

**CITY OF SAN ANTONIO
INTERDEPARTMENTAL CORRESPONDENCE SHEET
ENVIRONMENTAL SERVICES DEPARTMENT**

AGENDA ITEM NO. 34

TO: Mayor and City Council

FROM: Daniel V. Cárdenas, Director of Environmental Services

THROUGH: Terry M. Brechtel, City Manager

COPIES: Melissa Byrne Vossmer; Andrew Martin; Louis Lendman; Milo Nitschke;
Rebecca Waldman; Ramiro Cavazos; Antonio Bosmans; Janie Cantu; File

SUBJECT: Solid Waste Services Contracts for the IH-10 East Area, IH-10 West and Timber Ridge Areas

DATE: December 19, 2002

SUMMARY AND RECOMMENDATIONS:

- A. This ordinance accepts the proposal and authorizes the City Manager or her designee to execute a one-year contract in the approximate amount of \$510,340.00, based on unit prices, with BFI Waste Services of Texas, L.P. to provide solid waste collection, disposal and recycling services in the IH 10 East area for the period of January 1, 2003 to December 31, 2003, and authorizes up to three (3) additional one (1) year extensions upon the approval of the Director of Environmental Services.

Staff recommends approval of this ordinance.

- B. This ordinance accepts the proposal and authorizes the City Manager or her designee to execute a one-year contract in the approximate amount of \$224,640.00, based on unit prices, with Waste Management of Texas, Inc. to provide solid waste collection, disposal and recycling services in the IH 10 West area for the period of January 1, 2003 to December 31, 2003, and authorizes up to three (3) additional one (1) year extensions upon the approval of the Director of Environmental Services.

Staff recommends approval of this ordinance.

- C. This ordinance accepts the proposal and authorizes the City Manager or her designee to execute a one-year contract in the approximate amount of \$462,777.00, based on unit prices, with Waste Management of Texas, Inc. to provide solid waste collection, disposal and recycling services in the Timber Ridge area for the period of January 1, 2003 to December 31, 2003, and authorizes up to three (3) additional one (1) year extensions upon the approval of the Director of Environmental Services.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION:

The City of San Antonio began using contract services for solid waste collection in the late 1980's as a result of annexations. Contracting solid waste services in certain areas has historically provided an efficient and flexible means of managing the overall solid waste program.

There are a total of seven (7) contracts providing residential solid waste collection, disposal and recycling services. The contracts also provide for brush collection, dead animal collection, neighborhood cleanups and other related services. The collection services provided by contracts must be identical to those provided by City forces. A total of 26,116 homes, or 9% of City residences, are served by either BFI Waste Services of Texas or Waste Management of Texas through City contracts for solid waste collection. The contracts are for a one-year period with three one-year optional extensions. Currently, the monthly contractual rates range from \$7.68 to \$8.93 per household for basic collection and disposal.

The City also provides many other operational services to the customers in the contract areas to include customer billing and collections, quarterly audits, monitoring for compliance and processing the contractor payments. The City provides the customer service component through 311, so that customers can express concerns or ask questions regarding service delivery. Code compliance enforcement, staff support for neighborhood meetings, and promotional and educational materials are also provided by the City to customers in these contract areas. In addition, residential customers have access to the City's Household Hazardous Waste and the Bitters Brush Recycling facilities, free landfill days and other special clean-up events.

The IH-10 East area, is currently serviced by BFI Waste Services of Texas and the IH-10 West and Timber Ridge areas are serviced by Waste Management of Texas. The areas in each of these three contracts have been expanded in order to improve efficiency and to maintain continuity. The criteria used for determining if contracts need to be expanded includes annexation and infill growth, cost analysis and maintenance of the workload standard for the collection crews. Currently, there are a total of 6,048 units served under the existing contracts. These three existing Solid Waste contracts, including renewal options, expire on December 31, 2002.

The proposed contracts would expand the service area in each of the three areas and bring the total units served to 12,038 units. The following chart illustrates the growth in the number of units served by the proposed contracts:

Contract Area	Current Units	Additional Units	Total
IH10 East (Sunrise)	2,320	3,196	5,516
Timber Ridge	3,176	1,426	4,602
IH10 West	552	1,368	1,920
Total	6,048	5,990	12,038

The City solicited separate proposals for these areas on October 18, 2002, once service levels were established. Factors used to evaluate and select the collection contractors include cost of services, financial and operational capability of the company, recycling program, staff experience, subcontractors, demonstrated participation in and support of community clean-up activities, local and disadvantaged business participation, and Small Business Economic Development Advocacy Policy compliance. The scoring matrix for the proposals that were received is attached.

Two (2) solid waste collection companies submitted proposals for each of the areas. The monthly proposed rates, which are direct costs to the City, were submitted as follows:

Area	BFI monthly proposed rate	WM monthly proposed rate
IH-10 East	\$7.71 per household	\$9.88 per household
IH-10 West	\$10.57 per household	\$9.75 per household
Timber Ridge	\$10.45 per household	\$8.38 per household

Based on the initial evaluation of the proposals, City staff recommended accepting the proposal from BFI for the IH10 East area since the monthly proposed rate is within an acceptable range. However, the monthly proposed rates that were submitted by Waste Management for the Timber Ridge and IH 10 West areas are higher than projected in the FY 2003 budget.

In response to these significantly higher costs, and working closely with the Office of Management and Budget and the Purchasing and General Services Department, staff conducted a thorough analysis of the fiscal and operational impacts of providing City force solid waste services to the 12,038 homes in the three areas. Although the current citywide average direct cost for city forces to provide the solid waste collection services is \$8.64, staff analyzed the actual collection costs for these specific areas.

The City's actual monthly collection costs for each of these contract areas was compared to the proposed monthly rate from BFI for the IH 10 East area and the proposed rate from Waste Management for the Timber Ridge and IH 10 West areas. The analysis concluded that the City's costs are higher because in order to add these homes using existing personnel and equipment a Wednesday/Saturday schedule would need to be implemented, adding collection routes for garbage, recycling and brush. This would result in higher costs related to overtime, equipment maintenance and disposal costs.

By evaluating actual costs for collection routes in these three areas, it has been determined that providing the collection service by City forces to these 12,038 homes during FY 2003 (January 1, 2003 through September 30, 2003) would result in an increased cost to the Environmental Services Fund of approximately \$550,893. By accepting the three proposals, the increase costs to the Fund would be \$347,719 – a difference and savings of \$203,174.

The Environmental Services Department staff recommends moving forward with these solid waste contracts for FY 2003. City staff will continue to analyze contract prices, as well as the City's costs to provide these services. As other contracts approach expiration in the near future, the impacts to the Environmental Services Fund will be evaluated. In order to be prepared to add homes to the City's service program in the future, resources will need to be included in future budgets and alternative collection methods will need to be explored.

POLICY ANALYSIS:

When these areas were originally annexed, the City opted to request proposals for solid waste services. This plan met the expectations of the impacted residents and allowed the City to evaluate the advantages and disadvantages of using private collection companies. These ordinances continue the City Council's direction to use private sector firms to enhance the City's efficiency and compliance with regulations.

The term of these contracts is January 1, 2003 through December 31, 2003. The contracts are for one-year with options for three one-year renewals. The renewal terms are subject to the Consumer Price Index (CPI). The adjustment for the CPI may not vary more than five percent (5%) from the current base compensation amount for each respective term year. By authorizing these contracts on an annual basis, staff is able to continuously analyze the contract costs for service against City costs and make adjustments to ensure that the most efficient collection methods are in place.

FISCAL IMPACT:

Revenues of \$12.21 per month per residence are generated from Solid Waste, Environmental and Brush fees in affected areas and will be the source of funding for the contracts. It is estimated that during the initial twelve-month term of the agreement, \$1,763,807 will be generated in revenues based on 12,038 homes, the number of residential ratepayers in these three areas. The revenues are budgeted in the Environmental Services Revenue Fund and are based on the actual fee that is collected from each customer for all of the services that are provided.

The estimated City expense, payable to BFI Waste Services of Texas, L.P. and Waste Management of Texas, Inc., is \$1,197,757 for the direct costs associated with garbage, recycling, brush and dead animal collection as well as the related disposal costs. These funds shall be paid monthly in accordance with the contract terms.

The difference of approximately \$566,000 are those revenues that provide for the City's contract administration costs and additional environmental services programs such as household hazardous waste collection and disposal, Bitters Brush Recycling operations, citywide clean-up events, neighborhood education programs, customer service, and code enforcement.

COORDINATION:

This Ordinance has been coordinated with the Office of Management and Budget, the Purchasing and General Services, Economic Development, and Asset Management Departments and the City Attorney's Office.

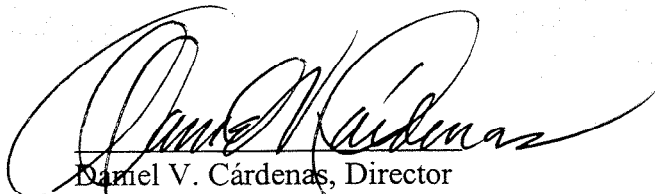
SUPPLEMENTARY COMMENTS:

Requests for Proposals are issued for residential collection services because the nature of the operation requires various kinds of equipment, varying levels of workforce expertise, and direct contact with the customers. Many factors, other than just the cost must be considered during the evaluation process with extensive focus on the proposer's experience and capacity to provide all of the services required.

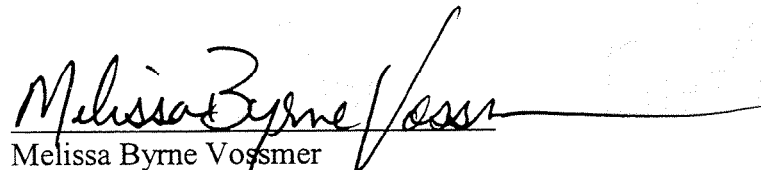
In addition, due to health and safety reasons, contracts for collection and disposal of solid waste are not restricted to competitive bidding statutes.

ATTACHMENTS:

Proposals
Scoring Matrix
Financial Disclosure Forms

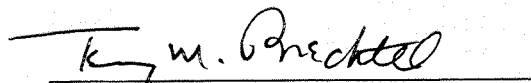


Daniel V. Cárdenas, Director
Environmental Services Department



Melissa Byrne Vossmer
Assistant City Manager

Approved:



Terry M. Brechtel
City Manager

Proposal Evaluation Sheet for
Municipal Solid Waste Collection, Disposal and Recycling Services

	Timber Ridge Area 2003			
Section	Evaluation Criteria	Maximum Points	BFI	Waste Management
12.A	Responsiveness to the Request for Proposal	15	12	15
12.B	Monthly Contract Rate	35	31.4	35
12.C	Demonstrated participation in local community activities	10	9	9
12.D	Proposer's background and capability to provide the service requested	20	19	20
	Sub-Total	80	71.4	79
12.E	Small Business Economic Development Advocacy Policy Compliance	20		
	Local Business participation		6	6
	Disadvantaged Business Participation		0	0
	Small Business Economic Development Advocacy Policy Compliance		0	1
	Total	100	77.4	86

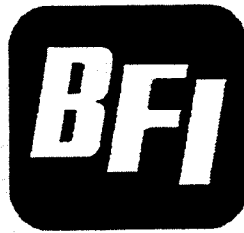
Proposal Evaluation Sheet for
Municipal Solid Waste Collection, Disposal and Recycling Services

	IH10 East Area 2003			
Section	Evaluation Criteria	Maximum Points	BFI	Waste Management
12.A	Responsiveness to the Request for Proposal	15	12	15
12.B	Monthly Contract Rate	35	35	27.3
12.C	Demonstrated participation in local community activities	10	9	9
12.D	Proposer's background and capability to provide the service requested	20	19	20
	Sub-Total	80	75	71.3
12.E	Small Business Economic Development Advocacy Policy Compliance	20		
	Local Business participation		6	6
	Disadvantaged Business Participation		0	0
	Small Business Economic Development Advocacy Policy Compliance		0	1
	Total	100	81	78.3

Proposal Evaluation Sheet for Municipal Solid Waste Collection, Disposal and Recycling Services

	IH10 West Area 2003			
Section	Evaluation Criteria	Maximum Points	BFI	Waste Management
12.A	Responsiveness to the Request for Proposal	15	12	15
12.B	Monthly Contract Rate	35	34.7	35
12.C	Demonstrated participation in local community activities	10	9	9
12.D	Proposer's background and capability to provide the service requested	20	19	20
	Sub-Total	80	74.7	79
12.E	Small Business Economic Development Advocacy Policy Compliance	20		
	Local Business participation		6	6
	Disadvantaged Business Participation		0	0
	Small Business Economic Development Advocacy Policy Compliance		0	1
	Total	100	80.7	86

**BFI Waste Services
of Texas, L.P.**



Request for Proposal

for the

City of San Antonio

**Municipal Solid Waste Collection,
Disposal and Recycling Services for the
IH 10 East Area 2003**

November 18, 2002

MISSION

Our mission is to provide the highest quality waste collection, transportation, processing, disposal and related services to both public and private customers worldwide. We will carry out our mission efficiently, safely and in an environmentally responsible manner with respect for the role of government in protecting the public interest.

ATTACHMENT I

DISCRETIONARY CONTRACTS DISCLOSURE FORM

☐ City of San Antonio

Discretionary Contracts Disclosure*

For use of this form, see City of San Antonio Ethics Code, Part D, Sections 1&2

Attach additional sheets if space provided is not sufficient.

State "Not Applicable" for questions that do not apply.

* This form is required to be supplemented in the event there is any change in the information under (1), (2), or (3) below, before the discretionary contract is the subject of Council action, and no later than five (5) business days after any change about which information is required to be filed.

Disclosure of Parties, Owners, and Closely Related Persons

For the purpose of assisting the city in the enforcement of provisions contained in the City Charter and the code of ethics, an individual or business entity seeking a discretionary contract from the city is required to disclose in connection with a proposal for a discretionary contract:

(1) the identity of any individual who would be a party to the discretionary contract;

"Not Applicable"

(1) the identity of any business entity¹ that would be a party to the discretionary contract and the name of:

(A) any individual or business entity that would be a subcontractor on the discretionary contract;

"Not Applicable"

(A) any individual or business entity that is known to be a partner, or a parent or subsidiary business entity, of any individual or business entity who would be a party to the discretionary contract;

"Not Applicable"

(1) the identity of any lobbyist or public relations firm employed for purposes relating to the discretionary contract being sought by any individual or business entity who would be a party to the discretionary contract.

"Not Applicable"

¹ A business entity means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law.

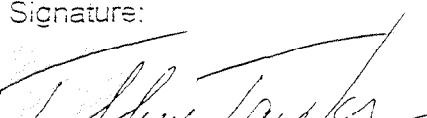
Political Contributions

Any individual or business entity seeking a discretionary contract from the city must disclose in connection with a proposal for a discretionary contract all political contributions totaling one hundred dollars (\$100) or more within the past twenty-four (24) months made directly or indirectly to any current or former member of City Council, any candidate for City Council, or to any political action committee that contributes to City Council elections, by any individual or business entity whose identity must be disclosed under (1), (2) or (3) above. Indirect contributions by an individual include, but are not limited to, contributions made by the individual's spouse, whether statutory or common-law. Indirect contributions by an entity include, but are not limited to, contributions made through the officers, owners, attorneys, or registered lobbyists of the entity.

To Whom Made:	Amount:	Date of Contribution:
"Not Applicable"	"Not Applicable"	"Not Applicable"

Disclosures in Proposals

Any individual or business entity seeking a discretionary contract with the city shall disclose any known facts which, reasonably understood, raise a question² as to whether any city official or employee would violate Section 1 of Part B, Improper Economic Benefit, by participating in official action relating to the discretionary contract.

"Not Applicable"		
Signature: 	Title: General Manager - Company: BFI Waste Services of Texas, L.P.	Date: 11-18-02

²For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.

ATTACHMENT L

PRICING SCHEDULE

State any and all fees you would charge to provide all services listed in this RFP if awarded a contract pursuant to this RFP.

1. Monthly contract rate per residential unit to be charged for Municipal Solid Waste Services for the IH 10 East Area and breakdown of rate:

\$ 4.48 Garbage Collection per Month

\$ 1.50 Garbage Disposal per Month

\$.01 Dead Animal Collection and Disposal per Month

\$ 1.55 Recycling Collection & Marketing per Month

\$.05 Recycling Education Plan and Outreach Program per Month

\$.10 Brush, bulky items and white goods collection, i.e., illegal dumps clean ups, storm damage clean-ups, brush shredding, metal recycling and brush mixed with rubbish disposal per month.

\$.02 Community or City-wide clean-up events and disposal

\$ 7.71 Total Monthly Residential Rate (Does not include Customer Billings which are performed and absorbed by the CITY, except for costs for out-of-cycle services and veterinary dead animal pickup which are billed directly by the CONTRACTOR.)

2. ENHANCED PROPOSAL OPTIONS SUBMITTED AT PROPONENT'S DISCRETION (Provide attachment if necessary.)

ATTACHMENT 0

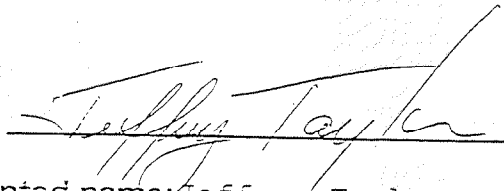
SIGNATURE PAGE FOR CORPORATION

Verification of Authority to Execute

If Proponent is a CORPORATION, the duly authorized officer must sign as follows:

The undersigned certifies that (s)he is General Manager (title) of the corporation or limited liability company named below; that (s)he is designated to sign this Proposal Form by resolution (attach Certified Copy) for and on behalf of the below named entity, and that (s)he is authorized to execute same for and on behalf of and bind said entity to the terms and conditions provide for in the Proposal as required by this RFP, and has the requisite authority to execute an Agreement on behalf of Proponent, if awarded, and that the 11-digit Comptroller's Taxpayer Number for the entity is: 86-1024527.

BFI Waste Services of Texas, L.P.
Corporation Name

By: 
Printed name: Jeffrey Taylor

General Manager
Title

86-1024527
Employer Identification Number



November 15, 2002

City of San Antonio
Attn: City Clerk
P.O. Box 839966
San Antonio, Texas 78283-3966

Re: Proposal to Furnish Municipal Solid Waste Collection, Disposal
and Recycling Service for the IH 10 West Area 2003

Dear City Clerk:

Enclosed is our response to the City of San Antonio's Request for Proposals referenced above. We are proud of our company and are eager to work with the City in providing this vital service.

As you know, we have been providing excellent service to the IH 10 West Area under the current contract between the City and Waste Management. We look forward to a favorable response and are ready to further develop our current public/private partnership with the City to develop innovative solutions to the problems presented by modern urban sanitation.

Thank you for the opportunity to submit our bid.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tom Carroll'. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Tom Carroll
District Manager

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(1) the identity of any individual who would be a party to the discretionary contract;

None

(1) the identity of any business entity¹ that would be a party to the discretionary contract: _____ and the name of:

(A) any individual or business entity that would be a subcontractor on the discretionary contract;

None

(A) any individual or business entity that is known to be a partner, or a parent or subsidiary business entity, of any individual or business entity who would be a party to the discretionary contract;

None

(1) the identity of any lobbyist or public relations firm employed for purposes relating to the discretionary contract being sought by any individual or business entity who would be a party to the discretionary contract.

None

¹ A *business entity* means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law.


Political Contributions

Any individual or business entity seeking a discretionary contract from the city must disclose in connection with a proposal for a discretionary contract all political contributions totaling one hundred dollars (\$100) or more within the past twenty-four (24) months made directly or indirectly to any current or former member of City Council, any candidate for City Council, or to any political action committee that contributes to City Council elections, by any individual or business entity whose identity must be disclosed under (1), (2) or (3) above. Indirect contributions by an individual include, but are not limited to, contributions made by the individual's spouse, whether statutory or common-law. Indirect contributions by an entity include, but are not limited to, contributions made through the officers, owners, attorneys, or registered lobbyists of the entity.

To Whom Made:	Amount:	Date of Contribution:
Toni Moorhouse	\$500.00	2001
Enrique Martin	\$500.00	2001

Disclosures in Proposals

Any individual or business entity seeking a discretionary contract with the city shall disclose any known facts which, reasonably understood, raise a question² as to whether any city official or employee would violate Section 1 of Part B, Improper Economic Benefit, by participating in official action relating to the discretionary contract.

Signature: 	Title: District Manager Company: Waste Management of Texas, Inc.	Date: 11/15/02

²For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.

**WASTE MANAGEMENT OF TEXAS**

4730 SE Loop 410
San Antonio, TX 78222
(800) 594-2088 Toll Free
(210) 648-6006
(210) 333-2032 Sales Fax
(210) 648-4392 Customer Service Fax
(210) 648-8548 Collections Fax

November 26, 2002
Rose Zuniga- Dent
Solid Waste Manager – City of San Antonio
P.O. Box 839966
San Antonio, Texas 78283-3966

Re: Timber Ridge & I-10 West Garbage Contracts

Rose,

Please find enclosed our negotiated rates for the locations listed above.

Timber Ridge - \$8.38 per unit per month
I-10 West - \$9.75 per unit per month

Please feel free to contact me @ 368-5031 if you have any additional questions.

Sincerely,

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Tom Carroll
District Manager
Waste Management of San Antonio

Attachment O

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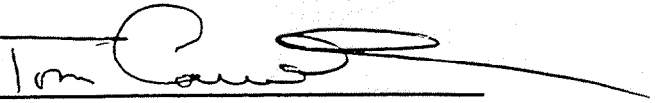
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Waste Management of Texas, Inc.

Corporation Name

By: 

Printed name: Tom Carroll

District Manager
Title

0022300000

Employer Identification Number



WASTE MANAGEMENT

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Tom Carroll
District Manager
Waste Management of San Antonio

ATTACHMENT 0

SIGNATURE PAGE FOR CORPORATION

Verification of Authority to Execute

If Proponent is a CORPORATION, the duly authorized officer must sign as follows:

The undersigned certifies that (s)he is District Manager (title) of the corporation or limited liability company named below; that (s)he is designated to sign this Proposal Form by resolution (attach Certified Copy) for and on behalf of the below named entity, and that (s)he is authorized to execute same for and on behalf of and bind said entity to the terms and conditions provide for in the Proposal as required by this RFP, and has the requisite authority to execute an Agreement on behalf of Proponent, if awarded, and that the 11-digit Comptroller's Taxpayer Number for the entity is: 17512235288.

Waste Management of Texas, Inc.
Corporation Name

By: 

Printed name: Tom Carroll

District Manager
Title

0022300000
Employer Identification Number