


CITY COUNCIL ACTION REQUEST

Department(s): Environmental Services	CEQA: Not a Project, File No. PP17-002, Consultant services for design, study, inspection, or other professional services with no commitment to future action	Coordination: City Attorney’s Office, City Manager’s Budget Office	Dept. Approval: /s/ Kerrie Romanow
Council District(s): City-Wide			CMO Approval:  2/18/2022

SUBJECT: AMENDMENT TO THE AGREEMENT WITH STEARNS, CONRAD AND SCHMIDT CONSULTING ENGINEERS, INC. FOR RESIDENTIAL SOLID WASTE CHARACTERIZATION SERVICES

RECOMMENDATION:

Adopt a resolution authorizing the City Manager to negotiate and execute an amendment to the Consultant Agreement for waste characterization services with Stearns, Conrad and Schmidt Consulting Engineers, Inc., doing business as SCS Engineers, to extend the term of the Agreement through December 31, 2022 and increase the compensation to an amount not to exceed \$975,000.

BASIS FOR RECOMMENDATION:

The Environmental Services Department (ESD) provides solid waste and recycling services to all residences in San José through two contracted service providers: 1) California Waste Solutions (CWS); and 2) GreenTeam of San José (GT). Amended and Restated Agreements with CWS and GT were executed in Fiscal Year 2020-2021 and expire June 30, 2036. These Agreements include performance standards based on information obtained by the City from waste characterizations of Material Recovery Facilities (MRFs) processing residue, customer satisfaction surveys, and bi-annual studies of single-family dwelling (SFD) recyclables (Curbside Study) to determine contractor compensation.

The CWS and GT Agreements require a bi-annual Curbside Study of non-recyclable material found in SFD recycling carts to determine appropriate contractor compensation. CWS Agreement Section 17.4.1 (Every-Other-Year Assessment of Recyclable Material) and GT Agreement Section 20.4.1 (Every-Other-Year Assessment of Recyclable Material) state that the contractor’s applicable compensation rate for SFD recycling service will be determined by an assessment of recyclable material collected by the contractor. This assessment will be performed once every two fiscal years by a third-party consultant to determine the percentage of material not on the then-current program recyclables list, by weight, present in recyclable material collected by contractor. The same third-party consultant retained by the City to conduct the annual MRF assessment will perform this study as stated in CWS Agreement Section 16.2 and GT Agreement Section 19.2. Additionally, CWS Agreement Section 17.4.2 (Recyclables Studies) and GT Agreement Section 20.4.2 (Recyclables Studies) state that the results of these studies will be used to determine the applicable compensation rate for SFD recycling service effective for the following two fiscal years. The compensation rates correspond to the percent of material not on the recyclables list.

SCS Engineers is ESD’s existing third-party consultant that was selected through a competitive Request for Proposal process to provide waste characterization services in Fiscal Years 2019-2020 through 2021-2022. During this time, SCS Engineers completed MRF residue audits, an audit of material related to a recycling lid pilot study, and a fall 2020 Curbside Study. The contract with SCS Engineers expires June 30, 2022; therefore, the contract extension is needed for SCS Engineers to conduct the upcoming fall 2022 Curbside Study and has been approved by both CWS and GT. Council’s approval of this item will allow for SCS Engineers to conduct one Curbside Study in fall 2022 at an anticipated cost of \$175,000 in Fiscal Year 2022-2023.

Climate Smart San José:

The recommendations in this memorandum align with one or more Climate Smart San José energy, water, or mobility goals.

Commission Recommendation/Input:

No commission recommendation or input is associated with this action.

COST AND FUNDING SOURCE:

Services performed by SCS Engineers under this agreement will be authorized by Service Orders. An appropriation is not required for execution of the Master Consultant Agreement but is required for each Service Order authorized under this agreement. Funding for the study this fall will be considered during the development of the 2022-2023 Operating Budget and any future funding will be subject to the appropriation of funds.

FOR QUESTIONS CONTACT: Valerie Osmond, Deputy Director, Environmental Services Department.
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