

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ESTABLISHING	)	RESOLUTION NO. 88-832
COUNCIL POLICY REGARDING LONG-	)	
TERM AGREEMENTS FOR SOLID WASTE	)	Introduced by
LANDFILL, TRANSFER STATION,	)	Councilor Gardner
TRANSPORTATION OR ALTERNATIVE	)	
TECHNOLOGY SERVICES	)	

WHEREAS, The development and implementation of a regional Solid Waste Management Plan is and has been a paramount responsibility and concern of the Metropolitan Service District; and

WHEREAS, Long-term agreements for procurement of solid waste landfill capacity, transportation, private transfer stations or use of alternative technology for solid waste disposal are required by Oregon law to be specifically authorized and approved by the Council of the Metropolitan Service District; and

WHEREAS, The District is presently proceeding through a Request for Proposals process to procure alternative technology methods for disposing of solid waste and the Council has given prior formal approval to the Request for Proposals and has authorized Memorandum of Understanding negotiations with designated proposers; and

WHEREAS, It is appropriate for the Executive Officer and Solid Waste Department to develop recommendations for detailed procedures and policies for all procurement decisions regarding solid waste; and

WHEREAS, The issuance of Request for Proposals or Request for Bids is the procedural step at which policies for the utilization of such disposal services is effectively established for any long-term agreements to be entered into as a result of such procurement practices; and

WHEREAS, Unless the Council has the opportunity to give prior approval to the form and substance of any Request for Proposals or Request for Bids issued by the Executive Department, the Council cannot commit to approving any proposed agreements that result from the utilization of such procedures by the Executive Officer and Solid Waste Department; now, therefore,

BE IT RESOLVED,

1. That the Council of the Metropolitan Service District requests the Executive Officer and Solid Waste Department to obtain prior approval of the Council of any Request for Bids or Request for Proposals issued for solid waste disposal services.

2. That it is the intent of the Council not to authorize any agreements for solid waste disposal services presented to the Council for approval unless the Council has previously approved the terms and conditions of any Request for Proposals or Request for Bids utilized in the procurement process.

ADOPTED by the Council of the Metropolitan Service District this 28th day of January, 1988.

  
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Corky Kirkpatrick,  
Deputy Presiding Officer

DBC/sm  
8772C/252  
01/06/88

STAFF REPORT

Agenda Item No. 8.1

Meeting Date Jan. 28, 1988

CONSIDERATION OF RESOLUTION NO. 88-832 FOR THE  
PURPOSE OF ESTABLISHING COUNCIL POLICY REGARDING  
LONG-TERM AGREEMENTS FOR SOLID WASTE LANDFILL,  
TRANSFER STATION, TRANSPORTATION OR ALTERNATIVE  
TECHNOLOGY SERVICES

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Date: January 4, 1988

Presented by: Jim Gardner

FACTUAL BACKGROUND AND ANALYSIS

Resolution No. 88-832 was introduced by Councilor Gardner at the December 22, 1987, Council meeting. The resolution was introduced as a result of the recent Request for Bids on the landfill. The RFB for the landfill pointed out that policy decisions are effectively established at the time bid specifications are written. Unless the Council has the opportunity to give prior approval to the form and substance of any Request for Proposals or Request for Bids issued by the Executive Department, the Council cannot commit to approving any proposed agreements that result from the utilization of such procedures by the Executive Officer and Solid Waste Department.

An example of the Council reviewing the form and substance of a Request for Proposals prior to submittal to vendors is that of the resource recovery facilities project. On March 13, 1986, the Council reviewed the recommended RFP policies and criteria and adopted Resolution No. 86-635 authorizing exemption to the public contracting procedure for solid waste disposal services for a resource recovery facility.

Adoption of Resolution No. 88-832 would request that the Executive Officer and the Solid Waste Department obtain prior approval of the Council of any RFB or RFP issued for solid waste disposal services. Furthermore, the resolution states that it is the intent of the Council not to authorize any agreements for solid waste disposal services presented to the Council for approval unless the Council has previously approved the terms and conditions of any RFP or RFB utilized in the procurement process.

EXECUTIVE OFFICER'S RECOMMENDATION

JG/RB/sm  
8772C/525  
01/06/88



**METRO**

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# Memorandum

AGENDA ITEM 8.1  
1/28/88

Date: January 21, 1988  
To: Metro Council  
From: Councilor Gary Hansen  
Chair, Council Solid Waste Committee  
Regarding: COMMITTEE REPORT ON JANUARY 28, 1988, COUNCIL MEETING  
AGENDA ITEM

Agenda Item 8.1

Consideration of Resolution No. 88-832, for the Purpose of Establishing Council Policy Regarding Long-Term Agreements for Solid Waste Landfill, Transfer Station, Transportation or Alternative Technology Services.

Committee Recommendation

The Committee recommends to Council adoption of Resolution No. 88-832.

Discussion

The Committee pointed out that policy decisions are effectively established at the time bid specifications are written. The Council should have the opportunity to give prior approval to the form and substance of any RFP or RFB for landfill, transfer station, depot or alternative technology services. While this procedure may add time to the RFP and RFB processes, the Council should be better prepared to make decisions regarding proposals and bids that are received.

One Committee member suggested that the resolution be amended to define what was meant by "solid waste disposal services," and to consider a dollar amount for projects that would require prior approval of the Council of any RFB or RFB. For example, any project over \$500,000 would require Council approval.

The Committee voted 4 to 0 to recommend Council adoption of Resolution No. 88-832.

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8845C/D2

not adopted the Hearings Officer's report nor had it adopted staff's findings.

Explaining it was his intent to dispose of the case as a service to the petitioner, Councilor Knowles served notice he would move to reconsider the ordinance at the February 11 Council meeting. Councilor Gardner requested Councilors receive copies of the Hearings Officer's findings in order to prepare for the possible reconsideration.

## 8. RESOLUTIONS

### 8.1 Consideration of Resolution No. 88-832, for the Purpose of Establishing Council Policy Regarding Long-Term Agreements for Solid Waste Landfill, Transfer Station, Transportation or Alternative Technology Services

Councilor Hansen, Chair of the Council Solid Waste Committee, reported the Committee had unanimously recommended adoption of the resolution.

Councilor Gardner said he had initially introduced the resolution because he wanted the Council to be able to influence policy issues for significant solid waste projects at the time bids or requests for proposals were being developed.

Motion: Councilor Gardner moved, seconded by Councilor Hansen, to adopt Resolution No. 88-832.

Councilor Hansen, responding to concerns raised before the Solid Waste Committee, explained the resolution in no way was intended to apply to disposal services.

Mr. Cooper reported the resolution was intended to address projects that would extend beyond one budget year. Projects of one budget year or less could be entered into by the Executive Officer without Council approval subject to the provisions of Metro's Contract Rules.

Councilor Bonner commended Councilor Gardner and the Solid Waste Committee for developing the resolution. He thought the new policies would serve to keep the Council informed of and participating in important project decisions.

In response to Councilor Collier's question, Councilor Gardner explained the bid for out-of-region landfill services was presented to the Solid Waste Committee for review and comment but the Committee had no clear authority to mandate policy changes. The matter was not presented to the Committee as an action item.

Deputy Presiding Officer Kirkpatrick asked if the Executive Officer had made a recommendation on the resolution. Ray Barker, Council Assistant, reported that both he and the Council Clerk had contacted the Deputy Executive Officer requesting the Executive forward her recommendation. None was received.

Vote: A vote on the motion to adopt the resolution resulted in all eleven Councilors present voting aye.  
Councilor Ragsdale was absent.

The motion carried and Resolution No. 88-832 was adopted.

8.2 Consideration of Resolution No. 88-843A, for the Purpose of Amending Resolution No. 87-744, Revising the FY 1987-88 Budget and Appropriations Schedule for an Insurance Contract (Relating to the Oregon Convention Center)

Deputy Presiding Officer Kirkpatrick announced the resolution had originally included budget amendments relating to the Convention Center Operating Reserve and the Arts Grant program. The Presiding Officer had withdrawn those programs from the resolution and had forwarded them to the Council Convention Center Committee for review and recommendation. The Council was being requested to adopt Resolution 88-843A which incorporated the revised budget material.

Ray Phelps briefly reviewed staff's report. There were no questions.

Motion: Councilor Waker moved, seconded by Councilor Collier, adopt Resolution No. 88-843A.

Vote: A vote on the motion resulted in all eleven Councilors present voting aye.

The motion carried and Resolution No. 88-843A was adopted.

6.1 Consideration of an Intergovernmental Agreement with the City of Portland for the Public-Private Task Force on Transit Finance

Andy Cotugno, Transportation Director, reviewed staff's report. He also reviewed revisions to the contract.

Motion: Councilor Knowles moved, seconded by Councilor Van Bergen, to adopt the resolution.

Vote: A vote on the motion resulted in all eleven Councilors voting aye.

The motion carried and the resolution was adopted.