



## Legislation Text

---

**File #:** 24-289, **Version:** 1

---

Adopt a Resolution to Approve and Authorize the City Manager to Execute Amendment No. 2 for \$20,000 to a Consulting Services Agreement with HF&H Consultants, LLC for Technical Assistance with the Procurement Process for Solid Waste, Recyclables, and Organics Services

### **COUNCIL PRIORITY**

- Sustainability & Resiliency

### **SUMMARY**

Amendment No. 2 will increase the scope of an existing agreement to add additional meetings, negotiations, and analysis as well as increase the fee by approximately 5% to cover the cost of these services.

### **RECOMMENDATIONS**

Staff recommends approval of the amendment and authorization for the City Manager to execute the same.

### **BACKGROUND**

Efficient and dependable solid waste collection, processing, and disposal is a core function of government and is necessary for public and environmental health. The City is responsible for solid waste, recyclables, and compost collection within approximately 60% of the City that is served by the City's sanitary sewer collection system. The Oro Loma Sanitary District oversees solid waste, recyclables, and compost collection for the balance of City residents and businesses.

Within the City's solid waste collection area, the City has an agreement with Alameda County Industries (ACI) for solid waste, recyclables, and compost collection, processing, and disposal that was initiated in February 2000 and will expire at the end of January 2025. A new contract is needed for service after that date.

The contracts for solid waste services are detailed and highly technical. To ensure the new contracts contain legally appropriate language and compliant fees, and to advise upon the solid waste services procurement process, the City hired HF&H to assist with two distinct phases of this effort. Phase 1 was development of the request for proposals (RFP). Phase 2 was publishing the RFP, evaluating the proposals, and negotiating the contracts.

### **Analysis**

Discussions while preparing a request for proposals led to an evaluation of the City's franchise and permit fees for solid waste collection and transfer stations that was unanticipated when the original

scope was prepared. This evaluation included analysis of existing fees and meetings to discuss findings and options. This work was necessary to both comply with current legislation regarding fees and to accurately specify the fees in the RFP. Only some of the analysis was captured in this contract; in November 2023 a standalone CSA with a fee of \$75,000 was executed with HF&H for further evaluation.

Negotiations for collection and post collection services resulted in three rounds of comments and review meetings for each contract beyond the two rounds that were included in the original scope. This work was necessary to successfully conclude negotiations.

At the time these discussions and negotiations occurred staff believed that the cost could be covered by contingency included in the original agreement combined with cost savings on other tasks. However, as the City nears the end of the project it has become apparent that contingency and cost savings cannot cover all of the cost for the additional work. The remaining costs, \$20,000, represent an increase of approximately 5% to the existing contract.

### **Previous Actions**

- On 2/6/2022 by Resolution No. 2023-009, the City Council approved a CSA with HF&H for phase 1 of this project
- On 7/17/23 by Resolution No. 2023-101, the City Council approved Amendment 1 to the CSA with HF&H to add phase 2 scope to the agreement

### **Financial Impacts**

Sufficient funds are included in the Fiscal Year 2024-2025 General Fund budget for these consultant services:

- General Fund-Administration, Account 010-17-001-5120: \$50,000

This Council action will not impact fund balance because there are funds available in the FY2024-2025 adopted budget.

### **ATTACHMENTS**

Att A: Resolution HF&H Amendment 2

Att B: Scope and Fee for HF&H Amendment 2

Att C: Executed HF&H Amendment 1

Att D: Scope and Fee for HF&H Amendment 1

Att E: Original CSA between City and HF&H

**PREPARED BY:** Nick Thom, Assistant Public Works Director