



MEMORANDUM

TO: Mayor and Council Members

FROM: James Scarboro, Purchasing Officer

DATE: April 8, 2020

SUBJECT: Additional Backup on Item no. 17, for Residential Dumpster Collection Services, on the April 9, 2020 Council Meeting Agenda

This memo provides additional backup on Item no. 17, on the April 9, 2020, Council Meeting Agenda, to authorize a contract with Texas Disposal Systems, Inc., to provide Residential Dumpster Collection Services.

Landfill Criteria Matrix

In March 2017, Council approved Resolution No. 20170323-055 to form a Waste Management Policy Working Group (“Working Group”) to examine waste management and biosolids policy issues, and contracts. The Working Group recommended the development of criteria in the form of a matrix to help identify Landfill Operators eligible for City contracts involving City-controlled waste.

Lead by the Austin Resource Recovery Department, with input from the Zero Waste Advisory Commission, the Water and Wastewater Commission and a number of City departments, the Matrix was developed to ensure that landfill operators and haulers competing for City contracts were adhering to best operational practices relating to carbon footprint, environment, safety, community impact, and social equity. After the Matrix was completed, staff issued a Request for Information on January 29, 2019, inviting submissions from landfill operators to evaluate their facilities for future inclusion in City solicitations. At the conclusion of this first application of the Matrix, staff determined that three (3) landfills were eligible to receive City-controlled waste.

Clarification from Council

On February 20, 2020, staff brought an item to Council, Item no. 37, to authorize a short-term contract for waste collection at City facilities. Because this item dealt with the collection of waste, staff applied the Matrix requirement to the recommended contract.

When considering this item however, Council clarified that the Matrix was not consistent with their policy direction, stating specifically that the Austin Community Landfill (ACL), one of the eligible landfills according to the Matrix, was not to be used. As a result, staff excluded any reference to the Matrix or the use of the ACL from the subsequent short-term contracts, as well as the eventual solicitation seeking a longer-term contract for waste collection at City facilities.

This Item

The contract recommended in this item is the result of solicitation no. IFB 1500 SLW1028. This solicitation published on September 16, 2019 and closed October 22, 2019. In the Solicitation, the City limited the landfills that offerors could include in their bids to those deemed eligible under the Matrix. The landfill bid by the recommended contractor was eligible under the Matrix.

Despite the inclusion of the Matrix in the solicitation, Staff are continuing to bring this item forward because the recommended contract does not include the use of the ACL – consistent with Council's February 20, 2020 clarifications.

Staff have communicated with the recommended contractor our intention to clarify the contract after its executed, to specifically identify their landfill as being allowable under the contract. Staff does not view Council's authorization of this contract as approving or condoning the Matrix, or its further use. Staff acknowledges that the Matrix does not currently reflect Council's policy and that we do not intend to apply it without further direction.

Should you have any questions or would like any additional information concerning this item feel free to contact me by email (james.scarboro@austintexas.gov) or by phone (512-974-2050).

cc: Spencer Cronk, City Manager
Nuria Rivera-Vandermyde, Deputy City Manager
Christopher Shorter, Assistant City Manager
Ken Snipes, Director, Austin Resource Recovery
Elaine Hart, Chief Financial Officer
Greg Canally, Deputy Chief Financial Officer