

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE,
CALIFORNIA, AWARING AN AGREEMENT BETWEEN SELECTED
COMMERCIAL HAULERS AND THE CITY OF COMMERCE**

WHEREAS, on February 6, 2018, staff presented a report to the City Council regarding the State-mandated Commercial Recycling Program regulations and CalRecycle enforcement order, the City's efforts to comply, and the need to revise its Municipal Code to improve upon the City's refuse and recycling management system; and

WHEREAS, Council authorized the issuance of a 5-year Notice to all Commerce-licensed refuse haulers of the City's intent to solicit proposals and award semi-exclusive agreements to no more than 12 haulers; and

WHEREAS, a Request for Proposals (RFP) and agreement template was released on June 5, 2018; and

WHEREAS, twelve (12) bids were received on August 13, 2018 and analyzed; and

WHEREAS, it was determined that six (6) companies were the most responsive to the City's needs and scope of services required and achieved a score of 80 or higher; and

WHEREAS, there are currently 15 companies providing such services in Commerce; and

WHEREAS, the RFP stated "The City reserves the right to select less than 12 companies for a semi-exclusive agreement and to further negotiate the terms and conditions of the contract" (page 2); and

WHEREAS, staff recommends approving a Resolution to award a Semi-Exclusive Agreement for Commercial Refuse and Recycling Services to the following companies:

1. AAA Rubbish, Inc.
2. Waste Management
3. Calmet
4. NASA Services
5. Haul Away Rubbish Service Company, Inc.
6. Universal Waste
7. Republic Services
8. Athens

WHEREAS, an additional seven (7) companies, not under an agreement, may continue to operate per Public Resources Code Section 49520 for 5-years from the date of notification to the haulers; and

WHEREAS, as a result, on March 7, 2018, the City issued a 5-year Notice of Intent to Authorize Semi-Exclusive Solid Waste Handling Services within the City of Commerce to City-licensed refuse haulers with an expiration of April 1, 2023 or sooner if the hauler does not comply with all applicable business license and Commerce Municipal Code regulations including providing and reporting commercial recycling service activities; and

WHEREAS, since the hauler fee has not been increased since 2010, staff also recommends adjusting the hauler license fee from 11% to 15% of gross receipts for all licensed haulers operating in the City.

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY RESOLVE,
DECLARE AND DETERMINE AS FOLLOWS:

Section 1. The City Council hereby approves the execution of said Agreements and adjusted hauler fee of 15% of gross receipts applicable to all licensed haulers.

Section 2. The Mayor is authorized to execute the resolution for and on behalf of the City of Commerce.

PASSED, APPROVED AND ADOPTED this 2nd day of October, 2018.

Hugo A. Argumedo
Mayor

ATTEST:

Lena Shumway
City Clerk