number of solid waste collection vehicles should the City decide to expand the services currently provided by City employees. In addition to space at the Yard, the compressed natural gas (CNG) filling capacity is also limited. Additional solid waste collection vehicles would exceed the capacity of the CNG filling system to fuel the added trucks and would require significant additional expenditures to expand. Finally, additional trucks would exceed the capacity of the equipment maintenance shop at the Yard.

For all these reasons, it would be difficult and costly for the City to take on additional solid waste collection services with City employees rather than using private waste haulers. Reducing or eliminating the current City solid waste collection services would actually create needed space and fueling capacity at the City Yard for other City services such as maintenance activities for streets, water, sewer, parks and paratransit functions.

#### Scope of Services

Staff worked with Sloan-Vazquez to prepare a scope of services that is fairly close to current conditions and addresses regulatory compliance (including for organics pursuant to the recent AB 1826 regulations). There are many options the City could consider in the scope of services. The draft was prepared to facilitate discussion rather than to suggest a commitment to this particular scope. However, care was taken to prepare a draft that could be adopted as submitted. Attachment C presents a summary of the draft scope of services prepared by staff and Sloan-Vazquez. The draft scope could be approved as-is, or the City Council may decide to revise the scope.

#### Procurement Process

To secure a new solid waste collection service provider(s) under an exclusive franchise, the City Council may award a new franchise agreement after first adopting a resolution of intention including setting a hearing date and introducing an ordinance to award a franchise. Then at a future meeting, the City Council could award the franchise by adopting the ordinance and approving a franchise agreement.

The City's consultant prepared a draft proposed request for proposals (RFP) and a draft proposed franchise agreement for consideration by the City Council. Outlines of these documents are included as Attachment D and E. Complete copies of the documents are available for review in the Mayor's Office and at the Department of Public Works. The proposed procurement process is summarized as follows:

- City Council approves draft RFP, Draft Franchise Agreement, RFP Distribution
- RFP is issued to RFP Distribution concurrently with receiving signed Proposer Code of Conduct forms
- Proposer's Conference is held by City staff and Sloan-Vazquez
- Deadline for proposers to submit written questions
- Response to questions and RFP addenda issued by City
- Deadline to submit proposals
- Sloan-Vazquez proposal evaluation
- City Council selects successful firm for final negotiations, adopts Resolution of Intention, sets public hearing date, introduces ordinance awarding franchise
- Final agreement negotiations, final meet and confer with WCEA, publication of Resolution of Intent
- City Council adopts ordinance awarding a franchise, approves franchise agreement

As mentioned above, the City Council has a great deal of discretion in determining how to provide solid waste collection services in the City. Generally, it is financially advantageous for the City to solicit multiple price proposals from qualified firms for services under an exclusive franchise agreement. Too few proposals will not encourage price competition. Too many proposals are costly to evaluate and tend to encourage legal challenges from the unsuccessful bidders. Having reviewed the range of options with our consultant, staff recommends that any procurement of waste services involve 4-6 proposals from an appropriate variety of qualified local providers. These proposers should include both publically traded and privately held companies of sufficient size and financial strength, and with good track records in the region. In addition to the unsolicited proposal from Athens, staff notes that the City has longstanding good contractual relationships with CDS and WMI for waste collection and with Burrtec (closely associated with EDCO, another local provider) and CR&R for foreign trash disposal at the City's landfill.

In order to be considered, firms must demonstrate their ability and experience providing solid waste collection services to cities comparable in size to the City of Whittier. Preferably, the firms must be large enough so that the addition of the City of Whittier does not represent more than half their size. The firms must be financially strong and able to demonstrate the ability to fund the large capital expenditure that will be required to purchase new equipment and to manage other implementation requirements. The firms must demonstrate their experience managing the successful introduction of solid waste collection services and management of large scale transitions from a prior hauler. The firms must be able to meet the long-term needs of the City of Whittier by

demonstrating their preparation and ability to provide for waste processing and organics processing capacity.

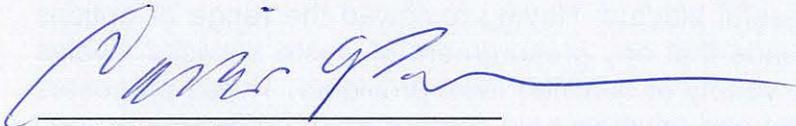
Labor Issues

One of the options is to provide solid waste and recycling services through an exclusive franchise agreement with a private waste firm. This would potentially displace up to twelve existing City employees. The specific impacts on existing City employees must be addressed through the meet and confer process with the employees representative pursuant to Labor Relations laws and regulations. Other cities and counties under similar conditions have required the private waste firm to offer employment to City employees remaining at the date of transition. Also, various incentives and severance packages have sometimes been negotiated with employee associations.

**FISCAL IMPACT**

The fiscal impact of recommended approaches will be reported after proposals are received and evaluated by staff and the City's consultant. The City's consultant anticipates that proposals for an exclusive franchise agreement will result in reduced service fees for City residents and businesses, and substantial payments to the City including revenue for the City General Fund.

Submitted by:



David A. Pelser  
Director of Public Works

- Attachments:
- A – Excerpt from City Charter
  - B – Map of Current Refuse Collection Zones
  - C – Draft Proposed Scope of Services (outline)
  - D – Draft Proposed Request for Proposals (outline)
  - E – Draft Proposed Solid Waste Collection Franchise Agreement (outline)

Note – the complete draft proposed request for proposals and complete draft solid waste collection franchise agreement including the scope of services are available for review in the Mayor's Office and at the Public Works Department.

**Excerpt from the Charter of the City of Whittier**

- **ARTICLE XIV. - FRANCHISES**
- **SECTION 1400. - Granting of Franchises.**

Any person, firm or corporation furnishing the city or its inhabitants with transportation, communication, terminal facilities, water, light, heat, electricity, gas, power, refrigeration, storage or any other public utility or service, or using the public streets, ways, alleys or for the operation of plants works or equipment for the furnishing thereof, or traversing any portion of the city for the transmitting or conveying of any such service elsewhere, may be required by ordinance to have a valid and existing franchise therefor. The city council is empowered to grant such franchise to any person, firm or corporation, whether operating under an existing franchise or not, and to prescribe the terms and conditions of any such grant. It may also provide, by procedural ordinance, the method of procedure and additional terms and conditions of such grants, or the making thereof, all subject to the provisions of this charter.

Nothing in this section, or elsewhere in this article, shall apply to the city, or to any department thereof, when furnishing any such utility or service.

- **SECTION 1401. - Resolution of Intention; Notice and Public Hearing.**

Before granting any franchise, the city council shall pass a resolution declaring its intention to grant the same, stating the name of the proposed grantee, the character of the franchise and the terms and conditions upon which it is proposed to be granted. Such resolution shall fix and set forth the day, hour and place when and where any persons having any interest therein or any objection to the granting thereof may appear before the city council and be heard thereon. It shall direct the city clerk to publish said resolution at least once, within fifteen days of the passage thereof, in the official newspaper. Said notice shall be published at least ten days prior to the date of hearing.

At the time set for the hearing the city council shall proceed to hear and pass upon all protests and its decision thereon shall be final and conclusive. Thereafter it may by ordinance grant the franchise on the terms and conditions specified in the resolution of intention to grant the same, subject to the right of referendum of the people, or it may deny the same. If the city council shall determine that changes should be made in the terms and conditions upon which the franchise is proposed to be granted, a new resolution of intention shall be adopted and like proceedings had thereon.

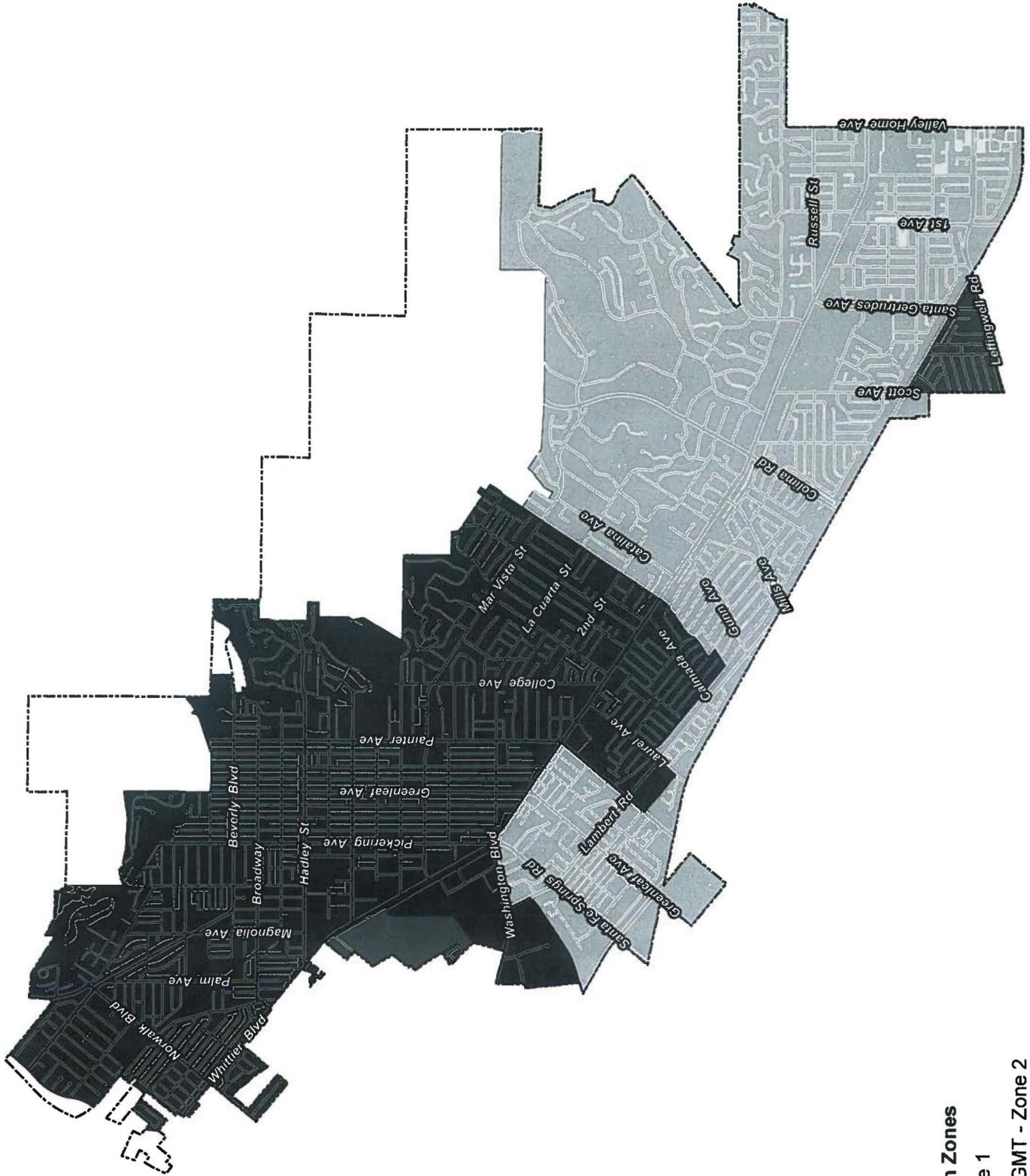
- **SECTION 1402. - Term of Franchise.**

Every franchise shall state the term for which it is granted, which shall not exceed twenty-five years.

- **SECTION 1403. - Eminent Domain.**

No franchise grant shall in any way, or to any extent, impair or affect the right of the city to acquire the property of the grantee thereof either by purchase or through the exercise of the right of eminent domain, and nothing therein contained shall be construed to contract away or to modify or to abridge, either for a term or in perpetuity, the city's right of eminent domain with respect to any public utility.

# ATTACHMENT B



### Refuse Collection Zones

- CDS - Zone 1
- WASTE MGMT - Zone 2
- CITY OF WHITTIER - Zone 3

**DRAFT PROPOSED SCOPE OF SERVICES (outline)**

**Single-Family Dwelling (SFD) Collection Service**

- Automated Weekly Refuse, Recyclables, Green Waste at approved rates
  - ✓ 1-96-Gal Refuse, 1-96-Gal Recyclables and 1-96 Gal Green Waste Cart
  - ✓ Additional Refuse Carts at additional charge
  - ✓ Unlimited Recyclables Carts
  - ✓ Up to three (3) Green Waste Carts at no Charge
- Alley Collection
- Hard to Service Areas
- Annual Holiday Tree Recycling Collection
  - ✓ December 25 through third Saturday in January, at no additional charge
- On-Call Bulky Waste & Electronic Waste Collection
  - ✓ Four (4) Collection Events per Year
  - ✓ Up to twelve (12) items per dwelling per year in any combination of collection days and items, at no additional charge
- Household Hazardous Waste Collection Events
  - ✓ Two Citywide Household Hazardous Waste Collection Events at no additional charge

**Multi-Family Dwelling (MFD) Collection Service**

- Refuse Collection at approved rates
  - ✓ Bins, Carts , Roll-Off Boxes
  - ✓ 300 Gallon Carts
- Single-Stream Recyclable Materials Collection
  - ✓ Bins and/or Carts at an additional charge
- Green Waste Collection
  - ✓ Bins and/or Carts at an additional charge
- Organic Waste Collection
  - ✓ Contractor to propose an Organic Waste Recycling Program to comply with AB 1826
- Annual Holiday Tree Collection
  - ✓ December 25 through third Saturday in January, at no additional charge
- On-Call Bulky Waste & Electronic Waste Collection
  - ✓ Four (4) Collection Events per Year
  - ✓ Up to twelve (12) items per dwelling per year in any combination of collection days and items, at no additional charge
- Household Hazardous Waste Collection Events
  - ✓ Two Citywide Household Hazardous Waste Collection Events at no additional charge

**Commercial Collection Service**

- Refuse Collection at Approved Rates
  - ✓ Bins, Carts , Roll-Off Boxes
  - ✓ Shared Compactors; Contractor to continue or proposed a solution
- Single-Stream Recyclable Materials Collection
  - ✓ Bins and/or Carts at an additional charge.
- Green Waste Collection
  - ✓ Bins and/or Carts at an additional charge.

- Organic Waste Collection
  - ✓ Contractor to propose an Organic Waste Recycling Program to comply with AB 1826.
- On-Call Bulky Waste and Electronic Waste Collection at an additional charge.

#### **Optional Services for Commercial**

- Mixed MSW MRF Collection and Processing (“Dirty” MRF)

#### **City Facilities**

All services to City Facilities to be provided at no additional charge

- Refuse Collection
- Single-Stream Recyclable Materials Collection
- Green Waste Collection
- Organic Waste Collection
- On-Call Bulky Waste Collection
- Abandoned Waste Collection
- Universal Waste Collection
- Bus Stop & Public Container Collection Service
- City-Sponsored Events
- Large Venue Events Recycling

#### **Other Services**

- On-Call Temporary Services at approved rates
- Clean-up bins and roll-off boxes
- Construction and Demolition Debris Recycling at approved rates
- Cart/Bin Roll-Out/Scout Service at an additional charge
- Sharps Collection Program for Single-Family Dwellings and Multi-Family at an additional charge.

**ATTACHMENT D**

**DRAFT PROPOSED REQUEST FOR PROPOSALS (outline)**

**SECTION 1 – INTRODUCTION**

- 1.1 OVERVIEW
- 1.2 ORGANIZATION OF RFP
- 1.3 CITY'S GOALS
- 1.4 RFP SCHEDULE

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**SECTION 2 – BACKGROUND**

- 2.1 DEMOGRAPHICS
- 2.2 CURRENT COLLECTION SERVICE
- 2.3 CURRENT RATES & BILLING PROCESS
- 2.5 CURRENT SERVICE DATA
- 2.6 CURRENT REVENUE & FRANCHISE FEE
- 2.7 CURRENT DISPOSAL FACILITY
- 2.8 DIVERSION RATES & PROGRAMS
- 2.9 FUTURE AGREEMENT TERM

**SECTION 3 – SCOPE OF REQUESTED SERVICES**

- 3.1 SINGLE-FAMILY DWELLING (SFD) COLLECTION SERVICE
- 3.2 MULTI-FAMILY DWELLING (MFD) COLLECTION SERVICE
  - 3.2.1 CORE SERVICES FOR MFD
- 3.3 COMMERCIAL COLLECTION SERVICE
  - 3.3.1 CORE SERVICES FOR COMMERCIAL
  - 3.3.2 OPTIONAL SERVICES FOR COMMERCIAL
- 3.4 CITY FACILITIES
  - 3.4.1 CORE SERVICES FOR CITY FACILITIES
- 3.5 OTHER COLLECTION SERVICE CONSIDERATIONS
  - 3.5.1 ON-CALL TEMPORARY SERVICES
  - 3.5.2 CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING
  - 3.5.3 CART/BIN ROLL-OUT/SCOUT SERVICE
  - 3.5.4 PRIVATE PROPERTY ACCESS & WAIVER FORM
  - 3.5.5 RESIDENTIAL ROUTES/RE-ROUTING
  - 3.5.6 ADDITIONAL COLLECTION SERVICE REQUIREMENTS

- 3.6 CUSTOMER RATE ARRANGEMENTS
  - 3.6.1 SFD RATE ARRANGEMENTS
  - 3.6.2 MFD & COMMERCIAL RATE ARRANGEMENTS
  - 3.6.3 CITY FACILITIES
- 3.7 PUBLIC EDUCATION
  - 3.7.1 CITY OF WHITTIER RESPONSIBILITIES
  - 3.7.2 CONTRACTOR'S RESPONSIBILITIES
  - 3.7.3 STAFFING
  - 3.7.4 MEETING REQUIREMENTS
  - 3.7.5 REPORTING REQUIREMENTS
- 3.8 CUSTOMER SERVICE
  - 3.8.1 CUSTOMER SERVICE CALL CENTER
  - 3.8.2 CALL CENTER STAFFING
  - 3.8.3 WEBSITE
  - 3.8.4 CUSTOMER INFORMATION SYSTEM REQUIREMENTS
  - 3.8.5 REPORTING
  - 3.8.6 COMPLAINT RESOLUTION
- 3.9 BILLING REQUIREMENTS
  - 3.9.1 SUBMITTAL REQUIREMENTS
  - 3.9.2 BILLING SERVICE REQUIREMENTS
- 3.10 SOLID WASTE DISPOSAL & DIVERSION PLAN
- 3.11 CONSTRUCTION & DEMOLOITION DISPOSAL & DIVERSION PLAN
- 3.12 OFFER OF EMPLOYMENT
- 3.13 CITY OWNED EQUIPMENT
- 3.14 IMPLEMENTATION AND TRANSITION PLAN
- 3.15 POTENTIAL COLLECTION IMPACTS
- 3.16 FEES AND COST RECOVERY CHARGES
  - 3.16.1 ADMINISTRATIVE FEE
  - 3.16.2 FRANCHISE FEE
  - 3.16.3 PERFORMANCE AND CONTRACT COMPLIANCE AUDITS

**SECTION 4 – RFP POLICIES, CONDITIONS, AND PROCESS**

- 4.1 RIGHTS RESERVED BY THE CITY OF WHITTIER
- 4.2 GENERAL RFP AGREEMENTS
- 4.3 CODE OF CONDUCT
  - 4.3.1 CITY OF WHITTIER CODE OF CONDUCT POLICY
  - 4.3.2 PROPOSER CODE OF CONDUCT

- 4.4 PROPOSAL SUBMITTAL PROCESS
  - 4.4.1 FUTURE CORRESPONDENCE AND ANNOUNCEMENTS
  - 4.4.2 PRE-PROPOSAL MEETING
  - 4.4.3 SUBMISSION OF WRITTEN QUESTIONS
  - 4.4.4 PROPOSAL SUBMITTAL
  - 4.4.5 CLARIFICATION OF PROPOSAL INFORMATION
  - 4.4.6 PRESENTATION TO CITY OF WHITTIER
  - 4.4.7 SCHEDULE
  - 4.4.8 PUBLIC RECORD

## **SECTION 5 – SUBMITTAL REQUIREMENTS**

- 5.1 PROPOSAL OUTLINE
- 5.2 COVER LETTER
- 5.3 EXECUTIVE SUMMARY
- 5.4 COMPANY QUALIFICATIONS & EXPERIENCE
  - 5.4.1 BUSINESS STRUCTURE
  - 5.4.2 COLLECTION EXPERIENCE
  - 5.4.3 SERVICE INITIATION EXPERIENCE
  - 5.4.4 CUSTOMER SERVICE EXPERIENCE
  - 5.4.5 KEY PERSONNEL
  - 5.4.6 LEGAL AND REGULATORY DISCLOSURES
  - 5.4.7 FINANCIAL INFORMATION AND REQUIREMENTS
- 5.5 PROPOSED PROGRAMS
  - 5.5.1 SFD, MFD, COMMERCIAL AND CITY SERVICES PROGRAM DESCRIPTION
  - 5.5.2 IMPLEMENTATION AND TRANSITION PLAN
  - 5.5.3 SOLID WASTE DISPOSAL AND DIVERSION PLAN
  - 5.5.4 CONSTRUCTION AND DEMOLITION MATERIAL DISPOSAL AND DIVERSION PLAN
  - 5.5.5 OFFER OF EMPLOYMENT
  - 5.5.6 CITY OWNED EQUIPMENT
  - 5.5.7 ENHANCEMENTS
- 5.6 EXCEPTIONS TO THE DRAFT AGREEMENT
- 5.7 PRICE PROPOSAL
- 5.8 OPTIONS
- 5.9 PROPOSED INNOVATIONS
- 5.10 OTHER PROPOSAL FORMS
  - 5.10.1 CODE OF CONDUCT
  - 5.10.2 ANTI-COLLUSION AFFIDAVIT
  - 5.10.3 PROPOSED LIQUIDATED DAMAGES
- 5.11 ADDITIONAL INFORMATION

## **SECTION 6 – PROPOSAL EVALUATION PROCESS**

- 6.1 PROPOSAL EVALUATION PROCESS**
  - 6.1.1 EVALUATION & SELECTION PROCESS**
  - 6.1.2 EVALUATION STEPS**
- 6.2 EVALUATION CRITERIA**

## **SECTION 7 – ATTACHMENT**

- 7.1 ATTACHMENT A – DRAFT AGREEMENT**
- 7.2 ATTACHMENT B – CITY OF WHITTIER CODE OF CONDUCT**
- 7.3 ATTACHMENT C – PROPOSER’S CODE OF CONDUCT**
- 7.4 ATTACHMENT D – ANTI-COLLUSION AFFIDAVIT**
- 7.5 ATTACHMENT E – REFUSE COLLECTION ZONES MAP**
- 7.6 ATTACHMENT F – REFUSE COLLECTION FEES ORDINANCE 3021**
- 7.7 ATTACHMENT G – ALLEY LIST & MAP**
- 7.8 ATTACHMENT H – SHARED COMPACTORS**
- 7.9 ATTACHMENT I – CITY FACILITIES**
- 7.10 ATTACHMENT J – PRIVATE PROPERTY ACCESS & WAIVER FORMS**
- 7.11 ATTACHMENT K – EMPLOYEE LISTING**
- 7.12 ATTACHMENT L – VEHICLE LISTING**
- 7.13 ATTACHMENT M – PROPOSED LIQUIDATED DAMAGES**
- 7.14 ATTACHMENT N – PRICE PROPOSAL FORMS**

# ATTACHMENT E

## DRAFT PROPOSED SOLID WASTE COLLECTION FRANCHISE AGREEMENT (outline)

### ARTICLE 1. DEFINITIONS

### ARTICLE 2. TERM OF AGREEMENT

- 2.01 EFFECTIVE DATE; COMMENCEMENT OF SERVICES
- 2.02 TERM & EXTENDED TERM

### ARTICLE 3. SCOPE OF AGREEMENT

- 3.01 GRANT OF AUTHORITY TO CONTRACTOR AGREEMENT
- 3.02 LIMITATIONS ON SCOPE OF AUTHORITY TO CONTRACTOR
- 3.03 RECYCLABLE MATERIALS, BULKY WASTE, OR HOLIDAY TREE DISPOSAL BY WASTE GENERATOR

### ARTICLE 4. COLLECTION SERVICES

- 4.01 GENERAL
- 4.02 SOLID WASTE COLLECTION
  - 4.02.1 RESIDENTIAL PREMISES SOLID WASTE COLLECTION
  - 4.02.3 MULTI-FAMILY AND COMMERCIAL PREMISES SOLID WASTE COLLECTION
  - 4.02.4 CITY FACILITIES SOLID WASTE COLLECTION
- 4.03 RECYCLING COLLECTION
  - 4.03.1 RESIDENTIAL PREMISES SOURCE-SEPARATED, SINGLE-STREAM RECYCLING COLLECTION
  - 4.03.2 MULTI-FAMILY AND COMMERCIAL PREMISES SOURCE-SEPARATED, SINGLE-STREAM RECYCLING COLLECTION
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  - 4.03.4 MARKETING AND SALE OF RECYCLABLE MATERIALS
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