

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
8800 Cal Center Drive
Sacramento, CA 95826
(916) 255-2200

Tuesday, June 10, 1997
1:30 p.m.
meeting of the

ADMINISTRATION COMMITTEE

Daniel G. Pennington, Chairman
Janet Gotch, Member
Steven R. Jones, Member

AGENDA

- Note:
- o Agenda items may be taken out of order.
 - o If written comments are submitted, please provide 15 two-sided copies.
 - o Public testimony may be limited to five minutes per person.
 - o Unless otherwise indicated, Committee meetings will be held in the CIWMB Hearing Room, 8800 Cal Center Drive, Sacramento, CA.
 - o Any information included with this agenda is disseminated as a public service only, and is intended to reduce the volume and costs of separate mailings. This information does not necessarily reflect the opinions, views, or policies of the CIWMB.
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Important Notice: The Board intends that Committee Meetings will constitute the time and place where the major discussion and deliberation of a listed matter will be initiated. After consideration by the Committee, matters requiring Board action will be placed on an upcoming Board Meeting Agenda. Discussion of matters on Board Meeting Agendas may be limited if the matters are placed on the Board's Consent Agenda by the Committee. Persons interested in commenting on an item being considered by a Board Committee or the full Board are advised to make comments at the Committee meeting where the matter is considered.

Some of the items listed below may be removed from the agenda prior to the Committee meeting. To verify whether an item will be heard, please call Marlene Kelly, Committee Secretary, at (916) 255-2151.

- 1. UPDATE ON THE STATUS OF OUT-OF-STATE EXPORT OF SOLID WASTE
- 2. CONSIDERATION OF AWARD OF THE FY 1996-97 LABORATORY SERVICES CONTRACT (IWM-C6058)
- 3. CONSIDERATION OF AWARD OF TIRE RECYCLING PROGRAM FY 1996-97 RUBBERIZED ASPHALT CONCRETE GRANTS
- 4. CONSIDERATION OF APPROVAL FOR A FY 1997-98 CONTRACT CONCEPT FOR A FINANCIAL CONSULTANT IN SUPPORT OF THE RECYCLING MARKET DEVELOPMENT REVOLVING LOAN PROGRAM
- 5. CONSIDERATION OF AWARD OF FY 1996-97 CONTRACTS FOR ENGINEERING SERVICES AND LANDFILL AND DISPOSAL SITE REMEDIATION FOR THE SOLID WASTE DISPOSAL AND CODISPOSAL SITE CLEANUP PROGRAM (AB 2136)
- 6. CONSIDERATION OF AWARD OF FY 1996-97 ILLEGAL WASTE TIRE ENVIRONMENTAL SERVICES CONTRACT FOR THE STABILIZATION AND ABATEMENT OF ILLEGAL WASTE TIRE SITES
- 7. OPEN DISCUSSION
- 8. ADJOURNMENT

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28

Notice:

The Board or the Committee may hold a closed session to discuss the appointment or employment of public employees and litigation under authority of Government Code Sections 11126 (a) and (q), respectively.

For further information or copies of agenda items, please contact:

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CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Administration Committee

June 10, 1997

AGENDA ITEM 1

ITEM: UPDATE ON THE STATUS OF OUT-OF-STATE WASTE EXPORT

I. SUMMARY

This item is an update on the information previously provided to the Administration Committee on the waste exported from California by local jurisdictions. The attached table entitled "Waste Export Summary" details the twelve local jurisdictions currently exporting waste out-of-state, the percentage of their waste which is currently being exported, the reasons for export and the projected lost revenue.

II. PREVIOUS COMMITTEE ACTION

At its December 5, 1995 meeting, members of the Administration Committee (Committee) requested that staff review programs administered by the California Integrated Waste Management Board (Board) that provide either program/technical or monetary (grant and loan programs) support to local entities from the Integrated Waste Management Account (IWMA). In particular, several members requested information on the amount of monetary support to jurisdictions exporting solid waste to other states, thus avoiding full payment into the IWMA. The Committee heard the item, "Discussion of Programs Funded by the Integrated Waste Management Account and the Impacts of Out-of-State Waste Disposal on Those Programs" at its February 6, 1996, meeting. The Policy and Analysis Office (PAO) was requested to periodically update the Board on the status of out-of-state waste export as it relates to lost tip fee revenue.

This item was previously heard by the Committee at its September 10, 1996 meeting. At that time, Committee Members asked to have this item brought back to the Committee with any updates. PAO updated the Board via a memorandum in December 1996, indicating that there were no significant changes. In December, it was requested that PAO provide quarterly updates to the Board.

III. OPTIONS FOR THE COMMITTEE

This is a discussion item only. Committee members may wish to:

1. Direct staff to further examine the fee impacts of out-of-state waste export and to provide possible options to address the impacts of waste export at a future committee meeting or Board meeting; and to provide periodic updates on the amount of waste being exported out-of-state.

IV. STAFF RECOMMENDATION

This item has been prepared to provide information to Committee members as a basis for discussion. There is no staff recommendation.

V. ANALYSIS

Potential Impacts of Waste Export on the Integrated Waste Management Account (IWMA)

The IWMA is the largest of the Board's funding sources. It is funded by surcharges levied by the State Board of Equalization on each ton of solid waste received by the state's approximately 300 permitted solid waste landfills that accept at least five tons of solid waste per operating day. In 1996, this amounted to 32.6 million tons and \$43.7 million. Public Resources Code sections 48000-48008 set forth the collection and administration criteria for the IWMA. The fee itself is currently assessed at \$1.34 per ton, and is not allowed to exceed \$1.40 per ton by statute.

The Board is required by statute to expend the funds from the IWMA, upon appropriation by the Legislature, for: 1) the administration and implementation of the requirements of Division 30 of the Public Resources Code; and, 2) the State Water Board's and regional boards' implementation of Division 7 (commencing with section 13000) of the Water Code, which governs the water quality aspects of waste discharge to landfills.

For purposes of implementing Division 30 of the Public Resources Code, the IWMA is used to fund a broad range of activities. While revenue is derived from permitted solid waste disposal sites, these funds support a very comprehensive mandate, including disposal site management. All of the activities

supported by programs provided for in Division 30 in some way contribute toward implementing the hierarchy of integrated waste management. Included in Division 30 are Countywide Integrated Waste Management Plan development and implementation requirements: the tool for characterizing and defining the means that local entities will undertake to reach the statutory 25% and 50% diversion mandates. Market development activities are promoted to use the portion of the waste stream that is diverted from disposal. Facility management (permitting and enforcement) programs assist in ensuring that waste diverted from disposal is managed in an environmentally sound manner while promoting the diversion benefit. Educational programs then assist local entities in bringing about behavioral changes in the population to realize success in meeting the mandates.

It is important to note that the most recent update to the "Out-of-State Waste Disposal" report, prepared by Board staff in April 1995, identified significant near-term and long-term out-of-state landfill capacity implications. Seventeen jurisdictions were identified as having a high potential for waste export, based upon a threshold cost per ton at which out-of-state disposal may become more economical. These seventeen jurisdictions have the potential for exporting 11.7 million tons annually, reflecting a possible loss of revenue to the IWMA of \$15.8 million. This export is contingent upon: 1) the capacity of out-of-state landfills, 2) tipping fees outside of California, 3) transportation rates, 4) tipping fees within California, and 5) landfill closure schedules within California. However, the total waste exported for fiscal year 1995/1996 was slightly over 400,000 tons.

Legislative History

In previous years, two bills contained language to attach fees to solid waste which is exported. Neither of these bills were successfully passed with the waste export fee language included.

AB 688 This bill was introduced in the 1993/1994 legislative session. Language was added on August 8, 1994, which would have required each operator of a transfer station to pay a quarterly fee to the Board of Equalization (BOE), based upon the amount of solid waste handled at the transfer station that was to be disposed of outside the state. This bill specified that the fee bear a

direct relationship to the reasonable and necessary cost of regulating the handling at the transfer station of the solid waste upon which the fee would have been imposed. This text was pulled from the bill on August 29, 1994. The Board supported this bill, however, it was passed and chaptered without the language outlined above.

SB 1023 This bill was introduced in the 1995 legislative session and would have required each operator of a transfer station to pay a quarterly fee to BOE, based upon the amount of solid waste handled at the transfer station that was to be disposed of outside the state. This bill specified that the fee bear a direct relationship to the reasonable and necessary cost of regulating the handling at the transfer station of the solid waste upon which the fee would have been imposed. This bill was not initiated by the Board and neither the Legislation and Public Education Committee nor the Board took a position on this bill. The bill died in committee.

Key Issue

- Several counties have chosen to export a portion or all of their waste out-of-state (see Attachment 1). Consequently, tipping fees are not paid at the full contribution level to the IWMA for this waste.

Fiscal Impacts

Attachment 1, "Waste Export Summary" summarizes for counties which have chosen to export some or all of their solid waste out-of-state, the percentage of their waste which is currently being exported, the reasons for export and the projected lost revenue.

Findings

Since this item was last researched, there have been two significant changes in the local jurisdictions' export of waste out-of-state, and in the subsequent fees that are paid for waste landfilled within California, as follows:

- Alpine County has reduced the waste they export from approximately 39 percent to approximately 15 percent; and
- El Dorado County has increased the waste they export from approximately 35 percent to approximately 90 percent.

There are currently twelve counties that export a portion or all of their waste out-of-state. These counties collectively exported approximately 407,600 tons of waste out-of-state for fiscal year 1995-1996. This export is approximately 1.2% of the non-recovered waste generated by California in fiscal year 1995-1996. Based upon historical data, actual data from the first and second quarters (where available), and surveys of local jurisdictions, PAO projects that approximately 410,200 tons will be exported out-of-state during the fiscal year 1996-1997, which would amount to a loss of revenue of approximately \$591,200.

VI. ATTACHMENTS

1. Waste Export Summary Table

VII. APPROVALS

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Reviewed By: Rubia Packard ^{BJ for mg} _{RP} Phone: 255-2650

Reviewed By: Gary Arstein-Kerslake ~~SA~~ Phone: 255-2269

Reviewed By: Susan Pedersen ^{BJ for ST} Phone: 255-2171

Legal Review _____ Phone: _____

Waste Export Summary

County	Rural County	Current % Exporting	Projected Lost Revenue FY 1996/1997	Reasons for Export
Alpine	yes	15%	\$1,100	No SW landfill; proximity; geography.
Amador	yes	32	8,100	Eastern portion of county exports due to cost and proximity.
El Dorado	yes	90	95,000	Cost; proximity, geography; safest route.
Modoc	yes	100	7,400	Cost; proximity.
Napa	no	57	74,800	Quality; cost.
Nevada	yes	75	38,700	Cost.
Placer	yes	19	54,900	Closed landfill; proximity; cost.
Plumas	yes	91	21,100	Cost; regional SW landfill is in Nevada.
San Bernadino	no	<1	6,900	Proximity; 8-10 miles to Arizona landfill.
San Diego	no	2	108,300	Cost.
Solano	no	25	140,000	Vallejo is part of Napa JPA which exports.
Tuolumne	yes	99	34,900	Can't site new SW landfill; cost.
TOTAL			\$591,200	

Note: All figures are approximate as of 4/97

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Administration Committee

June 10, 1997

AGENDA ITEM 2

ITEM: CONSIDERATION OF AWARD OF THE FY 1996-97 LABORATORY SERVICES CONTRACT (IWM-C6058)

I. SUMMARY

The California Integrated Waste Management Board (Board) receives an annual appropriation from the California Tire Recycling Management Fund (Tire Fund) to administer the Tire Recycling Act and related legislation. Individual programs involved either permitting and enforcement or market development activities.

The Board held a workshop on September 5, 1996 to solicit comments regarding tire program priorities and funding allocations. Staff presented a white paper discussing these issues on October 22, 1996. The Board adopted a funding allocation on November 20, 1996 which included a contract concept to test the feasibility of using tires as a fuel supplement at Cogeneration Facilities in California.

An invitation for bid (IFB) was developed by staff to solicit bids from qualified contractors to perform the types of emissions, ash and fuel testing that will likely be required during the course of these demonstrations. The scope of work for the IFB was distributed to committee advisors for review prior to its release. The IFB was advertised in the States Contract Register on May 2, 1997. Copies of the IFB were mailed to all interested parties. Bids were required to be received on May 20, 1997, but the deadline was extended until 3:00 p.m. May 27, 1997 to allow bidders additional time to prepare their bids.

Five bids were received. The lowest responsive bidder for the selected testing and analyses was Acurex Environmental with a bid of \$85,971.

Staff examined the related experience, qualifications, references, current licenses and accreditation, and determined that Acurex Environmental meets the minimum qualifications as stated in the IFB and is therefore the lowest qualified bidder.

II. PREVIOUS BOARD ACTION

The Board has adopted Tire Program funding allocations each year since FY 1992-93. The Board approved the concept for this contract at its November 20, 1996, meeting and appropriated \$200,000 for the project.

III. OPTIONS FOR THE COMMITTEE

Committee members may decide to:

1. Award the contract to the lowest qualified bidder; or
2. Decline to award the contract.

IV. STAFF RECOMMENDATION

Staff recommends that the Committee award the contract to the lowest qualified bidder.

V. ANALYSIS

Background

California is faced with the challenge of responsibly managing approximately 30 million reusable and waste tires generated annually, as well as an estimated 30 million stockpiled tires. Annual generation is expected to increase as the state's population increases.

Assembly Bill 1843 (Stats. 1989, c. 974) established the California Tire Recycling Management Act (Act) to oversee the management of waste tires. The Act initiated a tire recycling program to promote and develop markets for waste tires as alternatives to landfill disposal and stockpiling. The Act allows the Board to award grants and loans to businesses and public entities. The Act also addresses ongoing storage of tires in stockpiles and cleanup of illegal piles. The Board is charged with responsibility for tire pile stabilization and remediation where public health and safety and the environment may be at risk.

Tire Program implementation began in 1990 and is supported by a \$.25/tire fee paid by consumers at the time of retail purchase. Monies remitted to the fund are appropriated to the Board annually in the budget act. Because the statutory fee collection

provisions sunset June 30, 1999, the program is funded only for two remaining fiscal years (FY 1997-98 and FY 1998-99). While the fee collection provisions sunset, all of the program mandates continue.

Additionally, in 1993, SB 744 (Stats. 1993, c. 511) enacted the Waste Tire Hauler Registration Program to ensure that waste tires are legally transported to authorized sites. The Waste Tire Hauler Registration Program went into effect on January 1, 1995.

FY 1996-97 Tire Fund Allocation

On September 5, 1996, the Policy, Research, and Technical Assistance Committee conducted a workshop to obtain input from a wide range of interested parties on their recommendations for tire program priorities and funding allocations. The Committee received testimony from representatives of the tire recycling industry, local governments, environmental organizations, and recognized national organizations involved in waste tire management.

One of these recommendations was to study the use of tires as a fuel supplement at energy recovery facilities in California. Industry representatives have estimated that approximately 8 million of California's waste tires could be beneficially reused to produce energy if all 5 coal-fired fluidized bed cogeneration facilities in California were permitted to substitute 15 percent of their fuel (coal) with shredded tires. Other possible uses of tire fuel are cement kilns and biomass plants.

The Policy, Research, and Technical Assistance Committee met on September 10, 1996, and discussed issues and questions raised during the September 5, 1996, workshop. On October 22, 1996, the Policy, Research, and Technical Assistance Committee met and discussed the workshop and provided staff with direction for developing background information and options for consideration of program priorities and funding allocations.

The Board met on October 23, 1996, and asked that staff bring back to the November 5, 1996, Policy Research, and Technical Assistance Committee an item for the consideration of the program funding allocation. On November 5, 1996, the Policy, Research, and Technical Assistance Committee forwarded to the Board for adoption a recommendation for the FY 1996-97 Tire Fund allocation. On November 20, 1996, the Board adopted a funding

allocation which included a contract for \$200,000 to test emissions and ash produced at cogeneration facilities testing the use of Tire Derived Fuel (TDF).

Contract Development

Due to the diverse use of tires as a fuel supplement in California, and because emissions from facilities combusting tires are a concern, a contract for analyzing emissions test data and residual byproducts (ash), and producing a technical report of the results is needed.

Although some data exist with respect to air emissions more information needs to be obtained in order to properly and accurately characterize emissions. Tests to determine emissions of particulate matter, gaseous criteria pollutants, and toxic air contaminants need to be performed on the primary fuels (baseline) as well as a variety of fuel mixes and operating conditions. The results of this testing should allow individual facilities to determine their status with respect to state and federal regulations and whether any increases in emissions will result in additional regulatory requirements.

The results obtained from this study will provide essential documentation and materials for use in informing local governments, regulatory agencies, and the public. The study will also provide important information for helping develop new and maintain existing markets, for the use of tires as a fuel.

Key Issues

Based on the Board's directive, staff developed an IFB to seek bids from qualified contractors for a laboratory services contract which will provide the mechanism to test emissions, characterize the ash produced, and provide other sampling and analyses as required.

The amount of the award under consideration is \$173,000. \$27,000 of the original \$200,000 allocation was used to support testing at a central valley location in March.

11 An invitation for bid (IFB) was developed by staff to solicit bids from qualified contractors to perform the types of emissions, ash and fuel testing that will likely be required

during the course of these demonstrations. The scope of work for the IFB was distributed to committee advisors for review prior to its release. The IFB was advertised in the States Contract Register on May 2, 1997. Copies of the IFB were mailed to all interested parties. Bids were required to be received on May 20, 1997, but the deadline was extended until 3:00 p.m. May 27, 1997 to allow bidders additional time to prepare their bids.

Five bids were received. The lowest responsive bidder for the selected testing and analyses was Acurex Environmental, based upon a hypothetical bid scenario.

Staff examined the related experience, qualifications, references, current licenses and accreditations, and determined that Acurex Environmental meets the minimum qualifications as stated in the IFB and is therefore the lowest qualified bidder.

VI. APPROVALS

Prepared By:	<u>David Volden</u>	Phone:	<u>255-2439</u>
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Reviewed By:	<u>Caren Trgovcich</u> <i>CT</i>	Phone:	<u>255-2320</u>
Reviewed By:	<u>Dorothy Rice</u> <i>D. Rice</i>	Phone:	<u>255-2431</u>
Reviewed By:	<u>Rick Beard</u> <i>Beard</i>	Phone:	<u>255-2290</u>
Reviewed By:	<u>Gary Arstein-Kezlake</u> <i>AK</i>	Phone:	<u>255-2275</u>
Legal			
Review:	<u>N/A</u>	Date/Time:	<u></u>

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Administration Committee

June 10, 1997

AGENDA ITEM 3

**ITEM: CONSIDERATION OF AWARD OF TIRE RECYCLING PROGRAM,
FY 1996/97 RUBBERIZED ASPHALT CONCRETE GRANTS**

I. SUMMARY

At its November 1996 meeting, the California Integrated Waste Management Board (Board) allocated \$200,000 from the FY 96-97 California Tire Recycling Management Fund allocation to fund grants to local governments for projects that used rubberized asphalt concrete (RAC). Staff has reviewed the grant applications and would like the Board's consideration for approval of the grant awards as recommended by staff.

II. PREVIOUS COMMITTEE ACTION

No prior committee action has been taken on this item. However, the committee considered the tire recycling program's Playground Cover grant awards on May 6, 1997, and has considered the tire recycling grant program's recommendations for grant funding in previous years.

III. OPTIONS FOR THE COMMITTEE

Committee members may decide to:

1. Adopt staff's recommendation.
2. Modify staff's recommendation and forward to the Board.

IV. STAFF RECOMMENDATION

Staff recommends that the Committee forward a recommendation to the Board to adopt the staff recommendation (Attachment 2) for grant awards and direct staff to develop and execute grant agreements with the recommended recipients.

V. ANALYSIS

Background

Assembly Bill 1843 (Statutes of 1989, Chapter 974), the Tire Recycling Act, allows the Board to award grants to local governments and public entities involved in tire recycling

activities. On November 20, 1996, the Board adopted a funding allocation for the FY 1996/97 Tire Program which included \$200,000 for RAC grants. These grants provide up to \$50,000 for construction and material costs, with a 50% matching funds requirement.

The Board advisors developed a process to select the potential recipients of grant awards. The four potential recipients, Cities of Richmond, Sacramento, San Francisco and County of Sacramento, were mailed applications on May 1, 1997. All applicants returned their applications by the May 20, 1997 due date.

Findings

Staff reviewed the applications submitted by each applicant. Staff feels that the City of Richmond and San Francisco meet all requirements and should receive requested funding. Evaluation of the City of Sacramento and County of Sacramento applications revealed that some of the costs were not eligible for grant funding and as a consequence staff reduced the recommended award amount. None of the four applicants submitted authorizing resolutions from their respective Boards or Councils. All applicants have notified staff that their respective Boards or Councils will take action on the resolution by June 10, 1997.

VI. ATTACHMENTS

1. Resolution 97-248, Adoption of the FY 1996/97 RAC grants
2. FY 1996/97 RAC Grant Funding Recommendations
3. Disqualified Expenses

VII. APPROVALS

Prepared by: Nate Gauff *NAG* Phone: 255-4578
Reviewed by: Nguyen Van Hanh *NVH* Phone: 255-2437
Reviewed by: Martha Gildart *MCG* Phone: 255-2619
Reviewed by: Caren Trgovcich *CT* Phone: 255-2320
Reviewed by: Gary Arstein-Kerslake *AK* Phone: 255-2275
Legal: N/A Date/Time: _____

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION NO. 97-248
June 25, 1997

ADOPTION OF THE FY 1996/97 RUBBERIZED ASPHALT CONCRETE GRANTS

WHEREAS, the State of California is faced with an inventory of at least 30 million tires, posing a threat to public health and safety and the environment; and

WHEREAS, approximately 30 million waste tires are generated annually and about 12 million are not recycled; and

WHEREAS, the Tire Recycling Act (Public Resources Code [PRC] 42800 et. seq.) requires the reduction of the landfill disposal and stockpiling of waste tires by 25 percent within four years of full implementation of a statewide tire recycling program and to recycle and reclaim used tires and used tire components to the greatest extent possible in order to recover valuable natural resources; and

WHEREAS, PRC Section 42871(a) requires the California Integrated Waste Management Board (hereafter referred to as the "Board") to maintain a tire recycling program which promotes and develops alternatives to the landfill disposal and stockpiling of waste tires; and

WHEREAS, the Board receives an annual appropriation from the California Tire Recycling Management Fund to administer the Tire Recycling Act and related legislation; and

WHEREAS, it is the intent of the Legislature for the Board to permit waste tire stockpiles, register waste tire haulers, enforce the Board's regulations, provide financial assistance for recycling, and promote markets for the reduction of the landfill disposal of waste tires; and

WHEREAS, to further the legislative objective to "recycle and reclaim used tires and used tire components to the greatest extent possible in order to recover valuable natural resources", the Board adopted the Market Development Plan which includes a goal of a diversion rate of 75 percent of the waste tires generated by 2000; and

WHEREAS, the Tire Program may include the awarding of grants, loans and contracts to promote the reduction of landfill disposal of waste tires in California; and

WHEREAS, the Board allocated \$200,000 for the FY 1996/97 rubberized asphalt concrete grant program; and

WHEREAS, the Board intends to adopt a funding allocation annually; and

WHEREAS, the Administration Committee, on June 10, 1997, considered the grant awards;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby adopts the Committee recommendation for the FY 1996/97 rubberized asphalt concrete grants as listed in Attachment 2; and

BE IT FURTHER RESOLVED that the Board hereby directs staff to develop and execute grant agreements with the grant recipients; and

BE IT FURTHER RESOLVED that any funds from this program that are repaid to the Board by grant, loan, or contract recipients, will be repaid to the California Tire Recycling Management Fund.

CERTIFICATION

The undersigned Executive Director of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on June 25, 1997.

Dated:

Ralph E. Chandler
Executive Director

1996/97 Rubberized Asphalt Concrete GrantFunding Recommendations

<u>Applicant</u>	<u>Requested Funds</u>	<u>Recommended Funding</u>
City of Richmond	\$40,000	\$40,000
City of Sacramento Public Works Department, Street Division	\$50,000	\$40,000
Sacramento County Department of Regional Parks, Recreation and Open Space	\$50,000	\$37,000
San Francisco Department of Public Works	<u>\$50,000</u>	<u>\$50,000</u>
Total	\$190,000	\$167,000

Disqualified Expenses

City of Sacramento: Reduced recommended funding by \$10,000 because Task I - "Prepare plans and specifications", is ineligible for grant funding.

County of Sacramento: Reduced recommended funding by \$13,000, to maintain 50% matching requirement. Match for Task I - "Select type of RAC to be used", is ineligible. Parts of match for Task II - "Prepare bid package & award contract", and Task IV - "Inspection/review of paved segments", are for administrative or overhead expenses, which are ineligible.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Administration Committee
June 10, 1997

AGENDA ITEM 4

ITEM: CONSIDERATION OF APPROVAL FOR A FY 1997-98 CONTRACT CONCEPT FOR A FINANCIAL CONSULTANT IN SUPPORT OF THE RECYCLING MARKET DEVELOPMENT REVOLVING LOAN PROGRAM

I. SUMMARY

This agenda seeks approval of a FY 1997-98 contract concept for a Financial Consultant to provide expert level support of the Recycling Market Development Revolving Loan Program (Program).

II. PREVIOUS COMMITTEE ACTION

This is the first time this item has been presented to the Administration Committee.

III. ANALYSIS

The Board had previously approved a 1996-97 Financial Services contract concept for an amount not to exceed \$115,000. Staff believes that there is insufficient time to properly conduct the IFB process and award a contract by the end of the fiscal year. Hence, the previously approved 1996-97 contract concept will not be awarded and the monies which would have been encumbered will remain in the continuously appropriated Program Subaccount.

The term of the existing Financial Services contract ends June 30, 1997. Staff believes that if a contract concept can be approved at the June 10, 1997, Administration Committee meeting, that the IFB process can be completed and a contract awarded by July or August 1997. This will minimize the time the Program does not have access to a Financial Consultant.

The Program has had an outside financial consultant since its inception. The emphasis in past contracts was for the consultant to meet with and assess the applicants and negotiate the initial credit terms. The consultant then guided the Loan Officers through the analysis and write-up phases. As Program staffing has shifted to fully trained Loan Officers with extensive commercial lending experience, the contract work emphasis has shifted to: 1) direct assistance to loan applicants with loan packaging, particularly as involves the production of reliable cash flow projections and 2) assistance to staff in the underwriting phase, in the form of interpretation of complicated accounting & tax data. The financial consultant also assists with

accounting & tax data. The financial consultant also assists with special projects such as loan sales, input on workout agreements, and other instances where private sector input is required or advantageous.

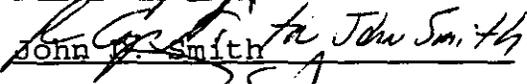
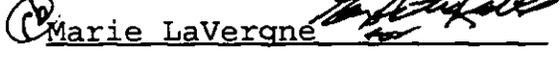
IV. STAFF RECOMMENDATION

Staff recommends approval of the contract concept for the Financial Consultant to provide expert-level support of the Recycling Market Development Revolving Loan Program.

V. ATTACHMENT

1. Resolution # 97-234
2. Contract concept

VI. APPROVALS

Prepared by:	 <u>Charles Haubrich</u>	Phone: <u>255-2471</u>
Reviewed by:	 <u>Robert Caputi</u>	Phone: <u>255-2442</u>
Reviewed by:	 <u>John W. Smith</u>	Phone: <u>255-2413</u>
Reviewed by:	 <u>Caren Trgovcich</u>	Phone: <u>255-2320</u>
Reviewed by:	 <u>Marie LaVergne</u>	Phone: <u>255-2269</u>

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

RESOLUTION #97-234

BE IT RESOLVED that the Board hereby approves the contract concept for a financial consultant in support of the Recycling Market Development Revolving Loan Program.

CERTIFICATION

The undersigned Executive Director of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board on June 25, 1997.

Dated:

Ralph E. Chandler
Executive Director

**CONTRACT CONCEPTS
FISCAL YEAR 1997-98**

Concept Number:

Requesting Party: Recycling Market Development Revolving Loan Program

Amount: \$115,000

Fund: IWMA

Primary Staff Contact: Bob Caputi 255-2442

Description: Specialized Accounting/Financial Assistance

The purpose of this proposed contract is to obtain specialized accounting and/or financial assistance services in support of the Board's Recycling Market Development Revolving Loan Program. Specific services include, but are not limited to: providing loan packaging technical assistance to RMDZ loan applicants, reviewing staff credit analysis, and upon the request of staff, review applications to provide opinions to loan officers regarding accounting and credit issues. This contract is currently held by KPMG Peat Marwick, LLP.

Supports Board Mandate: The contract is necessary for the Board to provide adequate support to the Recycling Market Development Zone Loan Program and local jurisdictions in achieving AB 939 disposal reduction mandates.

History: This represents a decrease from FY 1994-95 (\$150,000) and maintains the same level of funding as FY 1995-96, while extending the term of this contract to two full years.

Benefit to the Board:

If approved, the Board will be able to assist local jurisdictions in achieving AB 939 disposal reduction mandates.

If denied, the ability of the Board to assist local jurisdictions will be severely affected.

Budget Process: The amount is based on a modified scope of work from historical activities and past experience.

[Signature]
Division Liaison

5/20/97
Date

[Signature] for J. Smith
Branch Manager

5-20-97
Date

[Signature]
Deputy Director

5-20-97
Date

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Administration Committee

June 10, 1997

AGENDA ITEM 5

ITEM: CONSIDERATION OF AWARD OF FY 1996-97 CONTRACTS FOR ENGINEERING SERVICES AND LANDFILL AND DISPOSAL SITE REMEDIATION CONTRACT FOR THE SOLID WASTE DISPOSAL AND CODISPOSAL SITE CLEANUP PROGRAM (AB 2136)

I. SUMMARY

Implementation of the AB 2136 Program was approved by the Board on February 24, 1994. The AB 2136 Program allows the Board to expend funds directly for cleanups of solid waste disposal and codisposal sites through Board contracts. The Board approved four contracts to facilitate the Board-managed area of the cleanup program on June 22, 1994. These contracts were for three cleanup contractors and one engineering services consultant. The three cleanup contracts were divided into a northern California quick remediation contract awarded to Norcal Engineering and Construction Services, a southern California quick remediation contract was awarded to Sukut Construction, Inc. , and a large remediation contract for sites throughout the state was awarded to Granite Construction Company. The engineering services contract was awarded to CH2M Hill. The contracts were to expire June 30, 1996, however the Granite and Sukut contracts were extended another year in order to complete some projects. All funds within the contracts will be nearly expended when the contracts expire. The Norcal and CH2M Hill contracts expired on June 30, 1996, with all funds expended. The three original construction cleanup contracts were replaced with two contracts for any type of remediation throughout the state. The engineering services contract was replaced with an identical contract. The Board approved the three replacement contracts on April 24, 1996. All three of these contracts went to recipients of prior contracts respectively (Granite, Sukut and CH2M Hill). These three contracts expire on June 30, 1998.

On February 26, 1997, the Board approved a contract concept to procure one new construction cleanup contractor and an engineering services consultant to support the Solid Waste Disposal and Codisposal Cleanup Program. By hiring one new construction cleanup contractor and one new engineering services consultant at this time staff will be able to stagger the terms of the future contracts. This will facilitate field work and give the program more options at the time a contract is due to expire.

II. OPTIONS FOR THE COMMITTEE

Committee Members may:

1. Approve both of the contracts presented by staff and forward to the full Board for action awarding an engineering services contract not to exceed \$500,000 and a construction contract not to exceed \$1,800,000.; or

2. Disapprove the contracts.

III. STAFF RECOMMENDATION

At the time this item was written, staff had not yet completed the bid selection process. Interviews were scheduled for May 27, 28 and 29, 1997. The successful contractor and consultant will be determined after the interviews. The staff recommendation will be made orally at the committee meeting.

IV. ANALYSIS

Based on the approximately three years of managing the AB 2136 Cleanup Program and its contracts, staff determined two cleanup contracts and an engineering services contract are ideal to effectively support the program; two construction cleanup contractors for cleanup of illegal disposal sites and remediation at old landfills and an engineering services consultant to perform site investigations, provide plans and specifications for the projects, and to provide construction support services.

The proposal evaluation process consists of the following:

1. Completeness review of the Statement of Qualifications (SOQs).
2. Evaluation of the complete SOQs, including checking references and quality of the submittal, looking at the companies prior experience on similar projects and availability and experience of staff to support Board-managed cleanups.
3. Rank the companies, short listing at least the top three for interviews.
4. Interview the top candidate companies.
5. Rank the interviewed companies, selecting the top candidate to start the negotiation process.

A total of nine contractors and five consultants submitted SOQs. Of the nine contractors, five were disqualified for submitting incomplete/unresponsive packages and one consultant was disqualified for the same reason. The following companies submitted complete SOQs for the cleanup contract: 1) Norcal Waste Systems, 2) Guinn Construction, 3) R. J. Gordon Construction, and 4) C. A. Rasmussen. The following companies submitted complete SOQs for the engineering consultant contract: 1) CH2M Hill, 2) Bryan A. Stirrat & Associates, 3) GeoSyntec, and 4) Brown and Caldwell. These firm's SOQs were evaluated for ranking and interviews.

Closure and Remediation Branch staff evaluated the complete SOQs using criteria specified in the Request for Qualifications (RFQ) and selection criteria in Title 14, California Code of Regulations, Article 2, Section 17022.

V. FUNDING INFORMATION

In May 1997, program staff requested approval by the Board to reallocate cleanup program funds from the unspent grants and loan funding mechanism to funding these contracts. The request was to place \$500,000 into the engineering services contract and \$1,800,000 into the construction

cleanup contract. At the time this item was written, the Board had not yet met in May, however, the Permitting and Enforcement Committee placed the item on the Board's consent agenda.

Amount Requested in Item: <u>\$2,300,000</u>	
Fiscal Year: <u>1996/1997</u>	
Fund Source:	
<input type="checkbox"/>	Used Oil Recycling Fund
<input type="checkbox"/>	Tire Recycling Management Fund
<input type="checkbox"/>	Recycling Market Development Revolving Loan Account
<input type="checkbox"/>	Integrated Waste Management Account
<input checked="" type="checkbox"/>	Other <u>Solid Waste Disposal Trust Fund</u> (Specify)
Approved From Line Item:	
<input checked="" type="checkbox"/>	Consulting & Professional Services
<input type="checkbox"/>	Training
<input type="checkbox"/>	Data processing
<input type="checkbox"/>	Other _____ (Specify)
Redirection:	
If Redirection of Funds: \$ _____	
Fund Source: _____	
Line Item: _____	

VI. ATTACHMENTS

Attachment 1 - Resolution 97-236

VII. APPROVALS

Prepared by: Marge Rouch ^{max} Phone: 255-2347

Reviewed by: Charlene Herbst ^{CMH} Phone: 255-2301

Reviewed by: Dorothy Rice ^{D. Rice} Phone: 255-2431

Reviewed by: Gary Arstein-Kerslake ^{AK} Phone: 255-2269

Legal Review: Joyanne Small ^{Joyanne Small} Phone: 255-2188

**CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION 97-236**

**FOR CONSIDERATION OF AWARD OF ENGINEERING SERVICES CONTRACT
AND LANDFILL AND DISPOSAL SITE EREMEDIATION CONTRACT FOR THE
SOLID WASTE DISPOSAL AND CODISPOSAL SITE CLEANUP PROGRAM (AB
2136)**

WHEREAS, Public Resources Code (PRC) Section 48020 et seq. authorizes the Board to implement the Solid Waste Disposal and Codisposal Site Cleanup Program to remediate environmental problems caused by solid waste and to cleanup illegal disposal sites to protect public health and safety and the environment; and

WHEREAS, the Board has approved guidelines and policies for this program to cleanup sites; and

WHEREAS, the Board approved allocation of 1996/1997 funds for contract concepts; and

WHEREAS, this program allows the Board to expend funds directly for cleanup.

NOW THEREFORE, BE IT RESOLVED that the Board approves these contracts for Board directed remediation projects:

Contract No. IWM-C6053 to _____ for \$500,000, and

Contract No. IWM-C6054 to _____ for \$1,800,000.

CERTIFICATION

The undersigned Executive Director of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on June 25, 1997.

Dated:

Executive Director
Ralph E. Chandler

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Administration Committee

June 10, 1997

AGENDA ITEM 6

ITEM: CONSIDERATION OF AWARD OF FY 1996-97 ILLEGAL WASTE TIRE ENVIRONMENTAL SERVICES CONTRACT FOR THE STABILIZATION AND ABATEMENT OF ILLEGAL WASTE TIRE SITES

I. SUMMARY

The Waste Tire Abatement Program allows the Board to expend funds for cleanup of illegal waste tire sites through a contract with the Board. The existing contract for the Waste Tire Abatement Program was approved by the Board on June 26, 1996. The amount of this contract is for \$800,000 with SUKUT Construction, Incorporated. The contract will expire June 30, 1997. All funds within the contracts will be expended when the contract expires.

In April 1997, the Board approved a 1996-1997 Fiscal year contract concept for \$1,500,000 for the Waste Tire Abatement Program. The purpose of this item is to submit a new contract for Illegal Waste Tire Stabilization and Abatement Services for Board consideration.

II. OPTIONS FOR THE COMMITTEE

Committee Members may:

1. Approve the contract presented by staff and forward to the full Board for action; or
2. Disapprove the contract.

III. STAFF RECOMMENDATION

At the time this item was written, staff had not yet completed the bid selection process. Interviews with the top ranked companies are scheduled for June 5, 1997. The successful contractor will be determined after the interviews. The staff recommendation will be made orally at the committee meeting.

IV. ANALYSIS

The contractor selection process for the subject contract will utilize the Request for Qualifications (RFQ) process in Title 14, Division 7, chapter 1, Article 2, Section 17022 of the California Code of Regulations described below.

The proposal evaluation process consists of the following:

1. Completeness review of the Statement of Qualifications (SOQs).
2. Evaluation of the complete SOQs, including checking references and quality of the submittal, looking at the companies prior experience on similar projects and availability and experience of staff to support Board-managed cleanups.
3. Rank the companies, short listing at least the top three for interviews.
4. Interview the top candidate companies.
5. Rank the interviewed companies, selecting the top candidate to start the negotiation process.

Initially, Qualifications Statement Packages (QSPs) were submitted to Board by the April 25, 1997 submittal deadline. A total of eight contractors submitted SOQs as listed below. Of the eight, seven were determined to be incomplete and Board staff drafted an addendum extending the deadline for the submittal of QSPs until May 23, 1997.

1. American Tire Disposal, Inc.
2. Continental Excavating Corp.
3. EMCON + T.Y.R.E.S., Inc. + Waste Recovery, Inc. (called a 3 company team)
4. McCormick Demcon, Inc.
5. C.C. Meyers + CemEnergy, Inc (a Joint Venture)
6. The Regenesis Group
7. James Riolo Paving, Inc.
8. Sukut Construction, Inc.

For the QSPs submitted by the May 23, 1997 deadline and deemed complete, the Closure and Remediation Branch staff will evaluate them using criteria specified in the Request for Qualifications (RFQ) and selection criteria in Title 14, California Code of Regulations, Article 2, Section 17022.

V. FUNDING INFORMATION

On April 1997, the Board approved a 1996-1997 Fiscal year contract concept for \$1,500,000 for the Waste Tire Abatement Program.

<p>Amount Requested in Item: <u>\$1,500,000</u></p> <p>Fiscal Year: <u>1996/1997</u></p> <p>Fund Source:</p> <ul style="list-style-type: none"><input type="checkbox"/> Used Oil Recycling Fund<input checked="" type="checkbox"/> Tire Recycling Management Fund<input type="checkbox"/> Recycling Market Development Revolving Loan Account<input type="checkbox"/> Integrated Waste Management Account<input type="checkbox"/> Other Solid Waste Disposal Trust Fund (Specify) <p>Approved From Line Item:</p> <ul style="list-style-type: none"><input checked="" type="checkbox"/> Consulting & Professional Services<input type="checkbox"/> Training<input type="checkbox"/> Data processing<input type="checkbox"/> Other _____ (Specify) <p>Redirection:</p> <p>If Redirection of Funds: \$ _____</p> <p>Fund Source: _____</p> <p>Line Item: _____</p>
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VI. ATTACHMENTS

Attachment 1 - Resolution 97-235

VII. APPROVALS

Prepared by: Bob Fujii ^{RF} Phone: 255-2347

Reviewed by: Charlene Herbst ^{CH} Phone: 255-2301

Reviewed by: Dorothy Rice ^{DR} Phone: 255-2431

Reviewed by: Gary Arstein-Kerslake ^{GAK} Phone: 255-2269

Legal Review: [Signature] Phone: 255-2188

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

RESOLUTION NO. 97-235

FOR AWARD OF CONTRACT FOR STABILIZATION AND ABATEMENT OF ILLEGAL WASTE TIRES SITES

Whereas, the California Integrated Waste Management Board was created with enactment of the California Integrated Waste Management Act of 1989; and,

Whereas, the major responsibility of the Board is to develop and implement new integrated waste management policy for the Sate of California; and,

Whereas, in order to carry out the responsibilities commitment and administration of the board, numerous agreements and documents must be executed for and on behalf of the Board; and,

Whereas, the Board desires to focus its energies and efforts on the responsibilities with which is alone has been charged by the Governor and the Legislature, namely the deliberation, adoption and implementation of statewide policy and standards for integrated waste management; and,

Whereas, the Public Resources Code (PRC), Section 42845(a) states that any person who stores, stockpiles, or accumulates waste tires at a location for which a waste tire facility permit is required or in violation of a waste tire facilities permit, or the statute or regulations governing the permitting and storage of waste tires, shall upon order of the Board, clean up those waste tires or abate the effects thereof, or, in the case of threatened pollution or nuisance, take other necessary remedial action; and,

Whereas, PRC, Section 42846(a) allows the Board to expend available money in the California Tire Recycling Management Fund to perform any cleanup, abatement, or remedial work required under the circumstances set forth in section 42845 which in its judgment is required by the magnitude of endeavor or the need for prompt action to prevent substantial pollution, nuisance, or injury to the public health and safety;

Now, therefore, be it resolved, that the Board approves _____ as the contractor for Board directed stabilization and abatement of illegal waste tire sites under contract IWM-C6050 (\$1,500,000).

Be it further resolved, that the Board hereby authorizes the Executive Director to act on its behalf in executing this contract.

CERTIFICATION

The undersigned Executive Director of the California Integrated Waste Management Board does hereby certify that the foregoing is a full , true and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on June 25, 1997.

Dated:

Ralph Chandler
Executive Director