



**SAN MATEO COUNTY
BOARD OF SUPERVISORS
ENVIRONMENTAL QUALITY COMMITTEE**

**Richard Gordon, Chair
Jerry Hill, Vice-Chair**

**Peggy Jensen, Deputy County Manager
Mike Murphy, Assistant County Counsel
400 County Center, Redwood City, CA
650-363-4123**

TO: Environmental Quality Committee

FROM: Peggy Jensen, Deputy County Manager

SUBJECT: Environmental Quality Committee Meeting—Agenda for August 14, 2007

DATE: August 7, 2007

Meeting Date and Time: August 14, 2007, 2:00 PM

Place: Board Conference Room, Office of the Board of Supervisors
First Floor, 400 County Center, Redwood City, California

1. Call to Order
2. Oral Communications
3. Approval of the Minutes from the July 24, 2007 Meeting - *Attachment*
4. Product Stewardship (Dean Peterson, Environmental Health) - *Attachment*
5. Solid Waste Disposal Request for Proposal (Jim Porter, Department of Public Works) - *Attachment*
6. Climate Action Initiative – Cool Counties (Supervisor Gordon’s Office) - *Attachment*
7. Next Meeting: September 25, 2007 at 2:00 PM
8. Adjourn

A COPY OF THE SAN MATEO ENVIRONMENTAL QUALITY COMMITTEE AGENDA PACKET IS AVAILABLE FOR REVIEW AT THE CLERK OF THE BOARD'S OFFICE, HALL OF JUSTICE, 400 COUNTY CENTER, FIRST FLOOR. THE CLERK OF THE BOARD'S OFFICE IS OPEN MONDAY THRU FRIDAY 8 A.M. - 5 P.M., SATURDAY AND SUNDAY – CLOSED.

MEETINGS ARE ACCESSIBLE TO PEOPLE WITH DISABILITIES. INDIVIDUALS WHO NEED SPECIAL ASSISTANCE OR A DISABILITY-RELATED MODIFICATION OR ACCOMMODATION (INCLUDING AUXILIARY AIDS OR SERVICES) TO PARTICIPATE IN THIS MEETING, OR WHO HAVE A DISABILITY AND WISH TO REQUEST AN ALTERNATIVE FORMAT FOR THE AGENDA, MEETING NOTICE, AGENDA PACKET OR OTHER WRITINGS THAT MAY BE DISTRIBUTED AT THE MEETING, SHOULD CONTACT CHRISTINE HOLLENDER, ENVIRONMENTAL QUALITY COMMITTEE CLERK, AT LEAST 2 WORKING DAYS BEFORE THE MEETING AT (650) 599-1388 AND/OR chollender@co.sanmateo.ca.us. NOTIFICATION IN ADVANCE OF THE MEETING WILL ENABLE THE COUNTY TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING AND THE MATERIALS RELATED TO IT. ATTENDEES TO THIS MEETING ARE REMINDED THAT OTHER ATTENDEES MAY BE SENSITIVE TO VARIOUS CHEMICAL BASED PRODUCTS.

If you wish to speak to the Committee, please fill out a speaker’s slip. If you have anything that you wish distributed to the Committee and included in the official record, please hand it to the Deputy County Manager who will distribute the information to the Supervisors and staff.



**SAN MATEO COUNTY
BOARD OF SUPERVISORS
ENVIRONMENTAL QUALITY
COMMITTEE**

**Richard Gordon, Chair
Jerry Hill, Vice-Chair**

*Peggy Jensen, Deputy County Manager
Mike Murphy, Assistant County Counsel
400 County Center, Redwood City, CA
650-363-4123*

DRAFT ACTION MINUTES

Meeting Date and Time: July 24, 2007, 2 pm

Place: Board Conference Room, Office of the Board of Supervisors
First Floor, 400 County Center, Redwood City, California

1. Call to Order / Roll Call:

Committee Chair Rich Gordon called the meeting to order at 2:00 p.m. Supervisors Gordon and Hill were both in attendance. Also attending were Preston Burnes, Lisa Grote, Nancy Guerrero, Dave Holland, Christine Hollender, Peggy Jensen, Joe La Mariana, Brian Lee, Walter Martone, Mary McMillan, Mike Murphy, Rich Napier, Lisa Okada, Kim Springer, and Juda Tolmasoff.

2. Oral Communications:

There was no member of the public who wished to speak.

3. Committee Structure and Staff Introductions

Chair Gordon asked the attendees to introduce themselves. He then outlined the need for the group to define the scope of the Committee's work within the context of other County workgroups.

4. Committee Relationship to Other County Workgroups Addressing Environmental Issues

Chair Gordon introduced the Cool Counties Initiative. He also noted that Peggy Jensen, Kim Springer and Preston Burnes have begun to compile a matrix of countywide workgroups. Vice-chair Hill noted that there are differences in standards and reduction levels, depending on the initiative involved. Staff was directed to continue work on the matrix and to gather information about sponsorship of the various initiatives, what the goals of the initiatives are, what the tools for baseline measurement are, what tools will be used for continuing, ongoing measurements, and what steps will need to be taken to achieve the goals. This issue will be categorized under the broad classification of Climate Action.

5. Agenda Items for Future Committee Meetings

The Committee decided on (without limiting itself to) the following topics to be discussed at future meetings: climate action, manufacturers and recycling, product stewardship, green building, tree ordinances and trees for carbon reduction, zoning issues, solid waste management and landfill capacity reduction, environmental purchasing policy, and a project for an inventory of green efforts of agencies within the County. Staff recommended that issues may be considered as they arise, and the Committee agreed.

Regarding the ad hoc Watershed Committee, it was decided that it shall be entirely separate from this Environmental Quality (standing) Committee.

6. Discussion: C/CAG Energy Strategy for San Mateo County (Attachment)

Rich Napier, Executive Director of C/CAG and Kim Springer, of RecycleWorks, presented an overview of a Countywide Energy Strategy, which is currently in a draft phase. Over the next half of 2007, they will be finalizing the strategy and bringing it back to the Committee for further action.

7. Proposed Committee Meeting Schedule

The Committee selected to meet once a month, and directed Preston Burnes and Juda Tolmasoff to select dates available to both Committee members. Most likely, the meetings will be on Board of Supervisors' meeting dates that do not conflict with other meetings, that is, the fourth Tuesday of the month, in most cases.

8. Public Comment

There was no public comment.

9. Announcements

There were no announcements.

10. Adjourn

The meeting was adjourned at 2:55 p.m.

ENVIRONMENTAL HEALTH
SAN MATEO COUNTY*Protecting our Health and Environment*

Memo

To: Environmental Quality Committee

From: Dean D. Peterson, Director, Environmental Health
Waymond Wong, Program Supervisor, Environmental Health

Date: August 8, 2007

SUBJECT: EXTENDED PRODUCER RESPONSIBILITY/PRODUCT STEWARDSHIP

BACKGROUND

Product Stewardship is an environmental policy that promotes the ideal that whoever designs, produces, sells or uses a product takes responsibility for minimizing the products' environmental impact throughout all stages of the products' life cycle. Although many individuals and corporations are involved in a products life cycle, the manufacturers and retailers are those that have the greatest affect on a products design, recyclability, and constituents. This policy approach, which is often interchangeable with Extended Producer Responsibility (EPR) as is commonly known worldwide, places the physical and/or financial responsibility for the management of a product squarely on the producer until the end of the product's useful life.

For over a century the burden of waste management has been placed on local governments. In 1900, less than a quarter of the waste stream included product waste such as product packaging, non durable products and durable products. In 2000, this product-waste was approximately three quarters of the waste stream. The problems associated with this waste are that it is generally more difficult to recycle, more hazardous, less biodegradable and a host of other problems. Local governments have been made responsible for managing this waste physically and financially. As the waste stream has changed over the years, so have the hazardous constituents of some products leading organizations such as Cal EPA to ban certain items from landfills. These wastes have included household hazardous waste historically but more recently, items such as electronic waste, household batteries and fluorescent tubes have been prohibited from landfills as well.

As of February 2006, fluorescent tubes were banned from landfills completely. With this ban in effect along with a greater focus on energy efficient lighting, the need for fluorescent tube recycling will certainly increase. Current surveys show that state as a whole is only collecting less than 2% of the total waste stream. If San Mateo County increases its collections to approximately 50% of the total fluorescent tubes sold, it is estimated that this action would increase the budget cost to over \$4 million per year. This landfill ban effectively places an unfunded mandate upon local jurisdictions which hampers their ability to fund other much needed programs.

In various parts of the world such as the European Union, Japan and Taiwan, Product Stewardship/EPR ideals are not new. Countries as close as Canada have already developed strong Product Stewardship/EPR programs. Although California does not have an existing EPR program in effect, a group of local jurisdictions have formed an organization, the California Product Stewardship Council, to promote the ideals of Product Stewardship/EPR at the state level.

Although the state legislators have had opportunities to strongly endorse or put into effect Product Stewardship/EPR programs, there has been limited support. In lieu of waiting for state programs to be developed, San Mateo County can be one of the leaders of this movement by pushing state lawmakers to include Product Stewardship/EPR ideals in new legislation, in purchasing agreements and many other formats. The County may also consider developing a local ordinance that would require local businesses to participate in some Product Stewardship/EPR program. The overarching goals of Product Stewardship/EPR not only alleviates the burden placed on local governments for managing costly waste streams but also forces manufacturers, producers, retailers and consumers to create or purchase products that have a smaller environmental and economic impact on us all. This new way of thinking about waste management and the responsibility that lies with it will be difficult to accept at first but a better understanding of the principles and strong support from local governments will ensure its success.

RESOLUTION NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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**RESOLUTION SUPPORTING STATEWIDE, LOCAL AND REGIONAL EFFORTS TO
HOLD PRODUCERS RESPONSIBLE FOR PRODUCT WASTE, STARTING WITH
TOXIC PRODUCTS DEFINED AS UNIVERSAL WASTE**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, manufactured goods and packaging constitute the vast majority of the materials managed by the County of San Mateo and its Cities and sent to landfills, costing County residents and businesses millions of dollars a year in refuse rates plus millions more in taxes to manage; and

WHEREAS, on February 8, 2006, a state law took effect that makes it illegal to throw in the garbage items defined as "universal waste," which includes household batteries, fluorescent bulbs or tubes, thermostats, other items that contain mercury, as well as electronic devices including VCRs, microwaves, cellular phones, cordless phones, printers, and radios; and

WHEREAS, assuming a fifty percent recovery rate, collecting and disposing of these products now banned from the trash will cost the County of San Mateo an estimated additional \$4 million each year; and

WHEREAS, when additional products are declared as hazardous by the State, the burden to manage these items will fall to local jurisdictions; and

WHEREAS, there are significant environmental and human health impacts associated with household products that contain toxic ingredients, including mercury, lead, cadmium and other toxic chemicals that when disposed of improperly can contaminate water supplies; and

WHEREAS, by covering the costs of collection and disposal, local governments are subsidizing the production of waste because manufacturers know that whatever they produce the local government will foot the bill for recycling or disposal; and

WHEREAS, Extended Producer Responsibility is an environmental policy approach in which producers assume responsibility—financial and/or physical—for the management of post-consumer products, so that those who produce and use products bear the costs of recycling and proper disposal; and

WHEREAS, when brand owners are responsible for ensuring their products are recycled responsibly, and when health and environmental costs are included in the product price, there is a strong incentive to design and purchase goods that are more durable, easier to recycle, and less toxic; and

WHEREAS, it is timely to develop and support extended producer responsibility legislation to address the universal waste sector of the waste stream first in response to the state ban on universal waste from household disposal.

NOW, THEREFORE, BE IT RESOLVED:

1) That the Board of Supervisors urges our representatives in Sacramento to pursue statewide extended producer responsibility legislation targeted at universal waste that will give incentives for the redesign of products to make them less toxic, and shift the cost for recycling and proper disposal of products from the local government to the producer and distributor of the product;

2) That the County of San Mateo supports producer responsibility policies such as leasing products rather than purchasing them, and requiring the manufacturers of products sold to County departments to offer less toxic alternatives, and to take responsibility for collecting and recycling their products at the end of their useful life; and

3) That the County of San Mateo will continue to support extended producer responsibility initiatives and statewide legislation beyond universal waste to cover areas including other hazardous products, bulky packaging, and items like plastics and multi-material products that are difficult to recycle.

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COUNTY OF SAN MATEO
Inter-Departmental Correspondence

Department of Public Works

DATE: August 6, 2007
BOARD MEETING DATE: September 11, 2007
SPECIAL NOTICE/HEARING: None
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors
FROM: James C. Porter, Director of Public Works
SUBJECT: **Approval of the South Bayside Waste Management Authority's
Collection and Operations Request For Proposals and
Agreements – Executive Summary**

Recommendation

Adopt a resolution:

1. Approving the solid waste, recyclable materials, and organic materials collection programs outlined in the South Bayside Waste Management Authority (SBWMA) August 2, 2007 draft Request for Proposals (RFP) for Collection Services;
2. Approving the contract terms detailed in the SBWMA's August 2, 2007 draft Uniform Franchise Agreement for Solid Waste, Recyclable Materials, and Organic Materials Collection Services;
3. Approving the scope of services in the SBWMA's August 2, 2007 draft RFP for the Operation of the Shoreway Recycling and Disposal Center (SRDC); and
4. Approving the contract terms in the SBWMA's August 2, 2007 draft Agreement for the Operation of the Shoreway Recycling and Disposal Center (SRDC).

Vision Alignment

Commitment: Responsive, effective and collaborative government.

Goal 22: County and local governments effectively communicate, collaborate and

develop strategic approaches to issues affecting the entire County.

The proposed RFPs and associate agreements are the result of a collaborative effort between all member agencies in the South Bayside Waste Management Authority. The adoption of a uniform franchise agreement by each agency that franchises garbage collection in the SBWMA service area provides the most cost effective service to the rate payers while maximizing the amount of material that is diverted from landfills through recycling and other programs.

Background

Previous Board Action

1. Approved the criteria for providing garbage service pursuant to uniform garbage franchises that are proposed to be negotiated between member agencies of the South Bayside Waste Management Authority (SBWMA) and private collector(s) beginning in January 2011; and
2. Directed the Director of Public Works to contact and advise known homeowner associations or advisory agencies in the unincorporated areas within the SBWMA service area that currently do not receive franchise garbage collection services of the criteria that will be used to define the garbage collection services that will be provided in their area, and to explain the difference between franchised and non-franchised garbage collection.

Discussion

All SBWMA Member Agencies voted affirmatively to participate in the RFP process. Several of the Member Agencies agreed to participate in the RFP process contingent on special service needs.

Following the SBWMA Member Agency approvals, SBWMA staff has prepared numerous drafts of the RFP documents. The draft documents have evolved over the past several months based on substantial input from a technical review committee of consultants, potential providers, SBWMA Board members, Member Agency staff, and outside legal counsel for SBWMA. SBWMA staff also toured some of the largest material recovery facilities (MRF) in California and nationally to gather further information. The net effect of this input is that SBWMA staff has made some modifications to reduce the complexity of the RFPs (both collection and operations) while maintaining the same set of proposed programs and services previously approved.

On June 28, 2007 the SBWMA Board approved the draft Collection RFP and Agreement, and the draft SRDC Operations RFP and Agreement. The next step in the RFP process is for Member Agencies to reaffirm their approval of the programmatic details and contract terms, including approval of the changes recommended by SBWMA staff as explained in the main report. Ultimately each Member Agency could make a separate selection of providers, negotiate any parts of the template agreement, and sign separate agreement. However, the County

unincorporated areas are much smaller than the adjacent cities and we intend to recommend the same service provider as the neighboring cities to facilitate operations. The County will still have the option to negotiate any part of the template agreement for the range of services that will ultimately be provided.

A resolution has been approved as to form by County Counsel.

Fiscal Impact

Solid waste and recyclables collection services and the operation of the Shoreway Recycling and Disposal Center are funded through the rates paid by customers. No change in the franchise fee is recommended as part of the RFP process. There is no impact to the General Fund.

JCP:JL:sdd

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cc: Kevin McCarthy, SBWMA Executive Director

bcc: Brian C. Lee, P.E., Deputy Director of Public Works

Joe La Mariana, Solid Waste & Environmental Services Manager



COUNTY OF SAN MATEO
Inter-Departmental Correspondence

Department of Public Works

DATE: August 1, 2007
BOARD MEETING DATE: September 11, 2007
SPECIAL NOTICE/HEARING: None
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors
FROM: James C. Porter, Director of Public Works
SUBJECT: **Approval of the South Bayside Waste Management Authority's
Collection and Operations Request For Proposals and
Agreements**

Recommendation

Adopt a resolution:

1. Approving the solid waste, recyclable materials, and organic materials collection programs outlined in the South Bayside Waste Management Authority (SBWMA) August 2, 2007 draft Request for Proposals (RFP) for Collection Services;
2. Approving the contract terms detailed in the SBWMA's August 2, 2007 draft Uniform Franchise Agreement for Solid Waste, Recyclable Materials, and Organic Materials Collection Services;
3. Approving the scope of services in the SBWMA's August 2, 2007 draft RFP for the Operation of the Shoreway Recycling and Disposal Center (SRDC); and
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Vision Alignment

Commitment: Responsive, effective and collaborative government.

Goal 22: County and local governments effectively communicate, collaborate and

develop strategic approaches to issues affecting the entire County.

The proposed RFPs and associate agreements are the result of a collaborative effort between all member agencies in the SBWMA. The adoption of a uniform franchise agreement by each agency that franchises garbage collection in the SBWMA service area provides the most cost effective service to the rate payers while maximizing the amount of material that is diverted from landfills through recycling and other programs.

Background

Previous Board Action

Became a member of the South Bayside Transfer Station Authority (SBTSA) in 1982, which was formed under a joint power agreement (JPA) comprised of 12 jurisdictions: Atherton, Belmont, Burlingame, East Palo Alto, Foster City, Hillsborough, Menlo Park, Redwood City, San Carlos, the City of San Mateo, the County of San Mateo, and the West Bay Sanitary District.

Amended the JPA in 1999 and SBTSA became the SBWMA.

Entered into a franchise agreement with subsequent amendments with Browning Ferris Industries (BFI), now Allied Waste (Allied), for Collection Services in the North Fair Oaks Area (County Service Area No. 8 [CSA8]).

On January 9, 2007,

1. Approved the criteria for providing garbage service pursuant to uniform garbage franchises that are proposed to be negotiated between member agencies of the SBWMA and private collector(s) beginning in January 2011; and
2. Directed the Director of Public Works to contact and advise known homeowner associations or advisory agencies in the unincorporated areas within the SBWMA service area that currently do not receive franchise garbage collection services of the criteria that will be used to define the garbage collection services that will be provided in their area, and to explain the difference between franchised and non-franchised garbage collection.

History

The SBWMA owns and contracts for the operation of the Shoreway Recycling and Disposal Center (SRDC) in San Carlos, and also manages the debt service related to the facilities. Each member agency has its own franchise agreement with Allied for garbage collection services within their jurisdictions; and the SBWMA provides coordinated waste management related staff services to the member agencies including rate review and recycling program services.

The SBWMA, in February 2006, initiated a five and one half (5-1/2) year contractor selection process on behalf of its member agencies that can result in new franchises for garbage collection services in each member agency's area effective January 1, 2011. They are also developing a new contract for the operation of the SRDC that would commence on January 1, 2011.

Garbage service in CSA8 is provided via a franchise agreement between the County and Allied; and garbage service in the unincorporated areas of West Menlo Park, Menlo Oaks, and Ladera is provided via a franchise agreement between Allied and the West Bay Sanitary District. It is envisioned that the County and West Bay will negotiate new franchise agreements for these respective areas.

However, there are currently unincorporated areas in the SBWMA service area that receive Collection Services by Allied, but are not covered by a franchise agreement. They include Burlingame Hills, San Mateo Highlands and Baywood Park (Crystal Springs area), Harbor Industrial, Devonshire Canyon, Palomar Park, Oak Knoll, Kensington Square, Emerald Lake Hills, and the Sequoia Tract. These areas will be included in the upcoming franchise agreement.

Pursuant to your Board's direction, staff has contacted and advised known homeowner associations or advisory agencies in the unincorporated areas within the SBWMA service area that currently do not receive franchise garbage collection services of the criteria that will be used to define the garbage collection services for their area, and to explain the difference between franchised and non-franchised garbage collection.

Discussion

All SBWMA Member Agencies voted affirmatively to participate in the RFP process. Several of the Member Agencies agreed to participate in the RFP process contingent on special service needs (i.e., Atherton and Hillsborough) being addressed, retaining the right to initiate their own RFP process (i.e., Belmont) and stating concerns regarding the intent of some portions of the contract terms (i.e., West Bay Sanitary District).

Following the SBWMA Member Agency approvals, SBWMA staff has prepared numerous drafts of the RFP documents. The draft documents have evolved over the past several months based on substantial input from a technical review committee of consultants, potential providers, SBWMA Board members, Member Agency staff, and outside legal counsel for SBWMA. SBWMA staff also toured some of the largest material recovery facilities (MRF) in California and nationally to gather further information. The net effect of this input is that SBWMA staff has made some changes to reduce the complexity of the RFPs (both collection and operations) while maintaining the same set of proposed programs and services previously approved. The changes are described later in this report.

With regard to the RFP process, the SBWMA Board on April 26, 2007 approved a preferred master plan for the SRDC so SBWMA staff could move forward with

permitting and design work on significant site improvements required for the new solid waste and recycling collection services to be rolled out in late 2010/early 2011. They include transfer station building retrofits, new MRF building construction, traffic circulation improvements, new recycling sorting equipment, etc. The approved master plan was incorporated as a Site Plan into the draft SRDC Operations RFP. The recommended facility improvements must be permitted, designed, and constructed in time for the rollout of the new services.

On June 28, 2007 the SBWMA Board approved the draft Collection RFP and Agreement and the draft SRDC Operations RFP and Agreement. The next step in the RFP process is for Member Agencies to reaffirm their approval of the programmatic details and contract terms, including approval of the changes recommended by SBWMA staff as explained towards the end of this report.

After receiving Member Agency approvals and any recommended changes to the draft RFPs and Agreements, the documents will be brought to the October 25, 2007 SBWMA Board meeting for final approval. A Board vote at that meeting requires that all Member Agency approvals are completed by September 28, 2007. SBWMA staff will finalize the documents based on Member Agency approvals and input received by September 28th. Shortly after SBWMA Board approval, the approved documents will be released to proposers. Ultimately each Member Agency could make a separate selection of providers, negotiate any parts of the template agreement, and sign separate agreement. However, the County unincorporated areas are much smaller than the adjacent cities and we intend to recommend the same service provider as the neighboring cities to facilitate operations. The County will still have the option to negotiate any part of the template agreement for the range of services that will ultimately be provided.

Schedule

The next steps in RFP process are outlined in the following schedule:

July – September 28, 2007	Member Agency approval of draft Collection RFP and Agreement and draft SRDC Operations RFP and Agreement (“RFP documents”). All Member Agency approvals and comments to be completed by September 28, 2007.
October 18, 2007	SBWMA staff sends out Board packet with final “RFP documents.”
October 25, 2007	SBWMA Board meeting to consider staff recommendation to approve release of the final “RFP documents.”
November 1, 2007	SBWMA release of the final “RFP documents.”
December 2007	Conduct mandatory pre-proposal conferences.

February / March 2008	Proposals due.
March – July 2008	Review of Proposals, Proposer Interviews, and Selection.
August – September 2008	SBWMA Selection of Contractor(s).
October – December 2008	Member Agency Selection of Contractor(s).
January – March 2009	SBWMA and Member Agencies complete negotiations with contractor(s).
April - June 2009	Member Agencies approve negotiated Agreements*.
January 1, 2011**	Contractor(s) commences rollout of services.

* The SRDC Operations Agreement is subject to approval of two-thirds of the Member Agencies whereas the Collection Agreements are unique to each Member Agency and subject to approval by each Member Agency.

** Services may be rolled out sooner if an alternative rollout schedule is negotiated.

The SBWMA Board approved draft Collection RFP and Agreement and draft SRDC Operations RFP and Agreement reflect some changes to the original core services and contract term recommendations initially proposed by the SBWMA Board and Member Agencies. These changes were notably driven by extensive input received from potential proposers. The changes primarily relate to making the RFP documents simpler (as summarized in the following section) in an effort to ensure that they are more reasonable and manageable for proposers to respond to and eventually provide the services requested. While simpler, the draft Collection RFP still remains highly complex given the large size of the SBWMA service area and magnitude of the rollout of new services, customization of services for Member Agencies, and potential for some Member Agencies to opt out of the process.

Summary of Changes to the Collection RFP

The key changes to the original SBWMA recommendations for Collection Services relate to the following areas:

1. Expanding the residential core recycling services to include used oil collection, battery and cell phone collection and food scraps (to be commingled with plant materials); these programs were originally listed as optional programs.
2. Expanding the commercial core recycling services to include multi-family and commercial technical assistance; these programs were originally listed as optional programs.
3. Developing separate and distinct scope of services to meet unique Member

Agency needs. For example, the Town of Hillsborough has a unique scope that all potential proposers will be required to address.

4. Removing ancillary services (listed under Optional residential and/or commercial collection programs) such as on-call household hazardous waste, universal waste and Sharps from the Collection RFP so they can be addressed through a separate SBWMA procurement. Member Agencies can still decide whether or not to add these services to their franchise Agreement.
5. Addressing significant SBWMA staff and proposer concerns regarding the improbability of a successful rollout of new programs and services in one-day, on January 1, 2011, at the expiration of the existing contract. Staff has included direction in the Collection RFP to solicit proposals for a phased rollout starting July 1, 2010 ("alternative start date") or a phased rollout after January 1, 2011.
6. Simplifying the contractor compensation methodology from a hybrid cost-plus/fixed-price compensation methodology to pursue a more typical industry standard fixed-price model with annual "cost of living" adjustments. Very few communities currently use a cost-plus compensation methodology for solid waste collection and recycling services. The proposed compensation process eliminates detailed annual rate reviews so that contractor's compensation will not be "trued up" to contractor's actual costs (with the exception of an annual cost reconciliation related to actual tonnage collected and actual disposal and processing costs). Elimination of the detailed annual rate review will dramatically reduce consultant expenses for this activity beginning in 2011. Also, this fixed price model should result in far greater rate stability and predictability compared to the current cost plus approach.
7. Requiring all proposers to use the same operational assumptions for key items such as residential cart sizes, use of new collection vehicles for core services and use of new commercial collection containers when preparing their proposals. These assumptions are for the purposes of obtaining comparable cost proposals from proposers. Member Agencies still retain the right to establish cart sizes for residents, use of used equipment, etc, as part of the final negotiated scope of services and costs with their selected contractor.
8. The term of Collection Agreement was recommended as a seven-year term but has now been changed to a 10-year agreement term. This modification has been made to reflect a more standard amortization schedule for the primary equipment used to provide collection services. In addition, based on the fixed-price compensation methodology and no need for an annual rate review, a longer contract term provides Member Agencies with a longer time frame for rate stability and extends the time that the next procurement or negotiation cycle will occur.
9. Adjusted the "Acceptable Materials" list for the curbside recycling collection

program to exclude some small scrap metal types that pose a problem to sorting equipment (i.e., small appliances, hand tools, automotive parts, chain, wire, and banding).

Summary of Changes to the SRDC Operations RFP

1. Similar changes as in the Collection RFP to simplify the compensation methodology.
2. Similar change as in the Collection RFP to change the term from seven years to ten years.
3. Contractor will oversee MRF processing equipment installation and startup prior to the expiration of the existing Operating Agreement.
4. All proposers are required to bid new equipment for rolling stock and transfer vehicles for the purposes of preparing cost proposals. SBWMA may later negotiate with the selected contractor for the use of some used equipment.

The final Collection RFP and Agreement will evolve through the procurement process as proposers raise questions and the SBWMA issues RFP addenda, as contract negotiations take place with selected contractor(s), and the final Agreements are approved. Ultimately, each Member Agency will approve its final Collection Agreement with the selected contractor(s).

The SRDC Operations RFP and Agreement similarly will undergo change throughout the competitive procurement process. The final SRDC Operating Agreement will be subject to approval by two-thirds of the SBWMA Member Agencies.

A resolution has been approved as to form by County Counsel.

Fiscal Impact

Solid waste and recyclables collection services and the operation of the Shoreway Recycling and Disposal Center are funded through the rates paid by customers. No change in the franchise fee is recommended as part of the RFP process. There is no impact to the General Fund.

- Enclosures:
1. Draft RFP for Collection Services;
 2. Draft Uniform Franchise Agreement for Solid Waste, Recyclable Materials, and Organic Materials Collection Services;
 3. Draft RFP for the Operation of the SRDC; and
 4. Draft Agreement for the Operation of the SRDC.

JCP:BCL:JL:

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cc: Kevin McCarthy, SBWMA Executive Director

Resolution No. _____

Board of Supervisors, County of San Mateo, State of California

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**Resolution of Approval of the South Bayside Waste Management Authority
Collection and Operations RFPS and Agreements**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, the South Bayside Waste Management Authority (SBWMA) is a joint powers authority between the cities of Belmont, Burlingame, East Palo Alto, Foster City, Menlo Park, Redwood City, San Carlos, and San Mateo; the towns of Atherton and Hillsborough; the West Bay Sanitary Service; and, the County of San Mateo; and

WHEREAS, the SBWMA is planning to request and shall receive proposals for the collection, processing, and transfer of solid waste, recyclable materials, and organic materials within the jurisdiction of the SBWMA; and

WHEREAS, the County of San Mateo has reviewed the solid waste, recyclable materials, and organic materials collection programs; the Shoreway Recycling and Disposal Center scope of services; and the contract terms in the draft Collection Agreement and Operating Agreement, and

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Board of Supervisors:

1. Approves of the solid waste, recyclable materials, and organic materials collection programs outlined in the SBWMA's August 2, 2007 draft Request for Proposals for Collection Services;
2. Approves, in concept, the general contract terms that are included in the template for the SBWMA's August 2, 2007 draft Uniform Franchise Agreement for Solid Waste, Recyclable Materials, and Organic Materials Collection Services, with the understanding that the details of the actual contract will be negotiated and agreed upon by and between the parties;
3. Approves the scope of services included in the SBWMA's August 2, 2007 draft Request for Proposals for the Operation of the Shoreway Recycling and Disposal Center; and
4. Approves, in concept, the general contract terms that are included in the template for in the SBWMA's August 2, 2007 draft Agreement for the Operation of the Shoreway Recycling and Disposal Center, with the understanding that the details of the actual contract will be negotiated and agreed upon by and between the parties.

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**Supervisor Rich Gordon
Board of Supervisors**

Memo

TO: Members, Environmental Quality Committee
FROM: Chair Rich Gordon
Date: August 7, 2007
Re: Sierra Club Cool Counties Program

RECOMMENDATION:

It is recommended that the Environmental Quality committee direct staff to review the draft Cool Counties Declaration in order to prepare it for discussion and adoption at a future Board of Supervisors meeting.

BACKGROUND:

The Sierra Club, in a continuing effort to encourage government agencies to reduce their impact on global warming, has recently announced a greenhouse gas (GHG) emissions reduction initiative called 'Cool Counties'. This initiative follows a similar effort that was launched over a year ago that was aimed at cities across the country, aptly titled 'Cool Cities.' These programs together comprise the leading edge of the Sierra Club's governmental effort to address Climate Change.

The Cool Counties Declaration consists of three elements: reduce local GHG emissions, reduce regional GHG emissions and urge federal action to reduce GHG emissions. These elements are all encapsulated in the draft Declaration statement that has been supplied by the Sierra Club for the County to review.

While the regional and Federal Government elements are important to the overall success of the initiative, the bulk of the effort remains local. In order to achieve our local emissions reductions the Cool Counties initiative lays out four steps that the County is recommended to follow:

1. Conduct a baseline emissions inventory that will establish our current emissions level.
2. Adopt an emissions reduction target, suggested to be 80% below current levels by 2050.
3. Develop and implement a Cool Counties Climate Stabilization Plan that will get us to our

target reduction level.

4. Monitor and verify results to ensure that we meet our goals.

The plan as laid out by the Sierra Club includes many guidelines and suggested actions that the County might take to achieve reductions, but does not mandate a particular course be taken in order to be considered a 'Cool County.' To this end, we have the ability to adjust our Cool Counties plan to meet our own needs and effectively address our unique opportunities as well as challenges in emissions reduction.

The initiative was rolled out with the support of 12 founding member Counties under the leadership of King County (WA), Fairfax County (VA), and Nassau County (NY). Additional counties continue to adopt and sign the Declaration and the local Loma Prieta Sierra Club Chapter has been encouraging the County of San Mateo to sign on as soon as possible.

As a committee we will continue to formulate a GHG emissions reduction strategy for the County going forward, but this Declaration provides an excellent first step without setting too daunting a target. By moving forward as a Cool County we will send a strong message that we are a leader in the growing global movement to actively address global warming.