

RESOLUTION NUMBER R- 298168

ADOPTED ON JUL 14 2003

RESOLUTION OF THE CITY OF SAN DIEGO AUTHORIZING
SECOND AMENDMENT TO THE AGREEMENT BETWEEN
THE CITY OF SAN DIEGO AND IMS RECYCLING SERVICES
AND ALLAN COMPANY FOR PROCESSING, TRANSPORTING,
AND MARKETING COMMINGLED CURBSIDE RECYCLABLES

WHEREAS, the City of San Diego [City] is required by California state law to reduce the amount of solid waste disposed in landfills by 50% and to make a good faith effort to implement programs as described in the City's Source Reduction and Recycling Element; and

WHEREAS, the City's Environmental Services Department [ESD] provides a comprehensive residential curbside recycling program to divert household recyclables from the City's wastestream, which program services over 275,000 households and currently collects newspaper, mixed wastepaper, cardboard, glass containers, aluminum containers, tin and metal containers, and plastic containers (PET and HDPE plastic); and

WHEREAS, for calendar year 2002, this program diverted 68,000 tons of material from the landfill, saving the General Fund over \$2 million in disposal costs, and bringing in over \$1.5 million in revenue to offset the cost of the collection of the recyclables; and

WHEREAS, ESD required a contractor to process, transport and market the materials collected in the curbside recycling program and, on October 19, 1998, entered into the Agreement Between the City of San Diego and IMS Recycling Services and Allan Company[collectively referred to as Contractor] for Processing, Transporting and Marketing

Commingled Curbside Recyclables, which is on file in the Office of the City Clerk as Document RR-290886 [Agreement]; and

WHEREAS, the City and the Contractor subsequently entered into the First Amendment to the Agreement, in order to allow the City time to complete an audit of the Contractor and determine whether to exercise its first option to renew the Agreement for a one-year period; and

WHEREAS, the City conducted an audit of the Contractor and determined that the Contractor is acting in good faith in their marketing, reporting and payment activities; and

WHEREAS, a third-party consultant has found the Agreement to be above average in comparison to other, similar curbside processing contracts in reference to the revenue received, secure market pricing, low risk-sharing, state of the art technology, location of the facilities, and good working relationship with the Contractor; and

WHEREAS, the first option to renew was exercised, and the current term of the Agreement ends on December 13, 2004; and

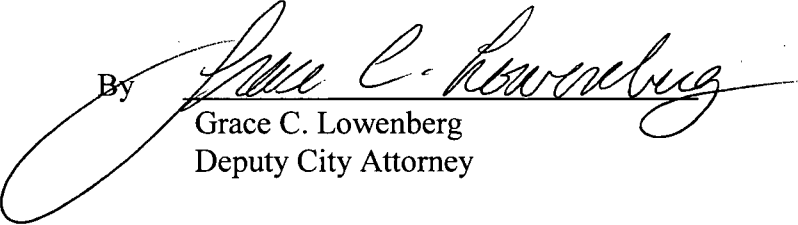
WHEREAS, the City and the Contractor negotiated certain amendments to the Agreement which result in even more favorable terms for the City; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Manager is hereby authorized to execute, for and on behalf of the City, a Second Amendment to the Agreement Between the City of San Diego and IMS Recycling Services and Allan Company for Processing, Transporting and Marketing Commingled Curbside Recyclables [Second Amendment], in the form of the Second Amendment, on file in the office of the City Clerk as Document RR- 298168.

BE IT FURTHER RESOLVED, that revenue received under the Second Amendment shall be deposited into Recycling Fund No. 41210.

APPROVED: CASEY GWINN, City Attorney

By


Grace C. Lowenberg
Deputy City Attorney

GCL:mb
04/15/03
Aud.Cert:N/A
Or.Dept:ESD
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