



# City of Lawrence

## **Plan for the Establishment of an Organized Recycling Collection Service**

**Description of the procedures used for the development of the plan for an organized recycling collection service and compliance with all required notice provisions.**

On June 12, 2012, the City of Lawrence Commission adopted [Resolution No. 6976](#) announcing the City's intent to consider adoption of an organized collection service for residential recycling within the city limits of Lawrence, Kansas. The statement of intent does not obligate the City to pursue a city-wide residential curbside recycling program, but it does provide notification of consideration of such.

During the 90-days (June 13, 2012 through September 10, 2012) following the adoption of the Resolution of Intent, the plan for the establishment of an organized recycling collection service was developed. The City of Lawrence scheduled three planning meetings on the following dates:

- Wednesday, July 11<sup>th</sup> from 3:00 p.m. to 4:30 p.m.,
- Thursday, July 26<sup>th</sup> from 1:30 p.m. to 3:00 p.m., and
- Friday, August 24<sup>th</sup> from 10:00 a.m. to 11:30 a.m.

All interested persons, including registered haulers operating recycling collection services in the Lawrence, were invited to participate in the development of the plan for the establishment of the proposed organized recycling collection service.

Meeting notices were posted on the [City's online calendar](#) and on the [City's website](#). Meeting agendas, handouts, and notes were also posted on the [City's website](#).

The public hearing for this proposed plan will be held before the governing body of the City of Lawrence, on Tuesday, December 11, 2012, in the City Commission Meeting Room, City Hall, located at 6 East 6<sup>th</sup> Street, Lawrence, Kansas. This public hearing will begin at 6:35 p.m., or as soon thereafter as the governing body's schedule allows.

**Evaluation of the proposed organized recycling collection plan in regard to the following:**

- **Achieving the stated goals;**

The City of Lawrence strives to increase waste diversion over time. Higher diversion and recycling rates are achieved in communities with curbside recycling programs. The City of Lawrence Solid Waste Task Force recommended the goal of 50 percent recycling rate by volume in 2020. To achieve this goal the task force recommended implementing a city-wide single-stream residential curbside recycling program, if fiscally prudent and sustainable. According to the U.S. Environmental Protection Agency, recycling conserves natural resources such as timber, water and minerals, reduces the need for landfilling, prevents pollution caused by manufacturing of products from virgin materials, saves energy, decreases emissions of greenhouse gases that contribute to global climate change, protects and expands US manufacturing jobs, and helps sustain the environment for future generations.

- **Minimizing displacement and economic impact to current recycling collectors;**

The City of Lawrence plans to issue a Request for Proposals (RFP) to select the most qualified and cost effective professional service provider for the proposed organized recycling collection service. The City will also prepare and submit a proposal for municipal curbside collection of residential recyclables in Lawrence. The City's proposal will be matched up with a material processing proposal deemed most advantageous to the City, as determined by the selection committee, and then compared to all other turn-key operations proposals.

All proposals will be evaluated on the basis of cost proposal; experience, financial condition and resources, and management capability; technical feasibility and reliability; and contract proposal. To minimize displacement and economic impact to current recycling collectors, the City of Lawrence will also be evaluating proposals on how the proposers incorporate the small local curbside recycling haulers into their recycling collection service.

- **Ensuring participation in the decision-making process of all interested parties, including all licensees or other persons operating recycling collection services in Lawrence as of the date of the resolution of intent to organize collection in Lawrence (June 12, 2012); and**

As required by Organized Collection Service Act, K.S.A. 12-2036, all curbside recycling haulers operating collection services in the City of Lawrence as of the date of the adoption of the Resolution of Intent (June 12, 2012) were invited to participate in the planning of the proposed organized recycling collection service. These haulers received a letter outlining the meeting schedule and inviting them to participate in the process. They also received email reminders of the upcoming meetings and a phone call to confirm they received the information.

All other interested individuals and businesses were also invited to attend these plan development meetings.

- **Maximizing efficiency in recycling collection; and**

The City of Lawrence key goals in establishing an organized recycling collection service are to increase the amount of material being diverted from the landfill and to increase recycling participation rates. The success of a recycling program is dependent on the efficiency of the collection.

Maximizing efficiency of the collection of recyclables may be accomplished by implementing:

- A city-wide residential curbside recycling collection service: households receive service under the same program. This includes single-family and multi-family households. The City handles billing for the recycling collection service.
- A single-stream recycling program: households may commingle recyclable materials and set out for collection in one recycling container (cart or dumpster). Recyclables are sorted at a processing facility.
- A standard container for set-out of recyclables: households receive a standard roll-out cart to set out their recyclables on collection day or households will have access to a recycling station which is a cluster of recycling carts and / or recycling dumpsters.
- The highest level of automated fleet for collection: fully automated and semi-automated trucks collect recyclables.

In addition, the City of Lawrence may consider implementing every-other-week collection of recyclables instead of weekly collection. Every-other-week collection maximizes volume per set out thus increases collection efficiency and provides other benefits, such as reduced collection costs, reduced emissions from collection vehicles, and reduced impact on city streets.

The current collection model in Lawrence with multiple haulers providing curbside recycling services leads to excessive truck traffic traveling on residential roads (e.g. noise, traffic, safety). Contracting with one hauler who may have subcontractors for collection will maximize efficiency of the recycling collection. The City of Lawrence may also choose to provide the service as a municipal recycling collection service instead of contracting with one hauler.

**Detailed justification for any tax, franchise or similar fee.**

The assessment of franchise fees for recycling collection service providers is not, at the time of passage of the Resolution of Intent, anticipated. Nothing in the Resolution of Intent shall preclude the City from assessing said fees, provided the City follows applicable laws and regulations concerning franchise fees.

## SUPPLEMENTAL INFORMATION<sup>1</sup>

### Plan for the Establishment of an Organized Recycling Collection Service

#### Background Information

The Lawrence City Commission created a Solid Waste Task Force in February 2011 to develop recommendations regarding the long-term solid waste and recycling service options for the community. To develop these recommendations, the Solid Waste Task Force read and listened to feedback from community members, reviewed materials and experiences from other cities and companies that provide waste recycling services, reviewed information compiled by City staff, reviewed recommendations of the Sustainability Advisory Board and the City Auditor, and discussed issues as a group.

On February 28, 2012, the Lawrence City Commission received the [Solid Waste Task Force final report](#) which included a recommended goal of 50 percent recycling rate by volume to be achieved by 2020. To achieve this goal, the task force recommended implementing a city-wide single-stream residential recycling program, if fiscally prudent and sustainable. After receiving this recommendation, the City Commission directed staff to prepare a report on Request for Proposal (RFP) options that outlines major policy issues for a curbside recycling program.

The Organized Collection Service Act, K.S.A. (2011 Supp.) 12-2034 *et seq.*, sets forth procedures to allow a municipality to establish an organized collection service, including a system for collecting recyclables, by ordinance. Further, pursuant to the Organized Collection Service Act, certain procedures must be followed, including adoption of a Resolution of Intent, procedures related to development of a plan, adoption of an ordinance establishing said service, and implementation of the service.

On June 12, 2012, the Lawrence City Mayor signed [Resolution No. 6976](#), stating municipal intent to consider adoption of an organized collection service for residential recycling within the city limits of Lawrence, Kansas.

During the 90-day period following the adoption of the Resolution of Intent (June 13, 2012 through September 10, 2012), City staff developed a plan for establishing an organized collection service for residential recycling in Lawrence. As required by K.S.A. (2011 Supp.) 12-2034 *et seq.*, all interested persons, including licensees and other persons operating recycling collection services in Lawrence, Kansas as of June 12, 2012, were invited to participate in the plan development process. Notices of the planning meetings, agendas and notes were posted on the City's website and online calendar. All registered curbside recycling haulers received a letter and email reminders outlining the meeting schedule and inviting them to participate in the process. Attendees provided input for the plan and the draft RFP to establish city-wide, single-stream curbside recycling collection service for single-family and multi-family dwellings in Lawrence. The attendance summary for the three plan development meetings for the proposed organized recycling collection service is as follows:

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<sup>1</sup> This Supplemental Information summarizes actions taken since the Plan was first provided to the City Commission. It is not intended to identify or set forth every detail or all analysis of the plan proposals or discussions.

<b>July 11, 2012 – Planning Meeting # 1 Attendees</b>	
Kevin Weldon	Honey Creek Disposal
Jeff Joseph	Jeff's Curbside Recycling
Bryan Nepl	Waste Management
Mike Clagett	Deffenbaugh Industries
Jeff Fawcett	Waste Connections
Armond Enclarde	D.R.A.W. Services
Charlie Sedlock	Hamm Waste Services
Jim Tuchscherer	Home Recycling Service
Linda Klinker	Cans for the Community
Josue Lorenzo	Cans for the Community
Staff: Chuck Soules	City Public Works Director
Staff: Tammy Bennett	City Public Works Assistant Director
Staff: Craig Pruett	City Solid Waste Operations Supervisor
Staff: Kathy Richardson	City Waste Reduction/Recycling Operations Supervisor
<b>July 26, 2012 – Planning Meeting # 2 Attendees</b>	
Jeff Joseph	Jeff's Curbside Recycling
Bryan Nepl	Waste Management
Mike Clagett	Deffenbaugh Industries
Jeff Fawcett	Waste Connections
Charlie Sedlock	Hamm Waste Services
Mike Carroll	Carroll Solutions
Staff: Eileen Horn	County/City Sustainability Coordinator
Staff: Chuck Soules	City Public Works Director
Staff: Tammy Bennett	City Public Works Assistant Director
Staff: Craig Pruett	City Solid Waste Operations Supervisor
Staff: Kathy Richardson	City Waste Reduction/Recycling Operations Supervisor
<b>August 24, 2012 – Planning Meeting # 3 Attendees</b>	
Bryan Nepl	Waste Management
Tom Coffman	Deffenbaugh Industries
Jeff Fawcett	Waste Connections
Charlie Sedlock	Hamm Waste Services
Marci Francisco	KU Center for Sustainability; Kansas Senate
Staff: Chuck Soules	City Public Works Director
Staff: Tammy Bennett	City Public Works Assistant Director
Staff: Craig Pruett	City Solid Waste Operations Supervisor
Staff: Kathy Richardson	City Waste Reduction/Recycling Operations Supervisor

The public hearing for the plan for the establishment of an organized collection service for residential recycling was scheduled before the governing body of the City of Lawrence, on Tuesday, December 11, 2012 in the City Commission Meeting Room, City Hall, 6 East 6<sup>th</sup> Street, Lawrence, Kansas. On December 11<sup>th</sup>, the City Commission voted to open the public hearing and also voted to continue the public hearing until such time as the ordinance that will establish an organized collection service for residential recycling came back to the City Commission for consideration. This agenda item is scheduled for the City Commission meeting on Tuesday, March 26, 2013.

On November 1, 2012, the City of Lawrence mailed a letter to notify the representatives of registered curbside recycling service providers in Lawrence of the December 11<sup>th</sup> public hearing for the proposed plan for the establishment of an organized collection service for residential recycling. The letters were sent to Michael Hoffman representing Community Living Opportunities, Mike Clagett representing Deffenbaugh Industries, Armond Enclarde representing DRAW Services, Jim Tuchscherer representing Home Recycling Service, Jeff Joseph representing Jeff's Curbside Recycling, Chris Scafe representing Sunflower Curbside Recycling, and Traci Trent representing Tree Hugger Recycling.

### **Request for Proposal (RFP) and Selection Process**

During the three plan development meetings for the proposed organized recycling collection service, the City of Lawrence received edit suggestions and feedback from attendees for the draft RFP to establish city-wide, single-stream curbside recycling collection service for single-family and multi-family dwellings in Lawrence.

At the September 11, 2012 City Commission meeting, the City Commission received a copy of the RFP No. R1213, authorized the distribution of this RFP and authorized the City to submit a collection only proposal in response to the RFP.

On September 12, 2012, the City of Lawrence posted the RFP on [Demand Star](#), in accordance with City's Purchasing Procedures. The City also emailed a copy of the RFP to the businesses listed below.

<b>Business Name</b>	<b>Contact Person</b>
12 <sup>th</sup> & Haskell Recycle Center	Bo Killough
Allied Waste of Kansas City	Mark Donahoo
Batliner Recycling	Paul Boese
BMS Logistics	Mike Birchmier
Central Fiber	Craig Shultz
Community Living Opportunity*	Michael Hoffman
Deffenbaugh Industries*	Mike Clagett
DRAW Services*	Armond Enclarde
Hamm Waste Services	Charlie Sedlock
Home Recycling Service*	Jim Tuchscherer
Honey Creek Disposal	Kevin Weldon
Jeff's Curbside Recycling*	Jeff Joseph – picked up document at City office
Midwest Shredding Service	Jim Samuelson
Ripple Glass	Mike Utz
Sonoco Recycling	Marty Kowalski
Sunflower Curbside Recycling*	Chris Scafe
Town & Country Disposal	JR Pesek
Tree Hugger Recycling*	Traci Trent
Wal-Mart Recycling Center	Serina Wilkins
Waste Connections	Jeff Fawcett
Waste Management	Bryan Neppi

\*Curbside recycling haulers operating collection services in Lawrence as of June 12, 2012.

A mandatory pre-proposal meeting was scheduled on October 1, 2012 at 9:00 a.m. and the proposals were due on October 26, 2012 by 5:00 p.m.

The curbside recycling RFP included two service solution types:

1. Turn-key recycling operations.
2. Recyclables material processing and marketing only (which would allow municipal collection of recyclables).

Proposers were allowed to submit multiple, alternate responses to each service solution type.

Proposals ([posted online](#)) were received by the October 26, 2012 deadline from:

1. City of Lawrence, collection only;
2. Deffenbaugh Industries, turn-key recycling operations and recyclables material processing and marketing;
3. Hamm Waste Services, recyclables material processing and marketing only; and
4. Waste Management, turn-key recycling operations and recyclables material processing and marketing.

The city's RFP Review Committee was composed of five members: City Commissioner Aron Cromwell, City Manager Dave Corliss, Finance Director Ed Mullins, and two citizens, Daniel Poull who serves on the City's Sustainability Advisory Board and served on the City's Solid Waste Task Force, and Joe Harkins who served on the city's Solid Waste Task Force. The RFP Review Committee reviewed the proposals and interviewed all the proposers on December 4, 2012.

The RFP Review Committee's first recommendation was submitted to the City Commission and discussed at the City Commission meeting on January 22, 2013. All parties who submitted a response to the RFP had the opportunity to address the City Commission during this meeting. Per City Commission direction at the January 22<sup>nd</sup> meeting, the City requested additional information from all parties who submitted a response to the RFP as an addendum. Information requested included:

#### For collection services

Final pricing proposal for collection of single-stream recycling, bi-weekly, with collection matching City's collection days Tuesday through Friday:

1. Pricing proposal including glass; and
2. Pricing proposal excluding glass.

*Small local hauler plan* - Specifically address any proposed plan for small haulers who will be displaced. Provide as much detail about what your organization would do / provide, and what would be the obligations of the City of Lawrence under your proposal. If no plan is submitted, please state such.

#### For material recovery facility services

*City collection option* - Final pricing on tipping fees and rebate structure, based on bi-weekly collection of materials, **no** minimum tonnage guaranteed:

1. Pricing proposal including glass in the delivered stream; and
2. Pricing proposal excluding glass.

*Vendor collection option* - Rebate structure, based on bi-weekly collection of materials:

1. Pricing proposal including glass in the delivered stream; and
2. Pricing proposal excluding glass.

Addendum submittals ([posted online](#)) were received by the January 31, 2013 deadline from:

1. City of Lawrence;
2. Deffenbaugh Industries;
3. Hamm Waste Services; and
4. Waste Management.

After reviewing the addendum submittals, the RFP Review Committee's final recommendation was submitted to the City Commission and discussed at the City Commission meeting on February 12, 2013. All parties who submitted a response to the RFP had the opportunity to address the City Commission during this meeting.

The RFP Review Committee's pricing analysis, decision options and action requested is described in the [February 6, 2013 memo](#).

After receiving the RFP Review Committee's recommendation and hearing public comment at the February 12, 2013 City Commission meeting, the City Commission directed staff to negotiate with Hamm Waste Services for Materials Recovery Facility (MRF) operations under a recycling proposal with the City collecting curbside recycling on a bi-weekly basis.

On March 26, 2013 the City Commission will consider the following items related to the establishment of an organized collection service for residential recycling:

- a) Close public hearing for the proposed plan for the establishment of an organized collection service for residential recycling and approve the plan.
- b) Adopt on first reading Ordinance No. 8851 establishing an organized collection service for residential recycling within the City limits of Lawrence, if appropriate.
- c) Authorize the Mayor to enter into an agreement with N.R. Hamm Quarry LLC for recyclables processing and marketing services.

**Evaluation of the proposed organized recycling collection plan in regard to the following:**

- **Achieving the stated goals;**

The proposed organized collection service for residential recycling will increase waste diversion over time. By providing a residential single-stream recycling collection service, the City's recycling program will also:

- Increase the amount of material being diverted from the landfill;
- Increase recycling participation rates;
- Ensure a marketable end product from collected recyclables;
- Promote the City's sustainability goals; and
- Enhance community awareness of recycling.



- **Minimizing displacement and economic impact to current recycling collectors;**

The Ordinance No. 8851 provides the flexibility in allowing other persons to collect residential permitted recyclable materials within the City limits of Lawrence, Kansas if authorized by license or other formal agreement with the City.

Since June 12, 2012, the Lawrence City Commission has discussed its intent to consider adoption of an organized collection service for residential recycling. The implementation of such service will not occur until on or after October 15, 2014. The length of time in which this topic had been under discussion and the 18-month delayed implementation of the proposed organized recycling collection service have provided current recycling collectors time to prepare for the new service the City of Lawrence will roll-out with the City as the hauler of residential single-stream recyclable materials. The recyclable materials collected will be transported to the Hamm Waste Services MRF for recyclables processing and marketing services.

- **Ensuring in the decision-making process of all interested parties, including all licensees or other persons operating recycling collection services in Lawrence as of the date of the resolution of intent to organize collection in Lawrence (June 12, 2012); and**

All registered curbside recycling collectors in Lawrence, Kansas as of June 12, 2013 as well as other interested parties were invited to participate in the plan development meetings (see page 2 for attendance summary). Notices of the planning meetings, agendas and notes were posted on the City's website and online calendar. All registered curbside recycling haulers received a letter and email reminders outlining the meeting schedule and inviting them to participate in the process. Thirty days prior to the December 11<sup>th</sup> public hearing for the proposed plan for the establishment of an organized collection service for residential recycling, the City of Lawrence mailed a letter to notify the representatives of registered curbside recycling service providers in Lawrence of the public hearing. The registered curbside recycling collectors who received notifications throughout this plan development process were: Michael Hoffman representing Community Living Opportunities, Mike Clagett representing Deffenbaugh Industries, Armond Enclarde representing DRAW Services, Jim Tuchscherer representing Home Recycling Service, Jeff Joseph representing Jeff's Curbside Recycling, Chris Scafe representing Sunflower Curbside Recycling, and Traci Trent representing Tree Hugger Recycling.

- **Maximizing efficiency in recycling collection; and**

As stated in the plan, the City's key goals for the organized recycling collection service are to increase the amount of material being diverted from the landfill and to increase recycling participation rates. The success of a recycling program is dependent on the efficiency of the collection. To maximize efficiency of the collection of recyclable materials in Lawrence:

- There will be one hauler. The recommended hauler is the City of Lawrence.
- The service will be offered to all single-family and multi-family dwellings.
- The recyclable materials will be collected in recycling carts or recycling dumpsters as a single-stream recycling program (households may commingle recyclable materials

- in one recycling container). Recyclable materials collected will be transported to Hamm Waste Services' MRF for recyclables processing and marketing services.
- For single-family customers who do not receive dumpster trash service, collection of recyclable materials will occur every-other-week. This increases collection efficiency and provides other benefits, such as reduced collection costs, reduced emissions from collection vehicles, and reduced impact on city streets.
  - Any new fleet vehicles the City purchases for the collection of recyclable materials will have a high level of automation (fully and semi-automated trucks).

- **Detailed justification for any tax, franchise or similar fee.**

There will be no tax or franchise fee with the proposed organized recycling collection service. For discussion of the RFP Review Committee's fee development, see the [February 6, 2013 memo](#).