

RESOLUTION NUMBER R- 312010

DATE OF FINAL PASSAGE OCT 22 2018

ITEM # 331  
10/16/18

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING A SEVENTH AMENDMENT TO THE AGREEMENT WITH IMS RECYCLING SERVICES AND ALLAN COMPANY FOR PROCESSING, TRANSPORTING AND MARKETING COMMINGLED CURBSIDE RECYCLABLES.

WHEREAS, the City of San Diego (City) requires the continued services of a contractor to process, transport, and market the recyclable materials collected in the City’s curbside recycling program; and

WHEREAS, in October 1998, after completion of a competitive request for proposal process, the Council of the City of San Diego (Council) authorized a revenue-generating agreement with IMS Recycling Services and Allan Company (Contractor) to process, transport, and market the recyclables collected by the City in its curbside recycling program (Agreement); and

WHEREAS, pursuant to the Agreement, the Council authorized five subsequent amendments to modify and extend the Agreement; and

WHEREAS, the Sixth Amendment modified the Agreement to adjust the revenue sharing provisions, in order to address Contractor’s material and adverse processing or operational cost increases, in accordance with Section 3.0, subsection 3.15 of the Agreement, due to mandatory state and local minimum wage increases; and

WHEREAS, the City and Contractor have negotiated certain amendments to sections of the Agreement, in order to address Contractor’s material and adverse processing or operational cost increases, in accordance with Section 3.0, subsection 3.15 of the Agreement, due to China’s implementation of its National Sword policy, which banned the importation of certain recyclable

commodities, particularly mixed paper, plastics and metals; imposed unprecedented lower allowances for contaminants that are much stricter than international standards; and significantly cut back on the import volume and increased inspections of recyclable commodity imports; and

WHEREAS, on September 13, 2018, the Environmental Committee unanimously recommended approval of this item; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Mayor or his designee is authorized to execute, for and on behalf of the City, a seventh amendment to the Agreement with IMS Recycling Services and Allan Company to process, transport, and market recyclable materials collected in the City's curbside recycling program, under the terms and conditions set forth in the Seventh Amendment, on file in the Office of the City Clerk as Document No. RR- 312010.

APPROVED: MARA W. ELLIOTT, City Attorney

By Shannon M. Thomas  
Shannon M. Thomas  
Senior Deputy City Attorney

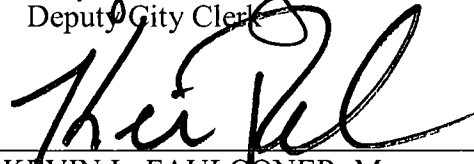
SMT:als  
09/14/2018  
Or.Dept: ESD  
Doc. No.: 1836080

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 16 2018.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 10/22/18  
(date)

  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on OCT 16 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 22 2018

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By Aty Brady, Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 312010