

RESOLUTION NO. 3416-17

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR APPROVING NON-EXCLUSIVE TEMPORARY CONSTRUCTION AND DEMOLITION DEBRIS COLLECTION SERVICE AGREEMENTS WITH INDUSTRIAL WASTE & DEBRIS BOX RENTALS, INC. DBA: INDUSTRIAL CARTING, M&M SERVICES, INC. DBA: PACIFIC SANITATION, RECOLOGY SONOMA MARIN, AND SONOMA COUNTY RESOURCE RECOVERY, LLC BEGINNING JANUARY 1, 2018 AND AUTHORIZING THE TOWN MANAGER TO EXECUTE ON BEHALF OF THE TOWN

WHEREAS, on September 6, 2017, the Town issued an Request For Proposal for Non-Exclusive Temporary Construction and Demolition Debris Collection Services; and

WHEREAS, on October 15, 2017, the Town received Applications (proposals) from the following 4 companies: Industrial Waste & Debris Box Rentals, Inc. dba: Industrial Carting, M&M Services, Inc. dba: Pacific Sanitation, Recology Sonoma Marin, and Sonoma County Resource Recovery, LLC; and

WHEREAS, the initial term of the franchise will be for 7 years with the Town's option to extend for one 3-year extension for a maximum of 10 years; and

WHEREAS, the maximum cost of the procurement process will be \$45,000 and the 4 applicants have signed the Non-Exclusive Temporary Construction and Demolition Collection Service Agreement which contains the requirement that each Franchisee to make a payment of \$11,250 to the Town to reimburse the Town for its expenses related to the procurement process; and

WHEREAS, each franchisee will pay 10% franchise fee of all gross revenues made monthly; and

WHEREAS, the evaluation team completed its evaluation of the four Applications and found the Applications to adhere to the requirements of the RFP process; and

WHEREAS, the services that are the subject of the proposed award are a continuation of services presently provided to the Town and do not constitute new services; and

WHEREAS, Industrial Waste & Debris Box Rentals, Inc. dba: Industrial Carting, M&M Services, Inc. dba: Pacific Sanitation will use existing facilities owned and operated by the company; and

WHEREAS, Recology Sonoma Marin, and Sonoma County Resource Recovery, LLC will use an existing facility owned and operated by the County of Sonoma.

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Windsor does resolve as follows:

1. The Recitals above are true and correct and are incorporated herein by reference.

2. The use of existing facilities by the 4 proposed franchisees will not have a significant impact on the environment, and Council therefore finds that the award of the franchise to these franchisees is exempt from California Environmental Quality Act (CEQA) review pursuant to the “existing facilities” exemption in CEQA Guidelines Section 15301.
3. The Town of Windsor Franchise for Temporary Construction and Demolition Debris Collection Services for the period January 1, 2018 through January 1, 2025, is hereby awarded to Industrial Waste & Debris Box Rentals, Inc. Db: Industrial Carting, M&M Services, Inc. Db: Pacific Sanitation, Recology Sonoma Marin, And Sonoma County Resource Recovery, LLC.
4. The Collection Service Agreements thereto, with Industrial Waste & Debris Box Rentals, Inc. Db: Industrial Carting, M&M Services, Inc. Db: Pacific Sanitation, Recology Sonoma Marin, And Sonoma County Resource Recovery, LLC, substantially in the form attached to the accompanying agenda report, is hereby approved, with only such changes as do not materially increase the Town’s liability thereunder and which are approved by the Town Attorney.
5. The Town Manager is hereby authorized to execute an Agreement with Industrial Waste & Debris Box Rentals, Inc. Db: Industrial Carting, M&M Services, Inc. Db: Pacific Sanitation, Recology Sonoma Marin, And Sonoma County Resource Recovery, LLC, substantially in the form attached hereto, with such non-material changes as are approved by the Town Attorney, and to take such other and further action as is necessary and appropriate to carry out the intent of this Resolution.
6. Each section, subsection, clause, sentence, phrase, and other portion of this Resolution is severable, and the Town Council declares that it would have adopted this Resolution and each section, subsection, clause, sentence, phrase or other portion hereof, irrespective of the fact that one or more sections, subsections, clauses, sentences, phrases, or other portions hereof may be held invalid or unconstitutional.

7. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 6th day of December 2017, by the following vote:

AYES: COUNCILMEMBERS FUDGE, MILLAN, SALMON
VICE MAYOR FOPPOLI AND MAYOR OKREPKIE
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE


BRUCE OKREPKIE, MAYOR

ATTEST:


MARIA DE LA O, TOWN CLERK