



Meeting Date: October 8, 2018
 Agenda Item No:

Kitsap County Board of Commissioners

Office/Department:	Public Works-Solid Waste
Staff Contact:	Marshon Coppinger, Transfer Systems Program Supervisor
Agenda Item Title:	KC-377-13-A - Waste Management RAGF MSW Hauling Services
Recommended Action: Move to Execute KC-377-13-A - Waste Management RAGF MSW Hauling Services	

Summary:	The County owns a system of Recycling and Garbage Facilities (RAGFs) that provide opportunities for residents and small businesses to self-haul municipal solid waste for proper disposal. Waste Management of Washington, Inc. provides hauling services for municipal solid waste from the Hansville, Olalla, and Silverdale RAGFs to Olympic View Transfer Station for final disposal. Service costs are offset by disposal fees collected from RAGF customers. This amendment utilizes the 5-year renewal option provided for in the original contract and extends services through September 30, 2023.
-----------------	---

Attachments:	<ol style="list-style-type: none"> 1. Contract Review Sheet 2. Attachment A
---------------------	---

Fiscal Impact for this Specific Action

Expenditure required for this specific action:	\$2,500,000 (<i>\$500,000.00 per year</i>)
Related Revenue for this specific action:	\$2,500,000 (<i>customer disposal fees</i>)
Cost Savings for this specific action:	N/A
Net Fiscal Impact:	\$0.00
Source of Funds:	Transfer Systems Drop Box Operations

Fiscal Impact for Total Project

Project Costs:	\$4,000,000
Project Costs Savings:	N/A
Project Related Revenue:	\$4,000,000 (<i>customer disposal fees</i>)
Project Net Total:	\$0.00

Fiscal Impact (DAS) Review

Office/Departmental Review & Coordination

Office/Department	Elected Official/Department Director	
Public Works-Solid Waste	Andrew Nelson/David Tucker	

Contract Information

Contract Number	Date Original Contract or Amendment Approved	Amount of Original Contract Amendment	Total Amount of Amended Contract
KC-377-13	November 25, 2013	\$1,500,000.00	
KC-377-13-A	Pending	\$2,500,000.00	\$4,000,000.00



Kitsap County
CONTRACT REVIEW SHEET
(Chapter 3.56 KCC)

A. CONTRACT INFORMATION	
1. Contractor	Waste Management of Washington
2. Purpose	Recycling and Garbage Facilities Municipal Solid Waste Hauling Services
3. Contract Amount	\$2,500,000 (\$500,000/year) Disburse <input checked="" type="checkbox"/> Receive <input type="checkbox"/>
4. Contract Term	October 1, 2018 through September 30, 2023
5. Contract Administrator	Marshon Coppinger Phone 360.337.5783
Approved:	Andrew B. Nelson, P.E. Date September 6, 2018 Department Director
B. AUDITOR – ACCOUNTING INFORMATION	
1. Contract Control Number	KC-377-13-A
2. Fund Name	Transfer Systems Drop Box Operations
3. Payment from-Revenue to CC/Account Nbr	4372.5419 by facility
4. Encumbered By	Dave Schureman Date 9/6/2018
C. AUDITOR'S ACCOUNTING – GRANTS REVIEW <i>Signature required only if contract is grant funded</i>	
1. <input type="checkbox"/> Approved <input type="checkbox"/> Not Approved	Reviewer _____ Date _____
2. Comments:	
D. ADMINISTRATIVE SERVICES DEPARTMENT – RISK MANAGER REVIEW	
1. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Not Approved	Reviewer Timothy M. Perez Date 9/11/2018
2. Comments: Amendment Only	
E. ADMINISTRATIVE SERVICES DEPARTMENT – BUDGET MANAGER REVIEW <i>Signature required only if contract is for \$50,000 or more, OR it will be signed by board of commissioners (regardless of dollar amount)</i>	
1. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Not Approved	Reviewer Kristofer Carlson Date 09/06/2018
2. Comments:	
F. PERSONNEL DEPARTMENT – PERSONNEL DIRECTOR REVIEW <i>Signature required only if union or employment contract</i>	
1. <input type="checkbox"/> Approved <input type="checkbox"/> Not Approved	Reviewer _____ Date _____
2. Comments:	
G. PROSECUTING ATTORNEY	
1. <input checked="" type="checkbox"/> Approved as to Form <input type="checkbox"/> Not Approved as to Form	Reviewer Lisa Nickel Date 09/07/18
2. Comments:	
H. CERTIFICATION BY CONTRACT ADMINISTRATOR: THIS CONTRACT IS READY FOR CONSIDERATION BY THE AUTHORIZED CONTRACT SIGNER. <i>(For contract signing authority, see KCC 3.56.075)</i>	

Date Approved by Authorized Contract Signer: _____ Date _____
RETURN SIGNED ORIGINALS TO:

**CONTRACT AMENDMENT NO. KC-377-13-A
Recycling and Garbage Facilities Municipal
Solid Waste Hauling Services Agreement**

This Contract Amendment is made and entered into between Kitsap County, a political subdivision, with its principal offices at 614 Division Street, Port Orchard, Washington 98366, hereinafter "County", and Waste Management of Washington, Inc., a corporation, with its principal offices at 720 4th Avenue, Suite 400, Kirkland, Washington 98033, hereinafter "Contractor."

In consideration of the mutual benefits and covenants contained herein, the parties agree that their Contract, numbered as Kitsap County Contract No. KC-377-13, and executed on November 25, 2013, shall be amended as follows:

1. **SECTION 1.7 REPRESENTATIVES, SUBSECTION (A)** is deleted in its entirety and replaced with the following language:

Unless the Contractor notifies the County otherwise in writing, and as otherwise limited by law, the Contractor's Authorized Representative(s) set forth below shall be the Contractor's agent and shall represent the Contractor for all purposes of this Agreement.

Waste Management of Washington, Inc.

Attention: Mary Evans, Area Director of Public Sector Solutions

Mailing and Physical Address

720 4th Avenue, Suite 400, Kirkland, WA 98033

Phone: (425) 814-7844

Email: mevans4@wm.com

2. **SECTION 9.1 SERVICES**, is deleted in its entirety and replaced with the following language:

The Contractor shall haul or arrange for the hauling of all Municipal Solid Waste (Waste), from the County-owned and operated Recycling and Garbage Facility (RAGF) below, to the Olympic View Transfer Station (OVTS). The County shall advise the Contractor of the need for hauling service(s). The Contractor shall provide the requested hauling service(s) within 24 hours of notification.

- Hansville Recycling and Garbage Facility, located at 7791 NE Ecology Road, Kingston, Washington 98346
- Olalla Recycling and Garbage Facility, located at 2850 SE Burley-Olalla Road, Olalla, Washington 98359
- Silverdale Recycling and Garbage Facility, located at 8843 NW Dickey Road, Silverdale, Washington 98383

The Contractor is not responsible for payment of OVTS disposal fees as part of this Agreement.

3. **SECTION 10.1 CONTAINER REQUIREMENTS**, is deleted in its entirety and replaced with the following language:
- (a) The Contractor will supply and maintain at all times throughout the term of this Amendment a sufficient number of roll off containers to each RAGF to accommodate the receiving and hauling of Waste to OVTS.
 - (b) All containers must be in good working condition at all times in order to ensure the safety of employees and customers.
 - (c) Containers requirements are as follows:
 - Containers should have a capacity of no less than 50 cubic yards;
 - Containers shall be constructed to prevent leakage of solid or liquid waste during storage and transport, painted a uniform color and maintained in a sanitary condition;
 - Container lids must lay entirely flat when closed. Bent lid corners are not acceptable;
 - No broken welds;
 - Screened or metal mesh lids are not acceptable;
 - Winch handles must remain 6" to 8" distance from the container wall;
 - Winches must maintain a gear ratio of 4:1 for fast take-up of slack unloaded line and 22:1 or 24:1 for lifting;
 - No frayed or broken winch cables;
 - Internal safety latch mechanism on the winch must always be in working order;
 - No container holes whatsoever are acceptable on the end of the container most distant to the cab;
 - No container holes larger than 2" in diameter are acceptable on the winch end of the container (most proximal to the cab);
 - Safety chains and secondary safety catches for container lids must always be present and in good working condition;
 - Container wheels must always be present and in good working condition;
 - At a minimum, all container lids must uniformly open to a 65-degree angle;
 - Container lid hinge pins must be securely fastened at all times.
 - (d) The Contractor shall sweep and/or wash each container both internally and externally, as frequently as necessary to avoid public nuisance.
 - (e) The County shall reject non-compliant container(s). When identified, the Contractor shall promptly replace non-compliant container(s). If replacement does not occur within two (2) business days, the County shall receive an invoice credit equal to one (1) month container rental fee, as shown in Section 12.1, per non-compliant container, of the original Agreement.

4. This Contract Amendment will become effective on October 1, 2018 and expire on September 30, 2023. In no event will the Contract Amendment become effective unless and until it is approved and executed by the duly authorized representative of Kitsap County.
5. The total amount payable under this Contract Amendment by the County to the Contractor in no event will exceed total compensation of \$500,000.00 annually, unless a Contract Amendment has been negotiated and executed prior to the County incurring any costs in excess of the maximum payable amount. This increases the total compensation under this contract to an amount not to exceed \$4,000,000.00.
6. If this Contract Amendment extends the expiration date of the Contract, then the Contractor shall provide an updated certificate of insurance evidencing that any required insurance coverages are in effect through the new contract expiration date. The Contractor shall submit the certificate of insurance to: Kitsap County Risk Management Division, 614 Division Street, MS-7, Port Orchard, Washington 98366.
7. Except as expressly provided in this Contract Amendment, all other terms and conditions of the original Contract, and any subsequent amendments, addenda or modifications thereto, remain in full force and effect.

This amendment shall be effective upon execution by the parties.

DATED this 18 day of September, 2018

DATED this ___ day of _____, 2018

**WASTE MANAGEMENT OF
WASHINGTON, INC.**

**BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY, WASHINGTON**

Signature

ROBERT GELDER, Chair

Printed Name

EDWARD E. WOLFE, Commissioner

Title

CHARLOTTE GARRIDO, Commissioner

Federal Tax ID No.

ATTEST:

Contractor Registration No.

Dana Daniels, Clerk of the Board

Approved as to form by the Prosecuting Attorney's Office