

MINUTES OF THE COUNCIL SOLID WASTE COMMITTEE
OF THE METROPOLITAN SERVICE DISTRICT

December 20, 1988

Council Chamber

Committee Members Present: Gary Hansen (Chair), Jim Gardner (V. Chair), Sharron Kelley, Corky Kirkpatrick and Mike Ragsdale

Committee Members Absent: None

Also Present: Councilor Elsa Coleman

Chair Hansen called the meeting to order at 5:46 p.m.

Bob Martin, Director of Solid Waste, gave a status report on the transportation Request for Bids (RFB) to transport solid waste to Arlington. He discussed the Public Utility Commission (PUC) weight and mile tax. He said the Attorney General ruled vendors under Metro contract would not be exempt under ORS. 240. He said addendums were sent to potential bidders and said this ruling did not affect bids.

Mr. Martin also discussed vendors' concern over possible fluctuation in fuel prices. He said staff rejected annual fuel price adjustments. He said in the case of an oil fuel embargo, vendor well-being could be threatened. He said staff created a "relief valve" in that vendors would be asked to take risks on fuel prices plus or minus 30 percent, but if fuel prices fluctuated more than 30 percent adjustments could be made. He said if fuel prices dropped, Metro could benefit from the relief valve as well.

Chair Hansen asked if vendors' fuel prices varied a great deal. Mr. Martin said the differences were considerable because barge prices were higher than rail, but said it was a difference of opinion. He said staff had tried to ensure an extraordinary change would not jeopardize the complete system. Chair Hansen asked if the addendum mailed required Council approval. Mr. Martin said General Counsel Dan Cooper said it was not necessary unless the Council would like to review the exact language which would delay the timing of the bid opening. Councilor Kirkpatrick said the addendum language should be closely scrutinized and said a special meeting could be scheduled for that purpose. Councilor Kelley said after Councilors saw the language, a special meeting could be scheduled then. Chair Hansen asked staff to submit a report which included letters received on the issue and the exact language sent to vendors. He said an emergency meeting could be held if necessary after that report.

- 1 Consideration of Request by the 1% for Recycling Advisory Committee that the Council Solid Waste Committee Concur with the Committee's Recommendation that Vendor Input be Sought Regarding Program Criteria and Guidelines Prior to Advertising Requests for Proposal for 1% Recycling Funds

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Councilor Coleman introduced the 1% for Recycling Advisory Committee members: Bruce Louis, Multnomah County; Beverly Seibel, Washington County; Forrest Soth, Washington County; Margaret Templeton, Multnomah County; and Carolyn Tomei, Clackamas County. Councilor Coleman noted Kathy Cancilla resigned due to a potential conflict of interest. The Committee and Councilor Coleman discussed the goals and criteria of the 1% for Recycling Advisory Committee.

Motion: Councilor Kirkpatrick moved "That the Council Solid Waste Committee concurs with the recommendation of the 1% for Recycling Advisory Committee that prior to finalization of Criteria and Guidelines for presentation to Council, a public meeting be held to solicit input from potential vendors concerning the proposal Criteria and Guidelines."

Vote: Councilors Gardner, Kelley, Kirkpatrick, Ragsdale and Hansen voted aye. The motion passed unanimously.

2. Briefing on Timelines for Implementing Priority Programs of Metro's 1986 Waste Reduction Program

Mr. Martin introduced the agenda item. Debbie Gorham, Waste Reduction Manager, distributed the Department of Environmental Quality's (DEQ) "Informational Report: Review of Metro Solid Waste Reduction Program."

Mr. Martin said five FTEs were currently employed in waste reduction. He said the department could use 2.5 FTEs to work on timelines and revisions to the Waste Reduction Program. He said Pat Vernon, Solid Waste Planner, assisted him with staff's report. Mr. Martin and Ms. Gorham discussed the Metro Waste Reduction Program Work Plan and DEQ's comments on same.

Councilor Ragsdale asked what staff could accomplish if 6 or 9 FTEs were added to staff. He asked what programs could be considered marginal. Mr. Martin said he was hesitant to state if any program or goal was marginal because of Metro's agreement with DEQ and that the stipulated order had to be considered. Mr. Martin said if 9 FTEs were added, the most progress would be made in the yard debris program. Councilor Ragsdale asked staff to analyze what they could accomplish with enhanced resources and how efficiency could be maximized. He said the Council would scrutinize additional staffing needs carefully.

Councilor Gardner asked Mr. Martin about meeting with DEQ. He said he was told by DEQ that DEQ and Metro staff were still at a considerable distance. He asked if Metro and DEQ staff could develop an agreement the Environmental Quality Commission (EQC) could ratify. Mr. Martin said at their January meeting with DEQ, programs such as certification

were yet to be discussed. Councilor Kirkpatrick said Metro had not achieved 8 of 11 stated goals. She said Metro was obligated to do resource allocation according to the Plan, but said funds should not be wasted. She asked if it were possible to shift staff from other programs.

Mr. Martin said to state 8 of the 11 stated programs were not implemented was not entirely correct. He said a number of sub items had been accomplished under each of the 11 elements. Councilor Kirkpatrick said one of the 11 elements was the legislative package which staff had no resources for.

Councilor Kelley expressed disappointment in the time line. She was not as concerned about DEQ as she was about the substance of the program. She said it would be pathetic to send yard debris to the Arlington landfill.

Chair Hansen asked Ray Barker, Council Analyst, for a report on how proposed FTEs would fit into the existing budget and work plan. Chair Hansen concurred with Councilor Kelley's statements. He told staff it would be good to hold workshops so that haulers could hold their own audits. He asked staff questions about various FTE allocations to different elements of the program. Councilor Kirkpatrick suggested the implementation of interns from the University of Portland to assist staff.

Chair Hansen noted there were persons present who could testify and shed light on the issue.

Peter Spendalow, DEQ Recycling Specialist, discussed DEQ's agreement with Metro. He said DEQ and Metro had agreed certain items could be postponed. He understood it was difficult for a new solid waste director to triple a budget and understood the Council's position, but urged the Committee not to let program items stretch over years because there were not ample resources.

Jeanne Roy, Recycling Advocates, said the Metro Solid Waste Reduction Program would soon be three years old. She said staff had not asked for the resources necessary to implement stated goals. She said DEQ had suggested September 9, 1989, as the yard debris deadline and said there should be a full-time person to work on that program at this time. Ms. Roy said Metro had completed work quickly before as in the Council retreat June 1988.

Councilor Gardner asked if the 7.5 FTEs requested were asked for now or during the next budget process. Mr. Martin said they were needed at this time.

3. Briefing on Status of Metro South Operations Contract Rebid

Mr. Martin noted staff had not had time to include a resolution in this meeting's agenda packet. Chair Hansen said consideration of this item would be deferred. Jim Watkins, Acting Engineering and Analysis Manager, distributed and explained briefly the implementation time line.

4. Consideration of Resolution No. 88-1027, for the Purpose of Authorizing a Sole Source Solicitation Process as Set Out in Metro Code Section 2.04.060 for Construction of a Compaction System at the Metro South Station

Mr. Martin said a compactor was essential to the Metro South Station rebid. He said it was necessary to install a proven model and not a prototype. He said the only available proven model was the AMFAB model. He said service, warranty and spare parts agreements would need to be negotiated. Acting Chair Gardner noted there were persons present wished to testify.

Tom Garnier, Shredding Systems, protested a sole source solicitation process to procure a compactor for the Metro South Station. He said due to short notice in The Oregonian, his company did not have enough time to submit material on their qualifications to provide a compactor. He said Metro South was scheduled for a new compactor the fall of 1989. He said the normal manufacturing time for such equipment was 90 days. He requested Chair Hansen to extend consideration of the resolution until the second week of January before the Committee made a decision. Mr. Garnier said at that time Shredding Systems could deliver a complete presentation to staff and the Committee.

Dan Saltzman, Shredding Systems, said he saw no harm in Metro receiving bids. Mr. Garnier said Metro printed notice in The Sunday Oregonian December 11. He said Shredding Systems submitted their information December 19.

Mr. Martin said staff had had discussions with Shredding Systems. He understood they did not have a compactor built at this time comparable to what was currently available on the market. He said timeliness was essential to obtain a compactor and also because of the Metro South Station contract rebid.

Councilor Gardner asked how the time lines would differ if there was not a sole source procurement to obtain a compactor and not a standard RFB. Mr. Watkins said time was needed to develop an RFB followed by a lengthy evaluation process and said the extra time required was an additional two to three months. He said the vendors were required to keep the compaction system. He said with an unknown compaction system, it would be difficult to rebid the Metro South contract.

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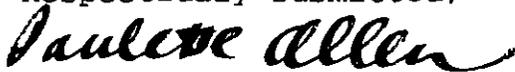
Councilor Gardner asked why it was difficult to write specifications. He said there was not enough evidence in staff's report to require a sole source solicitation. Mr. Martin said if staff issued specifications in an RFB, options would be narrowed to AMFAB and Lindeman. He said Lindeman systems were not yet used in the United States and did not provide the type of compaction necessary.

Councilor Ragsdale said the Internal Affairs Committee would scrutinize this contract carefully. He said the Council did not advocate sole source contracts except in case of emergency and said this contract was not an emergency.

Chair Hansen said possible RFB dates should be developed by staff and any possible compactor-related problems with a Metro South rebid analyzed. He asked if a maintenance contract for the compactor could be placed on the manufacturer. Mr. Martin said that was possible but advised against it because it was awkward to expect maintenance from a company not actually using the equipment. Chair Hansen said perhaps 15 hours of maintenance could be specified in the contract. The Committee and staff discussed the issues further.

Chair Hansen adjourned the meeting at 7:39 p.m.

Respectfully submitted,



Paulette Allen
Committee Clerk
SWC88.355