

STAFF REPORT

To: SBWMA Board Members
From: Hilary Gans, Facility Operations Contracts Manager
Date: April 23, 2009 Board Meeting
Subject: Facility Operations Selection Committee Recommendation

Recommendation:

The Facility Operations Selection Committee recommends that the SBWMA Board vote to approve the selection of South Bay Recycling, LLC. (SBR) for final negotiations for Facility Operations Services. With this recommendation, the Selection Committee also recommends that in approving negotiations with SBR, the SBWMA Staff be directed to negotiate with Hudson Baylor Corporation, if an Operations Agreement can't be negotiated successfully with SBR.

Background:

On March 12th the Facility Operations Selection Committee met to consider the March 12, 2009 Evaluation Committee Report and make a final contractor selection recommendation for the operations of the Shoreway Facility. With the issuance of the March 16, 2009 Selection Committee Report, the Selection Committee completed its selection process and made its final recommendation to the SBWMA Board.

The following key reports and/or milestones have occurred since the release of the Facility Operations RFP: .

- Facility Operations RFP Issued; November 1, 2007
- Proposals Received from 7 proposers; March 4, 2008
- Proposer Presentations; May 22, 2008
- Proposal Summary Report issued; June 19, 2008
- Evaluation and Selection Committee Reports issued; July 17, 2008
- SBWMA Board Vote to Short List Companies; July 24, 2008
- Evaluation and Selection Committee Reports issued; January 15, 2009
- Evaluation and Selection Committee Reports issued ; March 16, 2009

Note that all of the reports relating to the Facility Operations Services selection decision have been posted on the SBWMA's website for public viewing at www.rethinkwaste.org.

Member Agency actions as to the writing of this Staff Report include the following:

<u>Member Agency</u>	<u>Meeting Date</u>	<u>Action</u>
County San Mateo	March 3, 2009	Directed their Board Representative to select Hudson Baylor Corporation
Foster City	April 6, 2009	Authorize their Board Representative to vote in favor of the selection of SBR, but further authorized the Board Representative to vote for HBC if two-thirds vote of the Board is not achieved for SBR or if contract negotiations with SBR are unsuccessful.
San Carlos	April 13, 2009	Provided comments to their Board Representative on both short listed firms, agreed to allow the Board Representative to participate in the Shoreway Operator selection process and to allow the Selection Committee Representative to continue to participate in the Selection Committee process
Hillsborough	April 13, 2009	Authorize their Board Representative to vote in favor of the selection of SBR, and suggested an adjustment to SBR's Revenue Guarantee.
Redwood City	Meeting scheduled for April 20, 2009	
East Palo Alto	Meeting scheduled for April 21, 2009	
West Bay Sanitary District	Meeting scheduled for April 22, 2009	



RethinkWaste

South Bayside Waste Management Authority

RESOLUTION NO. 2009-07

**RESOLUTION OF THE SBWMA BOARD OF DIRECTORS
APPROVING SOUTH BAY RECYCLING, LLC AS THE OPERATOR FOR THE
SHOREWAY ENVIRONMENTAL CENTER**

WHEREAS, In July 2008 the Board of Directors of the South Bayside Waste Management Authority (SBWMA) approved two (2) companies as finalists in the Request for Proposal L (RFP) process to find and select an Operator for the SBWMA's Shoreway Environmental Center (the Shoreway Facility): South Bay Recycling, LLC (SBR) and Hudson Baylor Corporation (HBC); and

WHEREAS, the Facility Operations RFP Selection Committee (the Selection Committee) met with the two finalists, received additional information and issued a January 15, 2009 report (Selection Committee Report) which noted nine (9) open issues (the Open Items), in the Selection Committee Report and which have now been reviewed and covered in a further report of the Selection Committee dated March 18, 2009; and

WHEREAS, research into the Open Items provided valuable information about the two short listed companies, but did not change the Selection Committee recommendation of SBR to be the Operator;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the SBWMA hereby approves South Bay Recycling, LLC as the Operator for the Shoreway Facility subject to negotiating a satisfactory agreement for the operations, and such agreement being approved by two-thirds (2/3) of the SBWMA member entities.

PASSED AND ADOPTED by the Board of the South Bayside Waste Management Authority, County of San Mateo, State of California on the 23rd day of April, 2009, by the following vote:

AYES, BOARD MEMBERS

NOES, BOARD MEMBERS

ABSENT, BOARD MEMBERS

ABSTENTIONS, BOARD MEMBERS

I HEREBY CERTIFY that the foregoing Resolution No. **2009-07** was duly and regularly adopted at a regular meeting of the South Bayside Waste Management Authority on April 23, 2009.

ATTEST:

Martha DeBry, Chairperson of SBWMA

Cathy Hidalgo, Board Secretary

APPROVED AS TO FORM:

Robert Lanzone, SBWMA Counsel