



Date: April 17, 2012

To: Thomas J. Bonfield, City Manager
Through: Theodore L. Voorhees, Deputy City Manager
From: Donald M. Long, Director of Solid Waste Management
Subject: Management of Yard Waste and Compost Facility Contract Amendment #1

Executive Summary

In May 2010, King & Martin Properties, LLC was selected as the City’s Contractor to manage the City Owned Yard Waste and Compost Facility with an initial term of two years. The original contract will expire May 2012 but has a renewal option for up to three (3) additional two (2) year terms. The City and the Contractor have agreed to an extension of an additional two (2) years, beginning on May, 14, 2012 and expiring May 13, 2014.

As part of the Comprehensive Solid Waste Disposal Plan that is being conducted by CHA, the YWCF’s operation will be reevaluated. Upon the completion of the reevaluation, and within ninety (90) days prior to the end of this extension, the City and the Contractor will discuss possible changes to the current contract. The changes could include pricing and operational changes.

The City and King & Martin Properties have developed a positive working relationship. The services that this contractor provides are vital to the successful waste reduction efforts that the Solid Waste Department has undertaken.

Recommendation

The administration recommends that City Council authorize the City Manager to execute Amendment #1 to the Management of the City Owned Yard Waste and Compost Facility Contract between the City of Durham and King & Martin, LLC. This amendment extends the current contract for two additional years and is not to exceed \$530,368.00, and increases the spending authority to \$866,110.

Background

The City’s current yard waste composting facility opened in January 2010. In May 2010, King & Martin Properties, LLC was selected as the City’s Contractor to operate the YWCF for a period of two years. The YWCF is used by the Contractor as a storage and transfer point for yard waste. The Contractor comes to the site and grinds the accumulated yard waste in accordance with the schedule allowed by the NCDENR permit. Upon completion of grinding, the material is removed from the site and taken to a location of the Contractor’s choice for other use that meets the requirements of NCDENR regulations.

The continued grinding and removal of yard waste debris is a vital service to the City of Durham and the community. Not only does it ensure that excessive yard waste is not accumulated and stored at the facility, which would be a potential safety hazard, it also assists in meeting the City's waste reduction goals.

Issues/Analysis

The Solid Waste Management Department is currently working with a Consultant to develop a Comprehensive Solid Waste Plan, which includes a reevaluation of the City's YWCF. Because of this reevaluation and the City's effort to increase waste diversion, the proposed contract amendment to extend the current contract for two years will allow the City time to seek alternative disposal and composting options for yard waste material, or time to get City staff trained and certified in composting. Depending on the outcome of the reevaluation by the Consultant, and with adequate notification, the City may be able to cease using King & Martin Properties, LLC for these services.

Alternatives

One alternative is to approve Amendment #1 to the Original Contract. The City and King & Martin Properties, LLC have developed a strong working relationship.

The other alternative would be to not extend the current contract. This option is not a viable option because it will prohibit the City from managing yard waste within the rules specified by the NCDENR permit due to the lack of proper equipment. This will have a devastating effect on the City's ability to collect residential yard waste, thereby substantially increasing a public health risk and the City's potential for citations and fines from NCDENR. This option will also negatively impact the environment and decrease the waste stream diversion.

In the future an alternative is to purchase equipment and obtain training and certification of YWCF staff to grind and compost the material. At present, there are no programs to train staff. NCDENR is proposing to initiate a "Train the Trainer" certification program, whereby NC State and SWANA personnel will be trained for future certifications. Having trained staff for composting may coincide with the conclusion of the Consultant's reevaluation.

Financial Impact

No new funds are being requested for this contract extension. The department will budget for the contract extension within the current budget allocations.

SDBE Summary

Not applicable.

Attachments

Contract Amendment #1