



Legislation Details (With Board Report)

**File #:** A 20-447      **Name:** Agreement with Smith & Enright Landscaping, Inc for Litter Abatement Program

**Type:** BoS Agreement      **Status:** Passed - RMA Administration

**File created:** 10/15/2020      **In control:** Board of Supervisors

**On agenda:** 10/27/2020      **Final action:** 10/27/2020

**Title:** a. Approve Standard Agreement with Smith & Enright Landscaping, Inc. to provide services for the litter abatement program to address illegal dumping of household, commercial, and industrial waste items on County roads and public lands, including but not limited to: waste collection and illegal dumping mitigation throughout Monterey County pursuant to Request for Proposals #10774, in a total amount not to exceed \$750,000, for a term of three (3) years beginning November 1, 2020 to October 31, 2023, with the option to extend the Agreement for two (2) additional one (1) year period(s); and b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the Standard Agreement and future amendments to the Agreement where the amendments do not increase the approved Agreement amount.

**Sponsors:** Public Works / RMA

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Attachment A - SA with Smith & Enright Landscaping Inc.pdf, 3. Attachment B - RFP #10774.pdf, 4. Attachment C - Addendum No. 1 to RFP #10774.pdf, 5. Item No. 50 Completed Board Order

Date	Ver.	Action By	Action	Result
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10/27/2020	1	Board of Supervisors		
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a. Approve Standard Agreement with Smith & Enright Landscaping, Inc. to provide services for the litter abatement program to address illegal dumping of household, commercial, and industrial waste items on County roads and public lands, including but not limited to: waste collection and illegal dumping mitigation throughout Monterey County pursuant to Request for Proposals #10774, in a total amount not to exceed \$750,000, for a term of three (3) years beginning November 1, 2020 to October 31, 2023, with the option to extend the Agreement for two (2) additional one (1) year period(s); and

b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the Standard Agreement and future amendments to the Agreement where the amendments do not increase the approved Agreement amount.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

a. Approve Standard Agreement with Smith & Enright Landscaping, Inc. to provide services for the litter abatement program to address illegal dumping of household, commercial, and industrial waste items on County roads and public lands, including but not limited to: waste collection and illegal dumping mitigation throughout Monterey County pursuant to Request for Proposals #10774, in a total amount not to exceed \$750,000, for a term of three (3) years beginning November 1, 2020 to October 31, 2023, with the option to extend the Agreement for two (2) additional one (1) year period(s); and

b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the Standard Agreement and future amendments to the Agreement where the amendments do not increase the approved Agreement amount.

SUMMARY:

The recommended actions would allow for the approval of a Standard Agreement (SA) (Attachment A) with Smith & Enright Landscaping, Inc. (Smith & Enright) in the amount of \$750,000 to provide services for the litter abatement program to address illegal dumping of household, commercial, and industrial waste items on County roads and public lands, including but not limited to: waste collection and illegal dumping mitigation throughout Monterey County.

DISCUSSION:

The County of Monterey (County) operates a Litter Abatement Program (Program), which provides for the collection and disposal of litter, debris, and materials dumped illegally along County roads and public rights-of-way and on public lands. Annually, the Program removes 150-200 tons of household and industrial materials from County roadways and operates seven (7) days a week.

The Program is a partnership between the Resource Management Agency (RMA), Health Department's Environmental Health Bureau (EHB), Salinas Valley Solid Waste Authority (SVSWA) and Monterey Regional Waste Management District (MRWMD), and contractor(s), with multiple components. EHB administers the Unified Franchise Agreement (UFA) between the County and USA Waste of California, Inc., dba Carmel Marina Corporation (commonly known as, Waste Management, Inc.) for the exclusive collection of solid waste and recyclables within the unincorporated area of Monterey County. EHB and RMA will work with the SVSWA and the MRWMD and Smith & Enright to provide more frequent community clean up days County-wide. EHB and RMA will also work with the Program partners and contractor(s) to provide for additional cleanup events and expanded road cleanup services.

EHB is working to expand outreach efforts to reduce illegal dumping through the Illegal Dumping and Litter Abatement Task Force (IDLATF) which includes representatives from RMA, EHB, Waste Management, SVSWA, MRWMD, Save our Shores, the California Highway Patrol, Republic Services, and the Monterey County Farm Bureau, among others. EHB staff has consulted with Waste Management, Inc. representatives to confirm that the services to be provided by Smith & Enright will not conflict with the UFA for the exclusive collection of solid waste and recyclables between the County and Waste Management, Inc.

On September 10, 2020, the County solicited proposals from qualified contractors through Request for Proposals (RFP) #10774 (Attachment B and Attachment C-Addendum No. 1) to provide the required professional partnership services to assist with litter abatement and pick-up, in accordance with the specifications set forth in the RFP. On October 5, 2020, proposals from two (2) firms were received. However, one (1) proposal was determined to be non-responsive due to missing information and was rejected because it was incomplete. Following staff's review and evaluation of the accepted and responsive proposal, Smith & Enright was determined to be the most qualified Contractor, which has the expertise and capabilities necessary to provide the services solicited through RFP #10774, in accordance with County policies and State laws.

Smith & Enright's proposal demonstrates their capacity to abide by all local, state, and federal regulations and to provide all labor, materials, tools, equipment, and supervision necessary to provide for the litter abatement services solicited through RFP #10774. Therefore, staff recommends approval of the proposed SA with Smith & Enright Landscaping, Inc. to provide services to address illegal dumping of household, commercial, and industrial waste items on County roads and public lands, including but not limited to: waste collection and illegal dumping mitigation throughout Monterey County. The proposed scope of services to be provided by Smith & Enright also includes extraordinary services such as the collection and disposal of homeless encampment debris. Further, the Smith & Enright proposal demonstrates their experience with litter abatement and working with public agencies.

Approval of the recommended action would allow for the issuance of a multi-year agreement (MYA) SA with Smith & Enright, for a period of three (3) years beginning November 1, 2020 to October 31, 2023, with the option to extend the SA for two (2) additional one (1) year period(s), in the amount not to exceed \$750,000.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel-Risk Manager and Auditor-Controller's Office have reviewed and approved the SA as to form and fiscal provisions, respectively. The Program is a planned cooperative effort among the RMA, EHB, SVSWA and MRWMD and contractor(s) with multiple components. In addition to the proposed SA with Smith & Enright, the Program includes coordinated efforts with contractors such as Waste Management, Inc., franchise holder of the UFA for the exclusive collection of solid waste and recyclables between the County and Waste Management, Inc.

FINANCING:

Costs associated with the SA are anticipated to be incurred over the next four (4) fiscal years (FY): 2020-21, 2021-22, 2022-23, and 2023-24, beginning November 1, 2020 through October 31, 2023, with the option to extend the SA for two (2) additional one (1) year period(s). The annual cost is \$250,000 per year, for a total cost of \$750,000 for the initial three (3) year term. The FY 2020-21 Litter Abatement Program Adopted Budget includes a general fund contribution of \$381,702 for providing base services and an additional \$100,000 is budgeted from the Transient Occupancy Tax (TOT) allocation, Road Fund Adopted Budget, Fund 002, Appropriation Unit RMA012. Matching contributions from MOUs with the SVSWA and MRWMD of \$100,000 and \$25,000, respectively, provides additional funding that will be devoted to this contract. The remaining projected \$25,000 cost will be addressed with existing resources from within the Adopted Litter Control Appropriation RMA002 Budget.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended action supports the Board of Supervisors' Strategic Initiatives for Health & Human Services and Public Safety and enables the RMA to complete essential public services relating to litter abatement and clean up.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: Randell Ishii, M.S., P.E., P.T.O.E., Chief of Public Works

Reviewed by: Shawne Ellerbee, Assistant Director of RMA

Approved by: Carl P. Holm, AICP, RMA Director

Attachments:

Attachment A-SA with Smith & Enright Landscaping, Inc.

Attachment B-RFP #10774

Attachment C-Addendum No. 1 to RFP #10774

(Attachments are on file with the Clerk of the Board)