

## AN ORDINANCE

### **AUTHORIZING THE EXECUTION OF AGREEMENTS WITH WASTE CONNECTIONS – POST OAK CLEAN GREEN, WASTE MANAGEMENT OF TEXAS, INC., AND BFI WASTE SYSTEMS OF NORTH AMERICA, LLC., D/B/A TESSMAN ROAD LANDFILL, FOR MUNICIPAL SOLID WASTE DISPOSAL SERVICES FOR THE CITY OF SAN ANTONIO FOR A TEN-YEAR TERM BEGINNING ON OCTOBER 1, 2025, AND ENDING SEPTEMBER 30, 2035, WITH OPTIONS TO RENEW EACH OR ALL AGREEMENTS FOR TWO, FIVE-YEAR TERMS**

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**WHEREAS**, the City of San Antonio’s Solid Waste Management Department (SWMD) provides weekly garbage collection to approximately 375,000 customers in the City via curbside cart collection. Additional municipal solid waste (MSW) is collected through four residential drop-off centers, twice yearly curbside collection of bulky materials, community clean-ups, dead animal collection, and homeless camp abatements. The customer count is expected to grow by about 1% to 2% annually; and

**WHEREAS**, over a ten-year period, the SWMD expects to deliver about 4.2 million tons of MSW to the three landfills through this contract. The SWMD expects to divide that tonnage based on operational need and various factors, including distance to the routes, ease of access, etc., that the Department may model on an annual basis; and

**WHEREAS**, these proposed contracts shall replace existing contracts for MSW disposal services with BFI Waste Systems of North America, LLC, d/b/a Tessman Road Landfill, ending September 30, 2025, Waste Management of Texas, Inc., ending June 11, 2025; and Texas Disposal Systems Landfill, Inc., ending September 30, 2025; and

**WHEREAS**, the City issued a Request for Proposals (RFP) for “Solid Waste Disposal Services” (RFP 23-069, 6100016481) on February 24, 2023 with a submission deadline of May 12, 2023. The RFP was advertised in the San Antonio Express News, TVSA channel, the City’s Bidding & Contracting Opportunities website, the San Antonio e-Procurement System, and an email notification was released to a list of potential Respondents. Seven proposals were received. Two of the Respondents submitted a “no bid” and one proposal was deemed non-responsive for providing a substantially incomplete proposal response. The remaining four proposals were deemed eligible for the evaluation committee’s review. Three of the four proposals were for traditional waste disposal landfill services. One response proposed an alternative waste-to-fuel option; and

**WHEREAS**, the Committee recommended contract awards to Waste Connection – Post Oak Clean Green, Waste Management of Texas, Inc., and BFI Waste Systems of North America, LLC, d/b/a Tessman Road Landfill. On July 27, 2023, the same Committee met to interview and evaluate RePower, South, LLC., who submitted the waste-to-fuel proposal. They were not recommended for a contract award; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** this ordinance authorizes the execution of three contracts and payment in accordance with these contracts for disposal of municipal solid waste with Waste Connection – Post Oak Clean Green, Waste Management of Texas, Inc., and BFI Waste Systems of North America, LLC., d/b/a Tessman Road Landfill to provide municipal solid waste disposal services for the City of San Antonio for a ten-year term beginning on October 1, 2025, and ending September 30, 2035, with options to renew, one or all of them, for two, five-year terms. The estimated annual contract value for the first year is \$13.3 million. The contract value may increase based on increases in the tonnage collected and delivered, as well as annual pricing increases based on consumer price index as described in the contract documents.

**SECTION 2.** Funds will be encumbered upon issuance of purchase orders, and payment is authorized to the various vendors assigned within this ordinance for an estimated annual cost of \$13,304,745.00. All expenditures will be in accordance with the Fiscal Year 2024 budget and subsequent budgets for the duration of this contract approved by City Council.

**SECTION 3.** The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 4.** The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 5.** This Ordinance shall be effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

**PASSED and APPROVED** this 2<sup>nd</sup> day of May, 2024.

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

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Debbie Racca-Sittre, City Clerk

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Andrew Segovia, City Attorney