

BEFORE THE BOARD OF SUPERVISORS, COUNTY OF SAN BENITO

A RESOLUTION OF THE SAN BENITO COUNTY)
BOARD OF SUPERVISORS APPROVING)
PARTICIPATION IN THE JOINT FRANCHISE)
AGREEMENT COMPETITIVE PROCUREMENT)
PROCESS WITH THE MEMBERS OF THE SAN BENITO)
COUNTY INTEGRATED WASTE MANAGEMENT)
REGIONAL AGENCY, REGARDING THE FUTURE)
SCOPE OF RECYCLING AND GARBAGE COLLECTION)
SERVICES AND PROGRAMS)

Resolution No. 2016-_____

WHEREAS, the San Benito County Integrated Waste Management Regional Agency ("Regional Agency") is comprised of the City of Hollister, City of San Juan Bautista and the County of San Benito and is a joint powers authority established in 1995 to cost effectively coordinate all integrated waste management programs within the guidelines imposed by the California Integrated Waste Management Board (CalRecycle); and

WHEREAS, the Regional Agency Members have a joint franchise agreement with Recology which resulted from an 18-month joint competitive procurement process conducted in 2006/2007 between the County, Hollister and San Juan Bautista which agreed to have one joint franchise agreement with one contractor; and

WHEREAS, as noted in the recitals to the Agreement, "the Regional Agency Members determined to offer proposers this exclusive agreement with respect to each of their jurisdictions in order to offer the Contractor economies of scale and increase contract administration efficiency and reduced contract administrative cost"; and

WHEREAS, in 2007, the Regional Agency Members approved the current joint franchise agreement with Recology for an eight year term (November 20, 2007 to June 30, 2015); and

WHEREAS, the franchise agreement had an option for a three year term extension (June 30, 2015 to June 30, 2018) and that extension was approved in September 2014. Therefore, the current Agreement expires June 30, 2018; and

WHEREAS, the Regional Agency Members are initiating a review of the current joint Franchise Agreement between the City of Hollister, City of San Juan Bautista, San Benito County, and Recology San Benito County; and

WHEREAS, the Regional Agency Members seek to maintain a joint, coordinated effort to achieve cost efficiencies and economies of scale; and

WHEREAS, the Regional Agency Members can choose to either conduct a competitive procurement process (RFP) or negotiate an extension of the franchise agreement.

1 NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of San Benito
2 hereby makes the following commitments to the franchise agreement review process regarding
3 recycling and garbage collection services and programs:

- 4 1. The Board of Supervisors agrees to participate in the joint Regional Agency franchise
5 agreement review process to determine the future scope of recycling and garbage collection
6 services and programs for a new franchise agreement.
7 2. The Board of Supervisors agrees to participate jointly with the other Regional Agency
8 Members in the selection of a contractor to deliver the services detailed in a new franchise
9 agreement through a competitive procurement process (RFP) and participate through a
10 Technical Advisory Committee or other mutually agreed upon committee to provide feedback
11 for the process.

12 **PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN**
13 **BENITO THIS 13th DAY OF DECEMBER, 2016 BY THE FOLLOWING VOTE:**

14 Ayes: Supervisor(s):
15 Noes: Supervisor(s):
16 Absent: Supervisor(s):
17 Abstain: Supervisor(s):

18 By: _____
19 Robert Rivas, Chair

20 **ATTEST:**
21 Chase Graves, Clerk of the Board of Supervisors

22 **APPROVED AS TO LEGAL FORM:**
23 San Benito County Counsel's Office

24 By: _____

25 By: Shirley L. Murphy
26 Shirley L. Murphy, Deputy County Counsel
27 Date: Nov. 15, 2016
28

Date: _____