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OAKLAND
2004 APR 22 PM 1:06

OAKLAND CITY COUNCIL

RESOLUTION No. 78560 C.M. S.

INTRODUCED BY COUNCILMEMBER _____



RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH CALIFORNIA WASTE SOLUTIONS TO PROVIDE WEEKLY SINGLE STREAM RESIDENTIAL RECYCLING COLLECTION AND PROCESSING SERVICES IN THE NORTHERN HALF OF THE CITY FROM JANUARY 1, 2005 THROUGH DECEMBER 31, 2012 IN AN INITIAL AMOUNT OF APPROXIMATELY \$2,575,000 PER YEAR

WHEREAS, the City desires to continue its Residential Recycling Program (Program) for the collection, processing, and marketing of recyclable materials; and

WHEREAS, on November 4, 2003 the City Council directed staff to enter into exclusive negotiations with California Waste Solutions (CWS) to provide such service; and

WHEREAS, the City and CWS entered into and completed negotiations for a Program to commence on January 1, 2005 through and including December 31, 2012; and

WHEREAS, CWS represents that it has the necessary experience and expertise to provide the Program and that it has demonstrated it is qualified and competent to provide the required services; and

WHEREAS, the City and CWS desire to enter into an Agreement whereby CWS shall perform weekly single stream residential recycling collection and processing services related to the City's Program; and

WHEREAS, the City Council finds that the services provided pursuant to the Agreement authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

WHEREAS, the City Council finds that this Agreement shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

RESOLVED: That the City Manager is hereby authorized and empowered to execute an Agreement with California Waste Solutions to provide weekly single stream residential recycling collection and processing services, and to approve any subsequent amendments to or extensions of said Agreement with the exception of those related to an increase in compensation for work not included in said Agreement or for increases in compensation beyond the procedures the City has set forth in this Agreement, provided that such agreements and amendments or extensions shall be approved by the City Attorney's Office and shall be filed with the City Clerk's Office; and be it

FURTHER RESOLVED: That the Council establishes a base rate to be paid to CWS of \$3.20 per household by the City which rate shall be adjusted annually by the Consumer Price Index based on the formula contained in the Agreement; and be it

FURTHER RESOLVED: That a copy of the agreement will be on file with the City Clerk's Office and will be approved for form and legality by the Office of the City Attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, MAY 18 2004, 2004

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN ~~AND~~ -7

~~PRESIDENT OR IN ABSENCE~~

NOES- 0

ABSENT- 0

ABSTENTION- 0

Excused - DELA FUENTE -1

ATTEST



CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California