

RESOLUTION NO. 2017 - 27

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA
APPROVING THE JOINT REQUEST FOR PROPOSAL (RFP) AND NEW FRANCHISE AGREEMENT**

WHEREAS, the San Benito County Integrated Waste Management Regional Agency (“Regional Agency”) is comprised of the City of Hollister, City of San Juan Bautista and the County of San Benito and is a joint powers authority established in 1995 to cost effectively coordinate all integrated waste management programs within the guidelines imposed by the California Integrated Waste Management Board (CalRecycle); and

WHEREAS, the RA Members have a joint franchise agreement with Recology which resulted from an 18-month joint competitive procurement process conducted in 2006/2007 between the County, Hollister and San Juan Bautista which agreed to have one joint franchise agreement with a one contractor. Previously, the three jurisdictions each had separate franchise agreements; and

WHEREAS, as noted in the recitals to the franchise agreement, "the RA Members determined to offer proposers this exclusive agreement with respect to each of their jurisdictions to offer the Contractor economies of scale and increase contract administration efficiency and reduced contract administrative cost"; and

WHEREAS, in 2007, the Regional Agency Members approved the current joint franchise agreement with Recology for an eight-year term (November 20, 2007 to June 30, 2015); and

WHEREAS, the franchise agreement had an option for a three-year term extension (June 30, 2015 to June 30, 2018) and that extension was approved in September 2014. Therefore, the current Agreement expires June 30, 2018; and

WHEREAS, the Regional Agency completed a review of the current joint Franchise Agreement between the City of San Juan Bautista, City of Hollister and San Benito County and Recology San Benito County through a Franchise Agreement Ad Hoc Committee with representation from all three RA Members at meetings held on March 9th, May 14th and June 28th; and

WHEREAS, the Regional Agency Members seek to maintain a joint, coordinated effort to conduct a competitive RFP process and contractor selection process; and

NOW, THEREFORE, BE IT RESOLVED that the City of San Juan Bautista hereby approves this resolution acknowledging and approving the RFP and new franchise agreement:

1. Approve the RFP for soliciting and evaluating proposals from companies interested in providing collection, and processing services to the RA Member Agencies and selecting a contractor(s).
2. Approve the new Franchise Agreement (and its scope of services) to be provided to RA Members by the future collection contractor, which includes updated and improved contract terms and conditions. The final negotiated Agreement will be presented to the City Council for final approval.
3. Approve release of the RFP documents in substantially the same form as presented. (If other RA Members make substantive or non-administrative changes to the RFP documents then the RFP documents will be brought back to the city council for consideration for approval.)

PASSED AND ADOPTED, by the City Council of the City San Juan Bautista at a regular meeting held on this 15th day of August, 2017, by the following vote:

AYES: Martorana, Boch, Freeman, DeVries, West

NOES: None

ABSTAINED: None

ABSENT: None

Chris Martorana, Mayor

ATTEST:

Trish Paetz, Deputy City Clerk