

AUSTIN CITY COUNCIL AGENDA

THURSDAY, NOVEMBER 18, 2004, THE BOARD ROOM AT THE LOWER COLORADO RIVER AUTHORITY HANCOCK BUILDING, 3700 LAKE AUSTIN BOULEVARD, AUSTIN, TEXAS.

AUSTIN CITY CLERK
POSTAL SERVICE

04 NOV 12 AM 10:46



For meeting information, contact the City Clerk, 974-2210

THE CITY OF AUSTIN IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. REASONABLE MODIFICATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED UPON REQUEST. FOR ASSISTANCE PLEASE CALL 974-3256 OR 974-2445 TDD.

WILL WYNN, MAYOR ♦ JACKIE GOODMAN, MAYOR PRO TEM ♦ DARYL SLUSHER
RAUL ALVAREZ ♦ BETTY DUNKERLEY ♦ BREWSTER MCCrackEN ♦ DANNY THOMAS

34. Authorize execution of a contract with CONTROL TECHNOLOGIES INC., Tomball, TX. for, Type 170, Model 332 traffic signal cabinets for the Public Works Department, in an amount not to exceed \$134,425. (Funding is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Public Works Department.) Lowest bid of five bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
35. Authorize negotiation of a landfill contract with IESI, Fort Worth, TX, for the operation of the City of Austin FM 812 Landfill facility for a term up to the maximum life of the landfill. Best proposal of two proposals received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. (Reviewed by the Solid Waste Advisory Commission)

ITEMS FROM COUNCIL

36. Board and Commission appointments.
37. Approve an ordinance amending Ordinance No. 040624-52 related to the Interim Development Regulations for a Two-Family Residential Use and Secondary Apartment Special Use to extend the expiration date to December 20, 2004. (Related Item 59)(Council Member Betty Dunkerley)
38. Approve waiver or reimbursement of certain street event permit fees under Chapter 14-8 of the City Code for the Mothers Against Drunk Driving's Jingle Bell 5K and Kids K Fun Run to be held Saturday, December 4, 2004. (Council Member Danny Thomas, Council Member Betty Dunkerley and Council Member Brewster McCracken)
39. Approve an ordinance appointing Domingo Villarruel to the Mexican American Cultural Center Board, and waiving the residency requirement under Section 2-1-1 of the City Code, for that appointment. (Council Member Raul Alvarez and Mayor Pro Tem Jackie Goodman)



**Purchasing Service Agreement
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

AGENDA ITEM NO.: 35
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SUBJECT: Authorize negotiation of a landfill contract with IESI, Fort Worth, TX, for the operation of the City of Austin FM 812 Landfill facility for a term up to the maximum life of the landfill.

AMOUNT & SOURCE OF FUNDING: N/A

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

REQUESTING Purchasing **DIRECTOR'S**
DEPARTMENT:for Solid Waste Services; **AUTHORIZATION:** Vickie Schubert

FOR MORE INFORMATION CONTACT: Stephen Aden, Supervising Senior Buyer, 974-2021; Don Birkner 974-1692; Hani Michel, P.E., 974-1962.

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: Reviewed by the Solid Waste Advisory Commission

PURCHASING: Best proposal of two proposals received.

MBE / WBE: This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The FM 812 Landfill is a municipal solid waste disposal facility owned by the City of Austin Solid Waste Services Department and is located in southeast Travis County, Texas. The City Landfill stopped accepting residential garbage on February 27, 1999, due to the opening of the Austin-Bergstrom International Airport. The City Landfill is currently operating under its existing Type I Permit as a Type IV Municipal Landfill and accepts only construction and demolition material. The facility covers approximately 382 acres at the northwest intersection of FM 812 and FM 973.

There are four privately-owned landfills in the local area, one of which is a Type IV landfill (accepting construction and demolition material only) immediately adjacent to the FM 812 landfill and operated by IESI Corporation. The City has continued to benefit from its landfill even after the opening of the new airport, because retaining the landfill has allowed the Solid Waste Services Department to dispose of tree limbs and other waste generated by storms without paying a tipping fee. However, the Department is not otherwise able to recover its cost of operating the landfill and therefore issued a request for proposals to obtain a more efficient solution for retaining the landfill.

Proposals for management and operation were distributed to nineteen firms. A mandatory pre-proposal conference was held on April 15, 2004, and fourteen firms were represented. On May 20, 2004, two proposals were received by the City - one from IESI and the other from Texas Landfill Management, L.L.C. The proposals were evaluated to determine the following: proposed revenue, production/cost savings, firm qualifications, safety record, environmental history, business plan and technical proposal. Because of its unique location adjacent to the City Landfill, and due to resulting economies of scale, IESI



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was able to offer the City incentives that will significantly reduce the City's future expenditures at the FM 812 Landfill, and yet still provide substantially reduced disposal rates for the City. Based upon the above, the evaluation committee recommended negotiating a contract with IESI. The proposed contract will be brought back to Council before execution.

The Solid Waste Advisory Commission reviewed this RCA. Their resolution is attached.

MBE/WBE solicited: 0/0

MBE/WBE bid: 0/0

RFP NO. SA04300021
PROPOSAL ANALYSIS

- a. Adequate competition.
- b. Notices were sent to three firms. There were no MBE or WBE firms listed under this commodity. Nineteen firms were sent proposals. Two proposals were received and one No Offer.
- c. The two firms that submitted proposals have offices in Austin.

APPROVAL JUSTIFICATION

- a. The proposal submitted by the recommended firm meets the requirements of the request for proposal and received the highest points in the evaluation.
- b. Solid Waste Services concurs with the recommended award.
- c. Advertised in the Austin American-Statesman and the Internet.

EVALUATION MATRIX
MANAGEMENT & OPERATION OF CITY OF AUSTIN'S TYPE IV LANDFILL
RFP NO. SA04300021

EVALUATION FACTORS	JESI AUSTIN, TX	Texas Landfill Management AUSTIN, TX
Revenue Production/Cost Avoidance 45 POINTS	40	11
Corporate Qualification, Reference & Safety/Environmental/Legal History 25 POINTS	22	20
Business Plan & Technical Proposal 25 POINTS	22	16
Other Special Features 5 POINTS	2	0
TOTAL POINTS	86	47

CITY OF AUSTIN

SOLID WASTE ADVISORY COMMISSION

FM 812 LANDFILL
CORRECTION RESOLUTION

11/10/04
VOTE: 5-0-1

Motion made by: Lark Anthony

Commissioners Consenting: Tracy Sosa, Gerard Acuna, Charles Cree, Rosemary Wyman

Commissioners Dissenting:

Commissioners Abstaining: J.D. Porter

Commissioners Absent: Mark Sanders, Alex Zwarun

Whereas, it is the opinion of Austin City Council's appointed Solid Waste Advisory Commission (SWAC) that the issues involving the City of Austin's FM 812 Landfill (Landfill) are significant and will greatly impact the citizens of Austin for at least the next 30 years. With this, SWAC cannot at this time unequivocally support Solid Waste Services recommendation to have a third party management of the Landfill. This decision is based on limited information from SWS and an erosion of confidence that all options have been, or will be, explored.

Therefore, it is the Solid Waste Advisory Commission's recommendation that the City Council not take action regarding a contractual commitment for the operation and management of the City's FM 812 Landfill. Instead, SWAC strongly recommends that a thorough and comprehensive study be commissioned to analyze all options concerning the City's FM 812 Landfill. The study should be conducted by an independent firm whose objectives would be, but not limited to, the environmental and financial impact of having SWS continue its management of the Landfill, having a third party manage the Landfill, or complete closure and reuse the Landfill's 342 acres. In addition, City Council should commission a task force whose objective would be to develop a twenty-year solid waste management plan.

Action on Executive Session

49. Approve negotiation and execution of a settlement regarding cost reimbursement for construction of sewer service laterals for 1606, 1610, and 1612 Watch Hill Road, Austin, Texas. (Related Item 43)
The motion authorizing the negotiation and execution of a settlement in an amount not to exceed \$151,145 was approved on Council Member Dunkerley's motion, Mayor Wynn's second on a 7-0 vote.

BOARD OF DIRECTORS MEETING OF AUSTIN HOUSING FINANCE CORPORATION.

Mayor Wynn recessed the Council Meeting at 3:23 p.m. to go into the Board of Director's Meeting of the Austin Housing Finance. See separate minutes.

AHFC adjourned and the regular Council meeting was called back to order at 3:30 p.m.

Mayor Wynn recessed the Council Meeting to go into Executive Session at 3:31 p.m.

EXECUTIVE SESSION CONTINUED

The Mayor announced that Council would discuss item number 35 on the regular agenda during Executive Session.

Real Property - Section 551.072

48. Discuss terms of sale for the Mueller site (formerly Robert Mueller Municipal Airport) to Catellus Austin, L.L.C.

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 5:08 p.m.

DISSCUSSION ITEM

35. Authorize negotiation of a landfill contract with IESI, Fort Worth, TX, for the operation of the City of Austin FM 812 Landfill facility for a term up to the maximum life of the landfill. Best proposal of two proposals received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. (Reviewed by the Solid Waste Advisory Commission)
The motion to approve negotiations of a contract for management of a Type 4 landfill to include a detailed environmental plan, a wildlife control plan, and a provision for closure of the landfill prior to the end of the contract if, in the development of a long range plan for this area it calls for closure, was approved on Council Member Dunkerley's motion, Mayor Wynn's second on a 5-2 vote. Those voting aye were Mayor Wynn and Council Members Dunkerley, McCracken, Slusher and Thomas. Those voting nay were Mayor Pro Tem Goodman and Council Member Alvarez.

ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Alvarez' motion, Council Member Thomas' second on a 7-0 vote.