

BEFORE THE METROPOLITAN SERVICE DISTRICT
CONTRACT REVIEW BOARD

FOR THE PURPOSE OF AUTHORIZING AN)	RESOLUTION NO. 88-960
EXEMPTION TO THE PUBLIC CONTRACT-)	
ING PROCEDURE SET OUT IN METRO)	Introduced by Rena Cusma,
CODE SECTION 2.04.010 ET SEQ. FOR)	Executive Officer
THE PURPOSE OF REQUESTING PRO-)	
POSALS FROM A HAZARDOUS WASTE)	
MANAGEMENT FIRM TO ASSIST METRO)	
IN EXECUTING TWO HOUSEHOLD HAZARD-)	
OUS WASTE COLLECTION EVENTS)	

WHEREAS, The Metropolitan Service District will be sponsoring two regional Household Hazardous Waste Collection events and is in need of requesting proposals from hazardous waste transportation, storage and disposal firms to assist with the events; and

WHEREAS, Two Household Hazardous Waste Collection events involves many variables in the type, quantities and treatment of materials collected, it is necessary to have the ability to negotiate the terms of agreement with a firm before signing a contract; and

WHEREAS, Metro Code Section 2.04.010(c) allows an exemption to the competitive bidding process upon findings: (1) that it is unlikely that such exemption will encourage favoritism or substantially diminish competition; and (2) that awarding the contract pursuant to the exemption may result in a substantial cost savings to Metro considering appropriate factors; and

WHEREAS, It is unlikely that an exemption will encourage favoritism or substantially diminish competition because (1) a Request for Proposals process will be utilized for contracting with a hazardous waste management firm(s); (2) the invitation to submit proposals will be advertised; (3) Request for Proposals will be sent

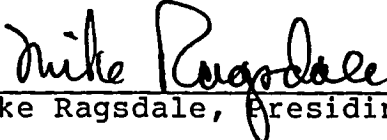
to all known hazardous waste management vendors; and (4) cost will be a factor in the selection of the firm(s); and

WHEREAS, The exemption will result in substantial cost savings to Metro because (1) proposers will be allowed to recommend and Metro will be allowed to negotiate for cost saving features such as recycling and re-use options; (2) proposers will be allowed to recommend alternate and/or additional management and safety procedures which could lessen Metro's liability and result in consequent cost savings; (3) ambiguities exist regarding the exact quantities and types of hazardous waste which might be received during the event which makes the competitive bid process less likely to result in cost savings; and (4) other cost savings and safety features may be proposed (such as on-site management) which could also result in substantial cost savings to Metro; now, therefore,

BE IT RESOLVED,

That an exemption from the public contracting procedure is hereby granted for requesting proposals from hazardous waste management firms because the Metropolitan Service District Contract Review Board finds that the requirements of Metro Code Section 2.04.010(c) have been met.

ADOPTED by the Metropolitan Service District Contract Review Board this 28th day of July, 1988.


Mike Ragsdale, Presiding Officer

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STAFF REPORT

Agenda Item No. 8.5

Meeting Date July 28, 1988

CONSIDERATION OF RESOLUTION NO. 88-960, FOR THE PURPOSE OF AUTHORIZING AN EXEMPTION TO THE PUBLIC CONTRACTING PROCEDURE SET OUT IN METRO CODE SECTION 2.04.010 ET SEQ. FOR THE PURPOSE OF REQUESTING PROPOSALS FROM A HAZARDOUS WASTE MANAGEMENT FIRM TO ASSIST METRO IN EXECUTING TWO HAZARDOUS WASTE COLLECTION EVENTS

Date: July 15, 1988

Presented by: Bob Martin

FACTUAL BACKGROUND AND ANALYSIS

On August 28, 1986, the Metro Council adopted a Hazardous Waste Management Plan. One element of the Plan is to provide alternative recycling and disposal options to homeowners and residents of the region for their household hazardous materials. A pilot project was conducted on November 15 and 16, 1986, at two East Multnomah County locations. A regional hazardous waste collection event was held on May 14, 1988.

At both events, a wide variety of materials were accepted. The materials ranged from pesticides with DDT and 245T (both materials contain dioxins) to oil-based paints (some containing lead).

For the regional event in May, Metro used the Request for Proposal process. Five companies responded with proposals. All five companies were interviewed and Chemical Processors, Inc. was chosen as the contractor. Having the opportunity to interview firms in advance of the contract proved to be very effective, especially for negotiating liability issues and the process gave Metro the opportunity to select specific disposal options for the variety of materials.

We request the opportunity to negotiate how the collected materials get handled and to negotiate the price of all recycling, treatment and disposal options. This is essential due to the unknown variety and unknown quantity of the materials that will be brought to the sites during the collection events. Unless the Metro Contract Review Board approves this request for an exemption the only method that could be used to obtain the necessary contractual services needed would be a Request for Bids. Because too many factors including the types of hazardous waste to be received and volumes are unknown the bid procedure would not be feasible.

The decision for requesting proposals from hazardous waste management firms would be based on a combination of the following:

- On-site management during the collection event
- Recycling options the firm can offer
- Treatment options and rates
- Storage options and rates
- Re-use options
- Disposal options
- Establishing different rates for different materials
- Insurance liability requirements
- Waste generator status

To pursue a Request for Proposals would yield the best solutions to holding two Household Hazardous Waste Collection events. The benefit to Metro is the opportunity to work with a firm(s) to provide safe, effective, creative, financially responsible and legal solutions for reducing the amount of waste going to a hazardous waste facility, giving people in the region the opportunity to get the materials out of their homes and to prevent the materials from going into the St. Johns Landfill.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 88-960.

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estimating closure costs. The contractor, however, would not provide a complete closure plan.

Vote: A vote on the motion resulted in all ten Councilors present voting aye. Councilors Coleman and Gardner were absent.

The motion carried and the resolution was adopted.

8.5 Consideration of Resolution No. 88-960, for the Purpose of Authorizing an Exemption to the Public Contracting Procedure Set Out in Metro Code Section 2.04.010 et seq. for the Purpose of Requesting Proposals from a Hazardous Waste Management Firm to Assist Metro in Executing Two Hazardous Waste Collection Events

Councilor Hansen reported in the Internal Affairs Committee recommended adoption of the resolution.

Motion: Councilor Hansen moved, seconded by Councilor DeJardin, to adopt the resolution.

Vote: A vote on the motion resulted in all ten Councilors present voting aye. Councilors Coleman and Gardner were absent.

The motion carried and the resolution was adopted.

9. COMMITTEE REPORTS

Councilor Hansen announced the Solid Waste Committee would consider a resolution on August 2 in support of the City of Portland adopting a policy to establish minimum hauling rates. Councilor Knowles suggested the Solid Waste Committee first request a government relations staff person talk to City personnel to determine the issues before any action was taken.

There was no other business and the meeting was adjourned at 6:50 p.m.

Respectfully submitted,



A. Marie Nelson
Clerk of the Council

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