



Deschutes County Board of Commissioners
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(541) 388-6570 - Fax (541) 385-3202 - www.deschutes.org

AGENDA REQUEST & STAFF REPORT

For WORK SESSION of September 9, 2015

DATE: September 2, 2015

FROM: Timm Schimke. Solid Wastet 317-3177

TITLE OF AGENDA ITEM:

Consideratin of Signature of Document No. 2015-532 amending Document No. 2011-648 for operational service at Negus Transfer Station.

PUBLIC HEARING ON THIS DATE? No

BACKGROUND AND POLICY IMPLICATIONS:

We are currently under contract with Deschutes Transfer Company for assistance in the operation of Negus Transfer Station in Redmond. The contractor provides an employee and equipment at the site to assist with directing traffic, managing the placement of trash and recyclables, and coordinating transport of waste and recyclables to Bend. The contractors assets also perform work that benefits themselves and the franchise collector as well. Fees paid under the agreement represent about 1/2 the cost of assets for this reason. Increased traffic at the site requires more effort for work performed for Deschutes County. This contract amendment increases the fee paid and provides for 1 full time employee for County work and continues to split the cost of equipment at the site. The amendment also renews the term of the agreement to 5 years with provisions for possible extensions. It is estimated that the proposed fees represent approximately \$10,000 in savings compared to the use of County personnel and equipment.

FISCAL IMPLICATIONS:

The contract amendment increases our fees by \$28,651.56 per year. The new annual cost is\$98,251.56

RECOMMENDATION & ACTION REQUESTED:

We have had an excellent experience with this contractor in this arrangement. The amendment still provides a cost savings to the Department. I recommend signature of Doc. No. 2015-532

ATTENDANCE: Timm Schimke

DISTRIBUTION OF DOCUMENTS:

Return copies to Solid Waste for Distribution

DESCHUTES COUNTY DOCUMENT SUMMARY

(NOTE: This form is required to be submitted with ALL contracts and other agreements, regardless of whether the document is to be on a Board agenda or can be signed by the County Administrator or Department Director. If the document is to be on a Board agenda, the Agenda Request Form is also required. If this form is not included with the document, the document will be returned to the Department. Please submit documents to the Board Secretary for tracking purposes, and not directly to Legal Counsel, the County Administrator or the Commissioners. In addition to submitting this form with your documents, please submit this form electronically to the Board Secretary.)

Please complete all sections above the Official Review line.

Date: August 10, 2015

Department: Solid Waste

Contractor/Supplier/Consultant Name: Bend Garbage Co. dba Deschutes Transfer Company

Contractor Contact: Brad Bailey

Contractor Phone #: 541 382-2263

Type of Document: Services Agreement.

Goods and/or Services: Contractor will provide operational services at Negus Transfer Station. Services include directing traffic, assisting customers, consolidating wood waste and yard debris with contractor furnished backhoe. compaction efforts in trash trailers with backhoe, removing contamination from recyclables..

Background & History: We entered into a 5 year contract in 2011 for services when the facility moved to a 7 day per week operation. This allowed us to expand operations without adding employees. The contractor supplies an employee and equipment who's efforts benefit the Department, however only about half of the time is dedicated to our operations. The other time spent by the employee is for efforts that are not associated with normal operations for the facility. Some efforts such as compaction of trash in the trailers is a benefit to the contractor, so we have split the cost of the employee and equipment with the contractor. Increased traffic to the site have required more of an effort for tasks that we are responsible for. This document amends our original agreement, raising the amount paid to cover the increased efforts, and extending the expiration date of the agreement to 2020 with provisions for extension. The new fee represents the full cost of 1 contractor employee and half the cost of equipment. The original agreement was awarded as a result of an RFP.

Agreement Starting Date: August 1, 2015

Ending Date: July 31, 2020

Annual Value or Total Payment: \$98,251.56 per year

☒ Insurance Certificate Received (check box)
Insurance Expiration Date: 6/1/2016

Check all that apply:

- ☒ RFP, Solicitation or Bid Process
- ☐ Informal quotes (<\$150K)
- ☐ Exempt from RFP, Solicitation or Bid Process (specify – see DCC §2.37)

Funding Source: (Included in current budget? ☐ Yes ☐ No

If **No**, has budget amendment been submitted? ☐ Yes ☐ No

Is this a Grant Agreement providing revenue to the County? ☐ Yes ☐ No

Special conditions attached to this grant:

Deadlines for reporting to the grantor:

If a new FTE will be hired with grant funds, confirm that Personnel has been notified that it is a grant-funded position so that this will be noted in the offer letter: ☐ Yes ☐ No

Contact information for the person responsible for grant compliance:

Name:

Phone #:

Departmental Contact and Title: Timm Schimke **Phone #:** 317-3177

Department Director Approval:  8/10/15
Signature Date

Distribution of Document: Who gets the original document and/or copies after it has been signed? Include complete information if the document is to be mailed.

Official Review:

County Signature Required (check one): ☐ BOCC ☐ Department Director (if <\$25K)

☐ Administrator (if >\$25K but <\$150K; if >\$150K, BOCC Order No. _____)

Legal Review _____ Date _____

Document Number 2015-632

REVIEWED

LEGAL COUNSEL

For Recording Stamp Only

**DOCUMENT NO. 2015-532
AMENDING DESCHUTES COUNTY CONTRACT NO. 2011-648**

THAT CERTAIN AGREEMENT, Deschutes County Contract No. 2011-648 dated October 26, 2011, by and between DESCHUTES COUNTY, a political subdivision of the State of Oregon ("County") and DESCHUTES TRANSFER COMPANY ("Contractor"), is amended, effective upon signing of all parties, as set forth below. Except as provided herein, all other provisions of the contract remain the same and in full force.

County's performance hereunder is conditioned upon Contractor's compliance with provisions of ORS 279B.220, 279B.225, 279B.230, and 279B.235, which are hereby incorporated by reference. In addition Standard Contract Provisions contained in Deschutes County Code Section 2.37.150 are hereby incorporated by reference. Contractor certifies that the representations, warranties and certifications contained in the original Contract are true and correct as of the effective date of this Amendment and with the same effect as though made at the time of this Amendment.

The above listed contract is amended as follows:

Exhibit 1. Statement of work, compensation payment terms and schedule

4. Consideration

- a. County shall pay Contractor on a fee-for-service basis at the maximum rate of \$8,187.63 per month.

Effective Date and Termination Date. The effective date of this Contract shall be July 31, 2015 or the date, on which each party has signed this Contract, whichever is later. Unless extended or terminated earlier in accordance with its terms, this Contract shall terminate when County accepts Contractor's completed performance or on July 31, 2020, whichever date occurs last. By mutual agreement prior to termination, this Contract may be extended for three additional years to July 31, 2023. Contract termination shall not extinguish or prejudice County's right to enforce this Contract with respect to any default by Contractor that has not been cured.

CONTRACTOR: Deschutes Transfer Company

Authorized Signature

Dated this 2 of SEPTEMBER 2015.

COUNTY:

Dated this _____ of _____, 2015

BOARD OF COUNTY COMMISSIONERS

ANTHONY DEBONE, CHAIR

ALAN UNGER, VICE CHAIR

TAMMY BANEY, COMMISSIONER

ATTEST:

Recording Secretary