

OFFICE OF THE CITY ATTORNEY
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Long Beach, CA 90802-4664

RESOLUTION NO. RES-12-0114

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AUTHORIZING THE CITY
MANAGER TO EXECUTE A CONTRACT WITH WASTE
MANAGEMENT, INC., WITHOUT ADVERTISING FOR
BIDS, FOR SERRF ASH DISPOSAL

WHEREAS, the City, as member of a joint powers authority ("JPA"), owns
the Southeast Resource Recovery Facility ("SERRF") and is responsible for its operation
and maintenance, including disposal of the ash it produces; and

WHEREAS, SERRF had a long-standing agreement with the County
Sanitation District to dispose of its ash at no cost to SERRF at the County's Puente Hills
landfill, which possessed permits from the Southern California Regional Water Quality
Control Board to receive incinerator ash, for which the City receives AB 939 diversion
credits; and

WHEREAS, the Puente Hills landfill is scheduled to cease operation
October 31, 2013 and SERRF must now find a facility with the appropriate permits to
accept SERRF's ash; and

WHEREAS, Waste Management, Inc. owns the El Sobrante landfill in
Riverside County, which is the only landfill in Southern California which is permitted by
the Southern California Regional Water Quality Control Board to accept incinerator ash
such as SERRF's; and

WHEREAS, as a result, no useful purpose would be served by advertising
for bids since Waste Management, Inc. is the only entity permitted to accept incinerator
ash and to conduct a competitive procurement process would constitute an idle and
useless act and an unnecessary expenditure of public funds;

NOW, THEREFORE, the City Council of the City of Long Beach resolves as

1 follows:

2 Section 1. The City Manager of the City of Long Beach is hereby
3 authorized to enter a contract, without advertising for bids, with Waste Management, Inc.
4 for waste ash disposal from the SERRF facility to El Sobrante for a period of two (2)
5 years with five (5) additional one (1) year options to extend the agreement at the City
6 Manager's discretion. If the sole source status of Waste Management, Inc. changes, City
7 shall publicly bid instead of extending the contract.


8 Section 2. This resolution shall take effect immediately upon its adoption
9 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

10 I hereby certify that the foregoing resolution was adopted by the City
11 Council of the City of Long Beach at its meeting of December 4, 2012 by the
12 following vote:

13
14 Ayes: Councilmembers: Lowenthal, DeLong, O'Donnell, Schipske,
15 Andrews, Johnson, Austin, Neal, Garcia.
16 _____
17 _____

18 Noes: Councilmembers: None.
19 _____

20 Absent: Councilmembers: None.
21 _____

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24 
_____ City Clerk

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