

**AMENDMENT NO. 3 TO AGREEMENT BETWEEN THE CITY OF SAN MARINO
AND ECONOMICS, INC.**

THIS AMENDMENT NO. 3 TO THE AGREEMENT (“Amendment No. 3”) by and between the **CITY OF SAN MARINO** (“City”) and **Economics, Inc.**, a California corporation (“Consultant”) is effective as of February 28, 2025. City and Consultant are collectively referred to as the “Parties.”

RECITALS

A. City and Consultant entered into that certain Agreement for Professional Services dated May 22, 2023 (“Original Agreement”) whereby Consultant agreed to provide those professional services specified in the Original Agreement.

B. City and Consultant entered into Amendment No. 1 to the Original Agreement between the City and Consultant dated October 11, 2023 to increase the compensation amount by \$180,000 to a new compensation amount of \$210,000

C. City and Consultant entered into Amendment No. 2 to the Original Agreement between the City and Consultant dated December 11, 2024 extending the term of the Agreement through December 31, 2025.

D. City and Consultant now desire to amend the Original Agreement, as amended by Amendment No. 1 and Amendment No. 2, in accordance with Section 16 of the Agreement to increase the compensation amount by \$198,910 to a new compensation amount of \$408,910 and to incorporate additional work into the Scope of Services.

TERMS

1. **Contract Changes.** The Original Agreement is amended as provided herein.

A. Section 3 of the Original Agreement is amended to read as follows:

3.0 Consultant’s Compensation

City will pay consultant in accordance with fee schedule set forth in Exhibit B but in no event will the City pay more than \$408,910. Any additional work authorized by the City pursuant to Section 1.4 will be compensated in accordance with the fee schedule set forth in Exhibit B, unless otherwise approved by City in writing. Pursuant to Section 2.06.05 of the San Marino City Code, this Agreement shall not be effective unless previously approved by the City Council if it is for professional services greater than thirty thousand dollars (\$30,000.00).

B. Exhibit A (Scope of Services) is amended to include the attached document.

2. **Continuing Effect of Agreement.** Except as amended by Amendment No. 1, Amendment No. 2, and this Amendment No. 3, all provisions of the Original Agreement shall

remain unchanged and in full force and effect. From and after the date of this Amendment No. 3, whenever the term "Agreement" appears in the Agreement, it shall mean the Original Agreement, as amended by Amendment No. 1, Amendment No. 2, and Amendment No. 3.

3. **Authority.** The persons executing this Amendment No. 3 on behalf of the Parties hereto warrant that (i) such party is duly organized and existing, (ii) they are duly authorized to execute and deliver this Amendment No. 3 on behalf of said party, (iii) by so executing this Amendment No. 3, such party is formally bound to the provisions of this Amendment No. 3, and (iv) the entering into this Amendment No. 3 does not violate any provision of any other agreement to which said party is bound.

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment No. 3 as of the date and year first hereinabove written.

City of San Marino

Economics, Inc.

By: _____
Philippe Eskandar,
City Manager

By: _____
Signature

Print Name and Title

Date: _____

Date: _____

ATTEST:

APPROVED AS TO FORM:

Alison Walker
City Clerk

Joe Montes
City Attorney

PROPOSAL

Solid Waste & Recycling Consulting Services

PREPARATION OF SOLID WASTE AND RECYCLING
SERVICES REQUEST FOR PROPOSALS
& SB 1383 IMPLEMENTATION SERVICES

City of San Marino
February 2025



PREPARED BY ECONOMICS, INC
832 Camino Del Mar, Suite 2
Del Mar, CA 92014

TABLE OF CONTENTS

COVER LETTER	4
SECTION I. BACKGROUND	7
SECTION II. KEY PERSONNEL	9
William O'Toole	9
Trevor Blythe MBA.....	10
Linda Furbie JD.....	11
Lisa Robles MS	11
Sara Aubery MS	12
Ian Bevan MBA.....	13
Valeria Ferrufino	13
Clarisa Gomez	14
Bella Sullins	14
SECTION III. SUBCONTRACTOR.....	15
Cerene St. John JD.....	15
SECTION IV. SCOPE OF WORK – PREPARATION OF SOLID WASTE & RECYCLING SERVICES REQUEST FOR PROPOSALS	17
TASK 1: Determine Any Changes to Draft Agreement	17
TASK 2: Draft RFP and Proposal Forms	17
TASK 2A: Develop RFP Background Information.....	17
TASK 2B: Develop Technical and Financial Requirements for RFP.....	18
TASK 2C: Write Proposal Forms	18
TASK 2D: Compile and Prepare RFP for Release	18
TASK 3: Manage RFP Process	19
TASK 3A: Prepare List of Potential Proposers	19
TASK 3B: Assist with Presenting RFP Package & Process Protocol to City Council	19
TASK 3C: Assist with Pre-Proposal Meeting and Prepare RFP Addenda	19
TASK 3D: Distribute RFP and Respond to Haulers' Questions	19
TASK 4: Evaluate Proposals	20
TASK 4A: Prepare TEchnical Analysis of Proposers	20
TASK 4B: Prepare and Analyze Proposers' Comparison Data	20
TASK 4C: Analyze Proposers' Financial Capability and Strength to Perform Agreement.....	20
TASK 4D: Analyze proposers' Contract Exceptions and Potential Impact on Agreement.....	20
TASK 4E: Analyze Proposers' Rates in Relation to Agreement Requirements	21
TASK 4F: DDevelop Proposers' Question Sets and Evaluate Proposers' Responses	21
TASK 4G: Develop Proposers' Interview Questions and Attend Interviews	21
TASK 5: Contract Award	21
TASK 5A: Preparation of Final Contract	21
TASK 5B: Additional Research	22

TASK 5C: Prepare Proposers’ Evaluation Report.....	22
TASK 5D: Contract Award and Staff Report Support	22
TASK 6: Meetings with City Staff and City Attorney.....	22

SECTION V. SCOPE OF WORK – SB 1383 IMPLEMENTATION SERVICES 23

TASK 1: CalRecycle Conference Call and Annual Visit	23
TASK 2: CalRecycle EAR and Form 303.....	23
TASK 3: CalRecycle Implementation Record	24
TASK 4: SB 1383 Enforcement Protocol Development.....	24
TASK 5: SB 1383 Waiver Protocol Development	24
TASK 6: Self-Haul Program Development.....	25
TASK 7: Develop Environmentally Preferable Purchasing Policy (EPP)	26
TASK 8: CALGreen, C&D and MWELO	26
TASK 9: Procurement of Recycled Organics Content Products (ROCP’S).....	27
TASK 10: Monthly Meetings with City Staff	27

SECTION VI. COST PROPOSAL..... 29

Staff Hourly Rates	29
Proposed Budget – RFP PROCESS.....	30
Proposed Budget – SB 1383 IMPLEMENTATION	31
Proposed Budget – TOTAL OF COMBINED BUDGETS	32

SECTION VII. REFERENCES..... 33

COVER LETTER



February 19, 2025

Amber Shah
Parks & Public Works Director/City Engineer
City of San Marino
2200 Huntington Drive
San Marino, California 91108

RE: Proposal to Provide Solid Waste Consulting Services for the Preparation of Request for Proposals for Solid Waste and Recycling Services & SB 1383 Implementation Services

Dear Ms. Shah:

EcoNomics Inc. is pleased to submit the attached proposal to the City of San Marino for assistance with the RFP for the City's new solid waste and recycling contract, as well as assistance with SB 1383 implementation programs. The accompanying proposal includes an overview of our background, information and resumes for key personnel, a detailed scope of work for assistance with the RFP process, a detailed scope of work for assistance with SB 1383 implementation, the proposed budgets for the RFP process and SB 1383 implementation, and references.

EcoNomics brings the following unique set of skills and local knowledge to the San Marino procurement project and SB 1383 implementation:

- **Extensive experience conducting procurement processes to incorporate SB 1383 programmatic requirements, performance metrics, and technological innovations.** EcoNomics conducted an RFP process in Laguna Beach in 2022, a joint RFP in Laguna Hills/Lake Forest in 2023, in Tustin in 2018 and developed contracts that closely align with SB 1383 for each City. These contracts contain extensive performance metrics and programmatic requirements to achieve program participation, reduce contamination to levels acceptable by SB 1383, and to make use of technology that reduces operational costs. EcoNomics has also worked with Laguna Niguel, Lake Forest, Laguna Hills, Rancho Mirage, and Newport Beach to negotiate and draft new contracts or amendments to incorporate SB 1383 programmatic requirements.
- **Our team includes a former City Attorney who also served as the Solid Waste Program Manager for the City of Sunnyvale.** She now works as outside legal counsel to cities and counties and provides legal work for our clients. Due to her extensive experience in solid waste and recycling, she acts as a "bridge" between the technical detail required in the Scope of Work for the collection



contract, and the legal drafting. This results in reduced City Attorney time to review and edit the draft RFP and the draft collection contract.

- **A track record of conducting successful RFP processes that are open, fair and were completed free of the “pitfalls” that procurement processes can encounter.** Such RFPs include Laguna Hills (2004), Tustin (2007), Lake Forest (2013), Tustin (2018), Laguna Beach (2022) and joint Laguna Hills/Lake Forest (2022).
- **Core strength in the design, implementation, procurement and oversight of recycling and waste diversion services.** This has been our specialty for over 30 years. EcoNomics is currently assisting with implementing programs mandated by SB 1383 in 10 California jurisdictions.
- **Actual “hands-on” field experience implementing diversion programs.** Our team understands what it takes to implement sustainable and long-lasting diversion programs and how to exceed minimum programmatic compliance requirements. This on-the-ground knowledge is incorporated into the contract drafting process in the form of performance standards that will ensure the hauler implements quality diversion programs to meet or exceed compliance requirements, as well as in SB 1383 program implementation.
- **Familiarity with the diversion environment in Southern California and CalRecycle compliance oversight processes.** EcoNomics is currently working for 10 cities in Southern California on a wide range of compliance management, implementation, and contract management projects. We are very familiar with the solid waste and recycling issues encountered in Southern California, the compliance assessment and enforcement protocols used by CalRecycle by Local Assistance and Market Development (LAMD) representatives, as well as all the haulers operating within the area.
- **No conflict of interest.** EcoNomics works exclusively for cities, counties and other public agencies. We do not work for refuse haulers and therefore have no conflict of interest with any firms that might compete for this solid waste collection and recycling contract.
- **Experience with hauler contract management.** EcoNomics assists client Cities with managing their hauler contracts to ensure that the haulers are complying with contractual obligations to achieve the State’s mandated recycling goals.

We are excited by the opportunity to assist the City of San Marino with the RFP process and SB 1383 implementation and welcome any questions you might have about our proposal or qualifications. Please feel free to contact me at 858-886-6657 (cell) or email trevor@economicsinc.net if you have any questions.

Sincerely,



Trevor Blythe

Senior Vice President

EcoNomics, Inc. (a Colorado 'C' Corporation dba ECAL-NOMICS, INC. in California)

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832 Camino del Mar, Suite 2
Del Mar, California 92014
(858) 793-9200

Orange County Office
34185 Street of the Violet Lantern, Suite 104
Dana Point, California 92629
(858) 793-9200



SECTION I. BACKGROUND

Since 1977, EcoNomics, Inc. has assisted municipal clients in creating sustainability systems that are efficient, cost effective and in compliance with all federal and state laws and regulations. EcoNomics has assisted public and private sector businesses with strategic planning and implementation services for recycling, source reduction, organic waste management, buy-recycled, manufacture-for recyclability and the development of sustainability profiles.

EcoNomics provides a range of specific consulting services designed to create an effective waste management and recycling program. EcoNomics' experience encompasses the areas listed below.

Strategic Planning, Development and Program Implementation for Compliance with California State Laws AB 939, AB 341, AB 1826 and SB 1383. EcoNomics identifies options, performs cost analyses, develops recommendations, and implements programs to achieve maximum waste reduction and diversion for compliance with the following State laws:

- AB 939 EcoNomics prepares AB 939 Annual Reports and SB 1066 requests, and acts as a liaison between jurisdictions and the California Department of Resources Recycling and Recovery (CalRecycle) on AB 939 compliance issues. EcoNomics successfully works with businesses and multi-family complexes to implement recycling programs that increased the client's AB 939 diversion rate and to further demonstrate compliance with programmatic requirements of AB 939.
- AB 341 EcoNomics assists its client municipalities with implementing commercial and multi-family recycling programs to comply with AB 341. To this end, EcoNomics develops compliance plans for its clients; drafts and implements cost-saving recycling proposals for large commercial and multi-family generators; develops outreach materials for distribution to AB 341-non-compliant properties to notify them of the law; and monitors progress with compliance.
- AB 1826 EcoNomics has been implementing organics diversion programs at restaurants, hotels, schools and large stadiums since 2002. For AB 1826 compliance, EcoNomics assists its clients with identifying the restaurants that meet the compliance thresholds; developing outreach materials to notify the restaurants of the requirement to divert organics; and works directly with the restaurants to implement cost-saving organics diversion programs.
- SB 1383 Since 2018, EcoNomics has overseen three RFPs and five negotiations that produced SB 1383 specific agreements. In addition, we are assisting several jurisdictions in complying with SB 1383 with respect to planning and provision of infrastructure options.

Franchise Agreements, Contract/Franchise Negotiations, Collection Contracts, and Contract Management. EcoNomics assists local governments in competitive procurements and negotiations for franchise/service contracts, contract amendments, rate reviews, audits, and contract management and oversight. The procurements feature contracts/agreements that contain specific measurable and enforceable performance provisions. These customized provisions ensure that the jurisdictions we serve can effectively respond to both current and anticipated regulatory and legislative requirements and



mandates. Specifically, EcoNomics assists cities and counties in customizing procurement services for refuse collection, materials recovery facilities, curbside recycling programs, commercial/industrial recycling programs, green waste recycling, composting and household hazardous waste collection/drop off programs. EcoNomics provides effective solutions for the community with an understanding of the fundamental challenge of local governments to balance complex services and programs with the realities of budget constraints. State legislation is changing the structure and importance of contracts for these services.

Solid Waste Generation & Diversion Composition Studies. Using statistical sampling methods developed exclusively for its clients, EcoNomics conducts detailed studies to determine the quantity and composition of the client's waste stream. The results of these studies are then used to develop waste reduction and recycling programs targeted to the specific materials in the waste stream and/or to determine a new baseline year for purposes of AB 939. In addition, we have designed new sampling protocols for SB 1383 that measure contamination and collection route efficiencies.

Secondary Materials Markets. With the increased goal of 75% diversion, and the passage of SB 54, more types of discarded materials will need to be sold into the secondary materials markets. The revision in import restrictions by China, India, and other export markets has changed the flow of materials to alternate export markets. Hauling companies are trying to shift market risk to municipalities. This is not always a valid response and needs to be carefully examined in discussions with hauling companies. EcoNomics understands the vital link between recycling programs and markets for the collected materials. EcoNomics constantly monitors both the domestic and overseas markets for recyclable commodities such as glass, paper, cardboard, plastics, metals, and aluminum. This expertise allows us to assist clients in marketing the ever-broadening types of recyclable materials and to forecast the trends that affect materials pricing and cost structures. Markets for food scraps via composting are more complex and require expertise to get the food scraps out of the waste stream and back to fields and farms. EcoNomics is closely monitoring the rapidly evolving organics processing technologies and markets for organics as well as state and federal standards for the compost produced.

SECTION II. KEY PERSONNEL

WILLIAM O'TOOLE

Title: President & Founder

Education: BS in Biology (Systems Ecology), University California, San Diego, 1976

Specializations: Strategic Oversight, High-level Compliance Planning, Waste Composition Study Design and Review, Contract Negotiations

William O'Toole will provide senior review and strategic direction on the project's procurement process. Mr. O'Toole is a "hands-on visionary" working with cities and counties to anticipate legislative trends, shifts in secondary materials markets, and other factors that affect local collection contracts. He devises practical, cost-effective methods for implementing diversion programs that benefit cities' residents and businesses and enable clients to meet the requirements of both AB 939 and the evolving requirements of AB 341, AB 1826 and SB 1383. William has worked with dozens of cities to negotiate hauler contracts or manage the competitive procurement process, including local Orange County cities such as Laguna Beach, Laguna Hills/Lake Forest joint procurement, Tustin, Laguna Niguel, Laguna Hills, and Lake Forest.

Mr. O'Toole founded EcoNomics, Inc. in 1977 and has 40 years of experience in the recycling and solid waste industry. As one of the early pioneers in the recycling industry, he worked to implement some of the first curbside recycling programs in California and then developed secondary materials markets to accept the materials collected. He then turned his attention to implementing commercial recycling programs, which, in most cities yield far more tons of diversion due to the size and composition of these waste streams. He is now heavily involved in continuing the transition from the traditional view of solid waste and recycling towards the more encompassing vision of a sustainable materials management industry.

During the process of developing recycling programs, it became clear that existing collection contracts were insufficient with respect to programs, reporting, and enforcement tools to handle the additional requirements of diversion mandates. In addition, the segmentation of wastes into subcomponents (i.e., E-waste, HHW, "big box" recyclable streams, etc.) also required a new development of contract language and management tools to meet the demands of a different approach to the handling of what used to be considered as Municipal Solid Waste (MSW). It was at this point that Mr. O'Toole became involved in overseeing the procurement of hauler services. He works with his client cities to develop contracts that are specifically tailored to maximize diversion, identify costs, and develop rate structures that are transparent.

Mr. O'Toole is one of the founders of the California Resource Recovery Association (CRRRA) as well as Californians Against Waste (CAW). He has worked on statewide legislation and has been a member of several committees and task forces for the California Integrated Waste Management Board (now known as CalRecycle) on AB 939 Diversion Calculations and Reporting Requirements for Material Recovery Facilities (MRF) and Transfer Stations.

Mr. O'Toole brings significant local knowledge about the Orange County solid waste and recycling system including familiarity with the recycling, materials recovery, construction and demolition waste processing facilities, the landfill system and all the solid waste and recycling companies that are active in the Orange County area.



TREVOR BLYTHE MBA

Title: Vice President and Co-Owner

Education: BS in Environmental Science, University California, Santa Barbara, 2006

MBA in Sustainable Management from Presidio Graduate School, 2014

Specializations: Project Management, CalRecycle Compliance Management and Trouble-Shooting, Hauler Contract Negotiation and Procurement

Trevor Blythe has over 18 years of experience as a consultant in the sustainable materials management industry. Mr. Blythe works daily with local governments, private industry, and cities' waste haulers to overcome operational and financial barriers to implementing sustainable materials management programs at the municipal scale. He is an expert on solid waste regulations, operations, and collection system optimization. Mr. Blythe holds a Master of Business Administration in Sustainable Management from Presidio Graduate School in San Francisco. During his coursework at Presidio, Trevor explored market-based solutions for returning key nutrients from organic waste back to the soil. He holds a Bachelor of Science in Environmental Sciences from the University of California, Santa Barbara with an emphasis on Geographic Information Systems.

Mr. Blythe is currently assisting the cities of Anaheim, Newport Beach, Santa Ana, San Juan Capistrano, Mission Viejo, Lake Forest, Laguna Hills, Tustin, and Stanton with contract management, SB 1383 compliance planning, program cost, rate impact analyses and other tasks. Mr. Blythe has assisted the cities of Laguna Hills, Lake Forest/Laguna Hills joint procurement, Lake Forest and Tustin with competitive RFPs for hauling service that incorporated all SB 1383 programmatic requirements as well as other technological innovations. Similarly, he has assisted the cities of Newport Beach, Laguna Niguel, Rancho Mirage, and Laguna Hills with hauler contract negotiations to update agreements to comply with new legislative mandates. He also assists EcoNomics' client cities with compliance program implementation, including developing fair and reasonable pricing to comply with new, state-mandated diversion programs, monitoring diversion reports to assess hauler compliance with state laws, and leading meetings with cities and haulers to monitor contractual compliance and resolve outstanding contractual obligations.

Mr. Blythe has developed comprehensive organics cost models used in the City of Anaheim, Mission Viejo, Tustin, Santa Ana, Laguna Niguel, Newport Beach, Lake Forest, Rancho Mirage, and Napa. The model is used to project the cost of AB 1826 and SB 1383 compliance and to examine the impact of these costs on different components of a city's rate base. The model allows for real-time entry of generator participation assumptions, rate incentives, and service scenarios to predict the total cost of the program and the potential rate impact on residential and commercial accounts. The model can be used to illustrate the impacts of different funding scenarios for presentation to elected officials and senior City management. In many cases, the rate model was developed with the franchise haulers to construct a rate that adequately compensates the hauler while still providing a rate incentive for the generator, thus aligning the profit incentive of the hauler with the cost reduction incentives of the generators with the compliance requirements of the City.

Mr. Blythe teaches two courses as adjunct faculty in the Sustainability and Resource Management program at Irvine Valley College; SRM 95 – The Business Case for Sustainability and SRM 90 – Sustainability for Communities.

LINDA FURBEE JD

Title: Director

Education: BA University of California, Riverside; Juris Doctorate California Desert Trial Academy College of Law

Specializations: Hauler Contract Procurement, Transition to New Hauler Agreements, Hauler Contract Management, SB 1383 Program Development, CalRecycle Compliance and Reporting

Ms. Furbee joined EcoNomics in October 2021. As her first assignment, she held a 3-day per week residency at the City of Newport Beach Municipal Operations Division for 1-year where she assisted the City with finalizing its residential franchise negotiations and overseeing the implementation of a citywide organics program. Her function was to oversee the hauler's implementation of a third organics cart to all households and ensure the roll-out, and the accompanying educational campaigns were done in accordance with the contract terms. Ms. Furbee ran weekly meetings with the City and its hauler to troubleshoot operational issues, coordinate resolutions to customer service issues, ensure compliance with SB 1383 contamination minimization monitoring requirements, and ensure the ratepayers were receiving the value that they were paying for. She managed the City's edible food recovery program inspections, notifications, outreach, reporting and capacity planning. Ms. Furbee also has assisted client cities including the Cities of Laguna Beach, Laguna Hills/Lake Forest joint procurement and Newport Beach with procurement processes, both via a competitive RFP process and via negotiations, to ensure franchise agreements are fully aligned with SB 1383 requirements. To this end, Ms. Furbee has drafted scope of work language, education and outreach requirements, contamination monitoring requirements and other key elements that our client cities may use to attain compliance.

Prior to her tenure at EcoNomics, Ms. Furbee was an account director for a communications firm in the Coachella Valley. In her capacity within the organization, Ms. Furbee assisted clients with implementing communication and marketing strategies. Prior to her career in marketing, Ms. Furbee worked in municipal government in various capacities, including Assistant to the City Manager, Management Services/Marketing Director, and Management Analyst.

LISA ROBLES MS

Title: Director

Education: BS in Communications, California State Polytechnic University, Pomona, 2011
Master's in Environmental Studies (MS), California State University Fullerton, 2018

Specializations: SB 1383 Program Development, Compliance and Reporting; Implementation of C&D Tracking Systems such as Green Halo; Education and Outreach; GIS Applications

Lisa Robles joined the EcoNomics team in April 2018 and has been managing the SB 1383/AB 341/AB 1826 compliance implementation efforts in the City of Santa Ana as well as the CalGreen C&D program revision and development in the City of Lake Forest. Ms. Robles also works with the City of Anaheim on SB 1383 planning, implementing the OC Waste and Recycling grant, and has experience drafting grant reports, developing CRM systems, and managing a competitive procurement process for PR firms.

Ms. Robles has twelve years of experience developing and managing solid waste and recycling programs in both the both private and public sector. Ms. Robles worked as Republic Services recycling coordinator based out of the Anaheim facility for over four years and gained valuable experience in the operational

and outreach components of the materials management industry. At Republic, Ms. Robles assisted client cities with designing and implementing waste diversion programs, ranging from food scrap recycling programs to HHW collection events. She was also the main liaison point with client cities to assist with diversion tonnage and compliance reporting. At Republic, Ms. Robles developed key partnerships through involvement in community groups such as MUZEO and Anaheim Beautiful.

More recently, as an intern in the Public Works Department at the City of Laguna Beach, Ms. Robles managed the City's CalGreen Construction and Demolition recycling program and worked to continuously improve compliance and diversion rates. At Laguna Beach, Ms. Robles assisted the City with its hauler contract management and oversight as well as overseeing CalRecycle compliance reporting.

Ms. Robles obtained her Master of Science in Environmental Studies from CSU Fullerton. Ms. Robles has experience in Geographic Information Systems (GIS) as well as an in depth understanding of how sustainable waste management at a municipal scale can result in desirable environmental outcomes. Ms. Robles is proficient in the Microsoft Office suite, the Adobe design platform, ARCGIS, and is a native speaker of Spanish.

SARA AUBERY MS

Title: Program Implementation Manager and Software Developer

Education: BS in Animal and Conservation Biology, University of California, Davis, 2007

MS in Natural Resource Management and Marine Science, University of the Virgin Islands, 2014

Specializations: Program Design, Implementation and Sustainable Finance, Data Analysis, Database Management, and Outreach and Education.

Ms. Aubery joined EcoNomics in January 2023. She is a skilled recycling implementation project manager who is dedicated to helping cities meet their sustainability goals. Her diverse skill set and passion for creating positive change makes her an ideal partner. Ms. Aubery is currently managing a team of four recycling coordinators in Santa Ana to implement SB 1383 programs in a timeline that conforms with the City's Corrective Action Plan. To this end, Ms. Aubery uses data-driven methods to achieve process efficiencies and, with the help of her team, implemented over 300 SB 1383 compliant programs in the span of just over 2 months.

Ms. Aubery has managed large data sets with ease and knows how to leverage data to drive impactful decisions. Her keen eye for detail and ability to identify key insights will be invaluable in helping your city optimize its recycling programs. Ms. Aubery has assisted the City of Napa with developing a rate model to identify the optimal incentive for its commercial composting program and to identify key costs for a new organics route for generators with high-levels of contamination. The model uses a data processing system called 'R' and allows for the client to enter various parameters into an online app to assess impacts to the City's rate revenue and costs in real time.

Prior to this work she spent 5 years in waste diversion for specialty industries. Ms. Aubery is passionate about behavior change and has a proven track record of designing and implementing effective programs that inspire communities to make positive changes towards sustainability. Her expertise in outreach and education, supply chain management, material flow and procurement, graphic design, legislation, and the circular economy will ensure that your city's needs are met with creative and innovative solutions.

IAN BEVAN MBA

Title: Senior Program Implementation Coordinator

Time with EcoNomics: 10 years

Education: BA in Political Science, San Diego State University, 2008

MBA in Sustainable Management, Presidio Graduate School, 2012

Specializations: AB 341, AB 1826, and SB 1383 Field Implementation; CalRecycle Compliance Reporting (EAR Implementation Record and Form 303)

Ian Bevan specializes in developing cost-effective waste diversion programs that help businesses meet compliance requirements. He has implemented AB 341, AB 1826, and SB 1383 programs at hundreds of commercial and multi-family properties in San Juan Capistrano, Tustin, Mission Viejo, Laguna Hills, Santa Ana, and Anaheim. Mr. Bevan uses information gathered at site audits to develop customized, cost-saving waste reduction programs that fit the unique needs of each property, from split trash and recycling bins to specialized enclosure signage and outreach. Mr. Bevan has also worked with large retail operations to implement organics waste diversion.

Mr. Bevan has experience working with the City of San Diego Environmental Department managing the construction and demolition ordinance. In this capacity, Mr. Bevan worked with contractors to ensure they met or exceeded the City's 50% diversion requirement for construction and demolition waste. Mr. Bevan leveraged his experience as an on-campus sustainability advocate at San Diego State University to found a non-profit company committed to facilitating grassroots, student-led sustainability programs at colleges and universities.

VALERIA FERRUFINO

Title: Senior Sustainability Coordinator

Education: AA in Geography, AA in Social and Behavioral Sciences, AA in Liberal Studies: Teacher Education, Certificate of Achievement in Sustainability and Resource Management, Irvine Valley College, 2020

BA in Geography with Emphasis in Environmental Analysis, Geographic Information Systems Certificate, California State University Fullerton, 2022

Specializations: Edible Food Recovery Inspections, AB 1826 & SB 1383 Monitoring and Compliance, Contamination Audit Reviews, GIS Applications

Valeria Ferrufino joined the EcoNomics team in January of 2020 to assist with field implementation. Ms. Ferrufino conducts recurring audits of participants in the City's SB 1383 program to assess participation and contamination levels. She has provided education regarding recycling legislation and recommendations for compliance to hundreds of business managers at restaurants, grocery stores, hotels, shopping malls, offices, and multi-family properties in Laguna Hills, Irvine, San Juan Capistrano, Laguna Niguel, and Mission Viejo. She has also provided doorstep education to over 1000 residents in San Juan Capistrano and Laguna Niguel, informing about organic recycling guidelines. Ms. Ferrufino has implemented, provided staff training, and verified the quality of dozens of AB 1826 and SB 1383 programs at commercial properties in Irvine. She has worked in the City of Mission Viejo to analyze commercial listings to identify SB 1383, AB 1826 and AB 827 non-compliant generators and bring them the necessary education for compliance.

Ms. Ferrufino led sustainability efforts at Irvine Valley College as the Co-President of the on-campus Green Team and with frequent presentations of sustainability projects at the college's Environmental Leadership Task Force. She also led projects as the Vice President of Communications in the Phi Theta Kappa Honors Society. Ms. Ferrufino has proficient ArcGIS skills that have assisted in presenting field audit findings and optimizing recycling audit routes.

CLARISA GOMEZ

Title: Program Implementation Coordinator

Education: Bachelor of Arts in Environmental Science and Policy and Urban Studies, University of California, Irvine

Specialization: Community Engagement, Outreach, Zero Waste Event Coordination, Field Compliance Assessments

Clarisa Gomez joined the EcoNomics team in February 2024 to assist with field implementation. She has worked with the City of Santa Ana to identify SB 1383 non-compliant generators including small businesses and multi-family complexes that lack adequate service. Ms. Gomez has experience conducting weekly site visits to businesses and multi-family properties to assess compliance with SB 1383, as well as, communicating SB 1383 requirements and outreach materials to customers in English and Spanish when implementing recycling and organic recycling programs.

Ms. Gomez previously worked as a Sustainability Recycling Specialist for CR&R where she compiled tonnage data for monthly and quarterly diversion reports, developed client-focused service proposals to implement food waste and recycling programs for AB 341, AB 1826, and SB 1383, and assisted in creating materials for annual curbside report, audited landfills, and educational waste sorting materials.

BELLA SULLINS

Title: Program Implementation Coordinator

Education: Bachelor of Arts in Environmental Studies, Point Loma Nazarene University, 2023

Specialization: Field Compliance Assessments, Community Engagement, Problem Solving

Bella Sullins joined the EcoNomics team in October 2023 to assist with field implementation. She has worked with the City of Santa Ana to identify SB 1383 non-compliant generators including small businesses and multi-family complexes that lack adequate service. Additionally, Ms. Sullins has worked with the City of Irvine to implement organics recycling and food recycling services to residents. Ms. Sullins is diligent and consistent in her communication skills with each customer she comes across, which is illustrated in her high conversion rates.

Ms. Sullins served as a Nature Specialist near Yosemite National Park where she developed a multi-faceted curriculum for kids and young adults. Shortly after, she worked at a non-profit as a Community Engagement Outreach Assistant, where she assisted with the Recycling Call Center to assist the public in proper waste disposal. Her expertise in communicating with constituents has helped capture the true efforts of local government and environmental policy. In all the work she does, she hopes to share the beauty of creation with others so they may be inspired to make change in their communities.

SECTION III. SUBCONTRACTOR

EcoNomics is proposing to use one subcontractor if engaged by the City of San Marino. Ms. St. John is an active member of the California Bar and, utilizing over 40 years of experience in the solid waste and recycling field, has extensive experience in drafting contracts for RFP's, contract negotiations, and collection contract amendments for new diversion services and programs. Ms. St. John has served in this capacity with EcoNomics in several procurements and negotiations including the RFP for the City of Laguna Hills/Lake Forest joint procurement; RFP for the City of Laguna Beach; RFP for the City of Tustin; RFP for the City of Lake Forest; RFP for the City of Laguna Hills; negotiation of a new city-wide collection contract for the City of Laguna Niguel; negotiations for a new residential collection contract for the City of Newport Beach; and negotiations for a new solid waste and recycling collection contract based upon SB 1383 requirements for the City of Rancho Mirage. Her CV is included below.

CERENE ST. JOHN JD

Title: Attorney (Subcontractor)

Education: B.A. in Political Science from California State University, San Bernardino (1977)
J.D. Degree from The University of Santa Clara School of Law (1980).

Cerene St. John began her solid waste career as a Deputy City Attorney for the City and County of San Francisco. Assigned to the Special Projects Division, she led a team in the Chief Administrator's Office to find a new landfill for the City when existing contracts were due to expire. She conducted a five-county negotiating effort that resulted in a contract and associated permits for the City's use of the Altamont Landfill located in Alameda County beginning in 1983.

Ms. St. John then served for six years as the Solid Waste Program Manager for the City of Sunnyvale. While there, she conducted a Request for Proposals (RFP) process for solid waste and collection services resulting in a new contract with a detailed scope of work and performance standards. She conducted an RFP process for long-term landfill capacity for the City of Sunnyvale and 4 other cities resulting in a 30-year contract with the Kirby Canyon Landfill owned and operated by Waste Management. She also initiated work on the design and construction of the City-owned SMaRT Station, a transfer station/MRF that began operation in 1993.

Ms. St. John joined EcoNomics in 1990 and served as Vice President through June 2008. She now serves as outside legal counsel to many of EcoNomics' clients through the Law Office of Cerene St. John. She specializes in conducting procurements for solid waste and recycling collection services. She also assists cities and counties with negotiations for these services and with contract amendments, ordinance revisions, and review of proposed legislation.

As a former City Attorney and an active member of the State Bar of California, Ms. St. John prepares draft contract amendments, draft contracts, and RFP language for review by City Attorneys. Ms. St. John writes precise and thorough scopes of work for diversion programs and crafts contracts that protect the interest of the jurisdiction and its ratepayers. She serves as a "bridge" between the technical requirements in these contracts and the legal language needed to enforce them. This generally saves our client's time and expense, as the City Attorney can senior review her work rather than spending time crafting the legal language, and the technical scope of work for the contract.



Ms. St. John's unique understanding of the legal underpinnings of the RFP process, the political and financial realities of cities, and her experience in negotiations with the solid waste industry allow her to create procurement processes and negotiations for contract amendments that are fair, public, and that anticipate potential pitfalls so problems can be avoided.

SECTION IV. SCOPE OF WORK – PREPARATION OF SOLID WASTE & RECYCLING SERVICES REQUEST FOR PROPOSALS

TASK 1. DETERMINE ANY CHANGES TO DRAFT AGREEMENT

During the negotiation process for a new solid waste and recycling agreement between the City of San Marino and Athens Services, a new solid waste and recycling agreement was drafted. This new agreement will be included in the request for proposals for potential proposers to review prior to submitting a proposal. Before preparation of the request for proposals, EcoNomics would like to meet with City staff to determine if any programs should be added to, revised or removed from the new agreement.

EcoNomics will coordinate closely with City staff and the City Attorney's Office to develop a workplan and procurement strategy that includes the following timelines for key deliverables:

- Key meetings between City and consultant
- Development of a Procurement Process Protocol to maintain the integrity and fairness of the RFP process
- Completion of internal drafts of RFP
- City review of draft RFP
- City Council approval and subsequent release of RFP
- Advertisement of RFP release and mandatory Pre-Proposal conference
- Written hauler question and answer (Q&A) period
- Timing for City response to Q&A
- Due date for haulers' proposals
- Evaluation period
- Proposers' interviews
- Development of staff recommendations for presentation to City Council
- Contract finalization and award
- Transition
- Roll-out
- Effective date

TASK 2: DRAFT RFP AND PROPOSAL FORMS

TASK 2A: DEVELOP RFP BACKGROUND INFORMATION

EcoNomics will compile existing and additional data from the information gathered during the contract negotiations process between the City and Athens Services. This baseline data will provide the proposers with a clear understanding of the current level of services being provided including the existing routes, number of drivers and customers, and the quantities of solid waste and recyclable materials currently

being collected. The levels of diversion being achieved within the City will also be included. All relevant information will be compiled and included in the background information section of the RFP document.

TASK 2B: DEVELOP TECHNICAL AND FINANCIAL REQUIREMENTS FOR RFP

EcoNomics will write summaries of the technical requirements and financial arrangements to be included in the RFP document. The technical section contains specifics on contract term, an overview of the services required, and an explanation of how the proposal forms are to be filled out with regards to rates, equipment, compliance programs requested by the City, and personnel. The financial section includes a description of compensation to Contractor (hauler), liquidated damages, costs, rates, as well as bond, insurance, and guaranty requirements.

TASK 2C: WRITE PROPOSAL FORMS

Economics will prepare the proposal forms that are included in the RFP. Our process includes over 20 proposal forms that are used to obtain detailed proposer responses. The use of standardized proposal forms will facilitate comparison of all proposals on an “apples to apples” basis. Proposers will be provided with electronic versions of the forms so they can be filled in and submitted to the City in both electronic and hard copy formats. The proposal forms may include specific forms for how the proposer may include technological innovation in its operations and how any operational efficiencies would be shared with the rate payer. A detailed rate sheet will also be included in the proposal forms that will clearly articulate the desired rate incentive and break out the various rate elements, including collection, processing, disposal, and fuel. The rate sheet will also provide material sales elements for diversion services such as recyclables and organics recycling that will allow each proposer to indicate how much revenue from the sale of recyclables, compost, and/or renewable fuel will be shared with the rate payer in the form of reduced rates.

TASK 2D: COMPILE AND PREPARE RFP FOR RELEASE

EcoNomics will prepare the Request for Proposals (RFP) document. The format is well developed and consists of the following sections:

- Introduction and Schedule
- Background Data and Submittal Requirements
- Technical Requirements
- Financial Arrangements
- Proposal Requirements and Evaluation Criteria
- Proposal Forms
- Draft Contract

This listing may be tailored to better meet the needs of the City and its RFP process.

TASK 3: MANAGE RFP PROCESS

TASK 3A: PREPARE LIST OF POTENTIAL PROPOSERS

EcoNomics will assist staff in identifying potential proposers who would be qualified to submit a proposal. EcoNomics recommends that the bid be published on Planet Bids and in industry publications to avoid bid protests from the hauling community. Following the City Council's approval of the final RFP, EcoNomics shall work with City staff to finalize the list of potential proposers to be contacted.

TASK 3B: ASSIST WITH PRESENTING RFP PACKAGE & PROCESS PROTOCOL TO CITY COUNCIL

For this task, EcoNomics will work with staff to develop a staff report and presentation for City Council to highlight key components of the RFP and contract. Additionally, EcoNomics will assist in the development of a process protocol.

The purpose of a process protocol is to avoid a late-night council meeting where the selection process collapses, and all haulers are "bidding from the podium." Our experience with past procurement projects has shown that the most successful and smooth processes result from a City Council adoption of, and adherence to, some type of pre-arranged method by which informal direct contact with Council members is redirected towards a more structured interchange. Adoption of a protocol allows a fair and open process that is resistant to being criticized by factions claiming "back room deals" or favoritism. Further, it streamlines the process and prevents disinformation or a slowing down of the schedule with negative budget impacts.

A key part of any process protocol is to require that any proposer's questions be written (submitted by e-mail) and recorded in a Question and Answer Log. Once EcoNomics and City staff prepare the answers, all proposers will receive copies of the Question and Answer Log. The first set of questions and answers from the log will be emailed to proposers following the Mandatory Pre-Proposal Meeting. The final log will be released several weeks before the proposals are due and after the cut-off date for questions from proposers.

TASK 3C: ASSIST WITH PRE-PROPOSAL MEETING AND PREPARE RFP ADDENDA

EcoNomics will assist staff in preparation for, and attendance at, a Mandatory Pre-Proposal Conference to review the key requirements of the new agreement and the RFP process with the potential proposers. Proposers intending to submit a proposal must attend the Mandatory Pre-Proposal Conference to submit a proposal to the City. Upon review of the observations and questions received from participants in the workshop, EcoNomics will assist the City in evaluating the haulers' questions with respect to the content of the RFP. If portions of the RFP or new agreement need to be clarified based upon hauler input, EcoNomics will prepare clarifications for issuance as an addendum to the RFP.

TASK 3D: DISTRIBUTE RFP AND RESPOND TO HAULERS' QUESTIONS

As the City receives questions from proposers (including questions raised at the Pre-Proposal Conference), EcoNomics will assist staff in the preparation of responses. A Q&A Log containing all questions received about the RFP and the City's responses will be maintained at the City offices. Copies of the Q&A Log will also be issued with each Addendum to the RFP and maintained at the City offices.



TASK 4: EVALUATE PROPOSALS

TASK 4A: PREPARE TECHNICAL ANALYSIS OF PROPOSERS

EcoNomics will assist staff in reviewing and evaluating the proposals received. The use of standardized proposal forms will facilitate comparison of all proposals on an “apples to apples” basis. EcoNomics will first evaluate all submitted proposals to ensure the proposals meet with minimum criteria of ‘responsiveness’ which includes completion of all required proposal forms. EcoNomics will evaluate each proposer to ensure that the submitted proposal includes all services, personnel and capital equipment necessary to perform the requirements in the agreement. Further review of the proposals will evaluate each proposer’s rates in light of the proposer’s submitted proposal to ensure the rates and the services included in the proposal are aligned.

TASK 4B: PREPARE AND ANALYZE PROPOSERS’ COMPARISON DATA

The RFP will include proposal forms to include costs and information for proposed vehicles and containers (carts and bins), as well as the number and allocation of personnel across categories including management positions, drivers, customer service, etc. The data on the submitted proposal forms will be included on comparison spreadsheets to compare each proposer’s data with the other proposers’ data. This evaluation will compare costs for vehicles and containers, number of containers by sector and size, number of vehicles by sector, and the number of personnel by category and across categories. The evaluation will further examine whether the costs are within market range, and whether the numbers of vehicles, containers and personnel are sufficient to accomplish the requirements included in the agreement.

TASK 4C: ANALYZE PROPOSERS’ FINANCIAL CAPABILITY AND STRENGTH TO PERFORM AGREEMENT

Financial data will also be analyzed to ensure that each proposer is financially sound, including evaluation of financing capacity and strength, evidence that financing requirements will be fulfilled, financial strength and stability to guarantee performance of the agreement, demonstrated capacity to handle risk factors in the agreement, and demonstrated ability to accurately estimate collection and diversion program costs and results.

TASK 4D: ANALYZE PROPOSERS’ CONTRACT EXCEPTIONS AND POTENTIAL IMPACT ON AGREEMENT

The RFP will include a proposal form for contract exceptions, as well as the City’s new contract for recycling and solid waste services. Each proposer is required to fill out the contract exceptions proposal form and note all exceptions to the new contract which is included in the RFP packet. The contract exceptions taken by the proposers are identified during the review of the proposals and factored into the evaluation process. Each proposer’s contract exceptions are categorized as to whether the contract exception is to whether it would have a major or minor impact on the City’s ability to enforce the contract. This process allows for the contract to be fully reviewed and analyzed by the proposers, and for each proposer’s contract exceptions to be fully reviewed and analyzed by the City. Further, this process prevents the need for negotiations between the selected proposer and the City.

TASK 4E: ANALYZE PROPOSERS' RATES IN RELATION TO AGREEMENT REQUIREMENTS

The RFP includes a very detailed proposal form for the proposers to complete in relation to rates. The detailed rate sheet will clearly articulate the desired rate incentive and break out the various rate elements, including collection, processing, disposal, and fuel. The rate sheet will also provide material sales elements for diversion services such as recycling and organics recycling that will allow each proposer to indicate how much revenue from the sale of recyclables, compost, and/or renewable fuel will be shared with the rate payer in the form of reduced rates. EcoNomics will develop a projection that shows the total annual rate revenue for each proposal received that will allow the City to evaluate the aggregate total cost to ratepayers of each proposal. This projection will also allow the City to evaluate various scenarios to understand how these scenarios impact total rate revenue. Scenarios that may be modeled using this tool may include disposal decreases due to a full SB 1383 compliance, the mass commercial and multi-family adoption of diversion programs that have lower cost structures, the costs of activating innovative sustainability programs over time, etc.

TASK 4F: DEVELOP PROPOSERS' QUESTION SETS AND EVALUATE PROPOSERS' RESPONSES

During the review and evaluation of the submitted proposals, City staff and EcoNomics will develop questions for each proposer based on the submitted proposal. The questions may be related to clarifying information or data submitted, inconsistencies in information or data submitted, missing data or information, etc. The questions for each proposer will be different as the questions are based specifically on each proposer's submitted proposal. EcoNomics will prepare the initial question set for each proposer and review and evaluate each proposer's responses with City staff. Additional question sets are usually necessary as additional questions come up as City staff and EcoNomics further evaluate the submitted proposals.

TASK 4G: DEVELOP PROPOSERS' INTERVIEW QUESTIONS AND ATTEND INTERVIEWS

EcoNomics will develop the proposers' interview questions and attend the proposers' interviews. There will be a base set of questions that will be the same for all the proposers' interviews. There will also be questions included for each proposer's interview that will be specific to that proposer based on the submitted proposals and the responses to the question sets discussed above in Task 4F.

TASK 5: CONTRACT AWARD

TASK 5A: PREPARATION OF FINAL CONTRACT

It is expected that during the procurement process various issues and conditions will present themselves that will require discussion and strategic input. EcoNomics will provide support to staff as these issues arise and will assist staff in maintaining an orderly, pro-active and productive procurement process. EcoNomics will assist City staff and the City Attorney in preparing the final contract for signature by the selected vendor prior to award of the contract by the City Council.

TASK 5B: ADDITIONAL RESEARCH

Any additional research on proposers' qualifications, experience, financial condition or other issues will be performed under this task at the direction of the City.

TASK 5C: PREPARE PROPOSERS' EVALUATION REPORT

EcoNomics will prepare a detailed evaluation report for submittal to the City based on the submitted proposals. The proposals will be evaluated for responsiveness to the RFP, as well as the following evaluation criteria:

- Organization & Experience of Project Team References
- Pending Litigation and Assessment of Liquidated Damages
- Agreement Exceptions
- Technical Capability: Collection Operations
- Special Collection Services
- Technical Capability: Processing & Marketing of Divertible Materials
- Customer Service
- Public Education and Outreach
- Start-Up & Implementation Plan
- Reporting
- Environmental Responsibility
- Financial Capability
- Customized Local Approach
- Diversion Strategy
- Rates & Cost Evaluation
- Procedural Compliance
- AB 1669 Employment Offers to Incumbent's Employees

TASK 5D: CONTRACT AWARD AND STAFF REPORT SUPPORT

EcoNomics will assist City staff in preparing and presenting a written report to the City Council recommending award of the contract to the successful vendor. If needed, a PowerPoint presentation on the key features of the new contract will be prepared.

TASK 6: MEETINGS WITH CITY STAFF AND CITY ATTORNEY

Meetings will be held to coordinate review of key documents, discuss evaluation process, review technical information from the proposals, coordinate selection process, review question and answer processes, prepare for selection recommendation, receive policy direction from the City, among other topics.

SECTION V. SCOPE OF WORK – SB 1383 IMPLEMENTATION SERVICES

TASK 1: CALRECYCLE CONFERENCE CALL AND ANNUAL VISIT

EcoNomics is familiar with the CalRecycle Local Assistance and Market Development (LAMD) representatives and how data gathered during the site visits and conference calls is used to assess a jurisdiction's compliance. EcoNomics assisted the City in 2023 with its site visit and conference call and is currently working with the City's LAMD CalRecycle representative this year. The City is likely going to be facing discussions with CalRecycle's Jurisdiction and Agency Compliance and Enforcement (JACE) on its compliance status. EcoNomics has worked with other jurisdictions who were placed on compliance orders and needed plans to be designed and implemented so that the jurisdiction avoided fines. Depending on CalRecycle's next discussion(s) with the City we can assist the City with JACE response as needed.

For the upcoming LAMD site visit, EcoNomics will facilitate tours of the City of San Marino residential and commercial sectors as needed for CalRecycle's annual site visit in January 2025.

For reference, in addition to assisting the City of San Marino with its CalRecycle Conference Call and Site Visit, EcoNomics is currently also assisting the Cities of Laguna Hills, Laguna Niguel, Lake Forest, Santa Ana, Tustin, Mission Viejo and Anaheim.

TASK 2: CALRECYCLE EAR AND FORM 303

CalRecycle requires the submittal of an Electronic Annual Report (EAR) and Form 303 and arranges jurisdiction site visits for verification and inspection purposes on an annual basis. The tasks below describe the services that EcoNomics will provide to assist staff in meeting their mandated reporting duties. In addition to the EAR, if the City is issued a CalRecycle Compliance Order and a Compliance Plan, EcoNomics will assist the City in carrying out the Plan as well as reporting on the City's progress and implementation steps included in the Plan that will be monitored by JACE representatives.

In addition to the City of San Marino's EAR submittal for calendar year 2023, EcoNomics assisted the following seven cities with gathering data for and/or drafting the Electronic Annual Report (EAR) to CalRecycle: Anaheim, Buena Park, Laguna Niguel, Lake Forest, Laguna Hills, Mission Viejo, and Tustin. The annual reporting process is an important opportunity for the City to showcase its diversion programs and to demonstrate its compliance with state diversion mandates.

As part of its preparation of the annual report, EcoNomics takes the following actions and gathers the following data points to provide CalRecycle a holistic picture of the City's diversion programs. EcoNomics will focus its efforts on AB 341, AB 1826, and SB 1383 compliance reporting assistance vis-à-vis the annual report.

- Analysis of SB 1383 compliance rate
- Narrative summary of all outreach efforts conducted to increase compliance
- Contact the hauler and review City records to obtain information on outreach used to inform residents and businesses of recycling programs



- Coordination with local food banks to determine the weight of edible materials donated

Over the last decade, EcoNomics has established a database and a preparation schedule for assembling the necessary information for submittal of CalRecycle's required Electronic Annual Report (EAR). As part of the procedure, a diverse set of tonnage data is collected and verified. This comprehensive database leads to a thorough annual report that provides CalRecycle with a clear narrative that strongly demonstrates the City's compliance with diversion mandates.

TASK 3: CALRECYCLE IMPLEMENTATION RECORD

Cities must maintain all records required by the SB 1383 regulation in an Implementation Record (14 CCR Section 18995.2). In preparation for the City's CalRecycle Conference Call on December 9, 2024, EcoNomics worked with City staff to gather the existing documentation of the current incomplete implementation. The Implementation Record will be expanded in tandem with any compliance actions as directed by CalRecycle's JACE division.

Going forward in 2025, a full SB 1383 Implementation Record will be compiled and maintained by including all the protocols and processes listed in this proposal, such as, all necessary documentation related to waiver protocols, waiver processing, enforcement protocols, self-haul program, C&D program, and all City documents and data generated in 2025 and applicable to the Implementation Record.

For reference, EcoNomics has assisted and/or currently assists with gathering data, compilation and maintenance of the Implementation Records for the Cities of Laguna Niguel, Lake Forest, Laguna Hills, Santa Ana, Anaheim, Mission Viejo and Tustin.

TASK 4: SB 1383 ENFORCEMENT PROTOCOL DEVELOPMENT

The City adopted an SB 1383-aligned mandatory participation ordinance. The ordinance requires all generators to subscribe to organics recycling programs. EcoNomics will assist the City in developing a standard operating procedure (SOP) for the fair and equitable enforcement of the City's ordinance. The SOP will include the following components:

- Process and template field sheet for initial site assessment
- Process for assessing compliance
- Process for gathering evidentiary documentation that could be used if the citation is appealed
- Process for issuing and monitoring a notice of violation
- Process for issuing first, second, third, and subsequent citations
- Process for evaluating a non-compliant account referred by a franchise hauler
- Process for evaluating the compliance of an internal diversion program

TASK 5: SB 1383 WAIVER PROTOCOL DEVELOPMENT

CalRecycle and the City's Municipal Code require all commercial businesses to process three trash and recycling streams: trash, recyclables and organics. CalRecycle allows for physical constraint waivers and de minimis waivers for the organics and recyclables streams. A business may be eligible for a physical constraint waiver if there is not enough space for an organics or recyclables cart or bin, and a business

may be eligible for a de minimis waiver if the business produces a very little amount of organics and/or recyclables material as specified by CalRecycle standards. EcoNomics will assist the City with the development of SB 1383 protocols for de minimis and physical space constraint organics waivers and for de minimis and physical space constraint recyclables waivers.

EcoNomics has assisted and/or currently assists with waiver protocol development and waiver processing for the Cities of Newport Beach, Laguna Hills, Santa Ana, Lake Forest and Laguna Niguel.

TASK 6: SELF-HAUL PROGRAM DEVELOPMENT

EcoNomics is aware that businesses in the City may have existing informal internal recycling programs that may consist of a 'third-party' hauler such as landscapers and self-hauling contractors or recyclers. Provided these informal recycling programs are not receiving payment from the generator for collection service, these activities are protected by the State of California Supreme Court's 'Rancho Mirage' ruling of 1994. Further, per SB 1383, informal recycling programs are an acceptable compliance pathway.

EcoNomics will assist the City in developing a self-haul verification program for landscapers, recyclers, and contractors. EcoNomics will work with City staff to augment the City's current business license system to include self-haul verification for landscapers, recyclers and contractors self-hauling divertible materials to ensure that the divertible materials are brought to approved recycling/processing facilities. EcoNomics proposes that these types of programs be documented through self-reporting forms that are included with compliance notifications and subsequently verified through site visits. EcoNomics' internal program verification process is approved by CalRecycle as an acceptable means to document SB 1383 compliant internal recycling/diversion programs.

A written protocol and process for self-haul verification will be developed including provision of the recycling/processing facility utilized by the self-hauler and quarterly provision of verifiable weight tickets to ensure the self-hauled materials are properly diverted. Public education for residential and commercial generators who utilize landscape service providers will be developed so that smaller landscapers will be included in the City's outreach efforts. In addition, landscapers, recyclers and contractors who are licensed by the City will receive a packet of outreach material describing the SB 1383 requirements for self-haul that will be provided as part of the City's granting of a business license. EcoNomics will also create internal program forms and notices of violation.

As the City receives self-reporting forms, EcoNomics will conduct verification site visits to confirm diversion programs are in place and, wherever feasible, photo-document any reported internal recycling programs as a means to record compliance with SB 1383 through non-hauler programs. As part of the onsite verification of internal recycling programs, EcoNomics will quantify the estimated weights diverted through these programs for inclusion in the City's Electronic Annual Reports (EAR). This EAR reporting will provide to CalRecycle a formal documentation of compliance. Further, self-reporting forms distributed with a compliance notification letter will allow generators to indicate that they are sharing a recycling bin with their neighbor. This "shared-bin" compliance activity allows the identification of those smaller businesses that are complying with SB 1383 through informal arrangements.

EcoNomics has assisted or in the process of assisting the following cities with self-haul program development to align with CalRecycle requirements: Santa Ana, Laguna Hills, Tustin and Buena Park.



TASK 7: DEVELOP ENVIRONMENTALLY PREFERABLE PURCHASING POLICY (EPP)

SB 1383 requires the City to develop an Environmentally Preferable Purchasing (EPP) Policy. EPP is the procurement of goods and services that have less impact than competing products serving the same purpose. SB 1383 requires that jurisdictions consider environmentally preferable factors including goods that are repairable, durable, made with recycled content and can be recycled again.

EcoNomics will assist with updating the City's procurement policy to incorporate the requirements of SB 1383 into City-wide purchases, including recycled-content requirements for custodial paper products mandated by AB 661. This process also includes assessing the City's current paper procurement policy to determine if City is in compliance with 30% post-consumer content paper purchasing policy as well as assisting with implementation of an administrative policy and municipal code language to facilitate achievement of procurement requirements. A procurement tracking and reporting system will be developed to track the City's purchasing in alignment with the EPP.

TASK 8: CALGREEN, C&D AND MWELO

EcoNomics will review the City's municipal code related to CALGreen to determine if an update to current CALGreen requirements is necessary. If an update to the municipal code is required related to CALGreen, EcoNomics will assist in drafting the municipal code language.

CALGreen requires nearly all building projects to divert 65% or more of C&D waste away from landfills. EcoNomics will review the City's current processes and assist with enhancement of its current permitting and application processes to strengthen compliance incentives and non-compliance disincentives to comply with CALGreen. EcoNomics can provide technical assistance to enhance existing processes to ensure higher levels of compliance with CALGreen.

EcoNomics will assist the City with the following CALGreen implementation and compliance tasks on an as needed basis:

1. Develop an application that aligns with CALGreen requirements for completion by builders applying for permits for covered projects including an application fee
2. Development of an incentive system, such as a refundable compliance deposit or contingent project finalization, to ensure compliance with the 65% diversion requirement
3. Coordination with the building department to train staff on administration of CALGreen compliance requirements during permitting process
4. Review of waste reduction plans to assess feasibility on an 'as needed' basis
5. Review of disputed waste reduction plans to assess attainment of CALGreen diversion requirements and to verify if the recycling rate was achieved via review of weight tickets or facility audits
6. Assist City with the development of facility certification criteria and with the verification of criteria
7. Assist City with CalRecycle data requests regarding CALGreen
8. Analysis and aggregation of project data to determine overall compliance rate
9. Review and implementation of software programs to assist with CALGreen compliance tracking as applicable

10. Assist City with developing enclosure standards aligned with CALGreen and SB 1383 to ensure compliance with 3-stream requirements
11. Other tasks, as needed

EcoNomics will review the City's MWELO Ordinance and protocol and determine compliance status. If the Ordinance needs an amendment, EcoNomics will draft amendment language and assist with the amendment process as needed. If it is determined that the MWELO protocols need revisions to align with SB 1383 standards, EcoNomics will work with applicable City staff to revise the protocols to align with SB 1383.

TASK 9: PROCUREMENT OF RECYCLED ORGANICS CONTENT PRODUCTS (ROCP'S)

Based on the City's 2020 population of approximately 12,961, the City is required to purchase over 1,037 tons of compost per year starting in 2025 (or an equivalent amount of energy or fuel products derived from organic materials). With passage of AB 1985, the City met its 2024 requirement of 674 tons of compost/mulch, which equates to 65% of its 1,037 tons procurement target. The procurement provision of SB 1383 has proven to be challenging to jurisdictions throughout the State. To this end, AB 2346 has been adopted and will allow additional procurement actions to count towards the City's goal, including edible food recovery, on-site chipping of tree trimmings by the City's contractors, investments to increase organics processing infrastructure, and community composting. EcoNomics will assist the City with interpretation of this law and identify pathways to implementing the requirements. We can also assist with assessing the feasibility of purchasing environmental attributes for electricity used by City Facilities to count towards the City's procurement target via biomass credits. Additionally, EcoNomics will conduct the following actions to assist the City with SB 1383 procurement compliance on an as needed basis:

- Assist City with interpretation of SB 1383 ROCPs requirements
- Conduct baseline inventory of current ROCPs purchased by the City and determine additional purchases needed to comply with annual procurement target
- Analysis of City's energy and gas use to determine ROCP credits from current energy usage
- Analysis of hauler RNG usage to determine eligibility to count towards City's ROCP target
- Coordination with CalRecycle to 'right-size' procurement target if City cannot reasonably obtain ROCP target based on past procurement policies
- Assist City in processing amendments to contracts for 'direct-service providers' to require the application of mulch or compost products or to use RNG
- Assist in reporting procurement targets to CalRecycle
- Assess feasibility and cost-efficacy of brokered option of purchasing compost for application outside of City limits
- Analysis of AB 2346 impacts on City's procurement system
- Identify SB 1383-procurement credit-eligible source of electricity for use by City facilities
- Other procurement-related tasks, as needed

TASK 10: MONTHLY MEETINGS WITH CITY STAFF

EcoNomics recommends monthly progress meetings with the City. These meetings serve the following purposes: 1) provide updates and review contract deliverables and the work effort completed and in



progress; and 2) current City status with respect to satisfying each of its overall SB 1383 program requirements. After each meeting, EcoNomics will send a progress update with deliverables and timelines.

Before the monthly meetings, EcoNomics will create and provide an agenda and send it to the City to allow for adequate time to prepare for all agenda items. After any meeting, Economics will provide all parties with meeting notes and action items.

SECTION VI. COST PROPOSAL

STAFF HOURLY RATES

Name	Position	Hourly Rate
William O'Toole	President	\$235
Cerene St. John JD	Attorney	\$290
Trevor Blythe	Vice President	\$195
Linda Furbee JD	Director	\$165
Lisa Robles MS	Director	\$165
Sara Aubery	Manager	\$145
Ian Bevan MBA	Coordinator	\$115
Valeria Ferrufino	Coordinator	\$115
Clarisa Gomez	Coordinator	\$115
Bella Sullins	Coordinator	\$115

PROPOSED BUDGET – RFP PROCESS

San Marino Solid Waste & Recycling RFP Proposed Budget		President	Attorney	Vice President	Director	Manager	Coordinator	Hours	Budget	Percent of Proposed Budget
		O'Toole	St. John	Blythe	Furbee Robles	Aubery	Gomez			
		\$235.00	\$290.00	\$195.00	\$165.00	\$145.00	\$115.00			
Task 1	Determine Any Changes to Draft Contract	2	8	2	4			16	\$ 3,840.00	3%
Task 2A	Develop RFP Background Information	2		2	12	2	2	20	\$ 3,360.00	3%
Task 2B	Develop Technical and Financial Requirements of RFP	2	3	6	8	2		21	\$ 4,120.00	3%
Task 2C	Write RFP Proposal Forms	2	4	6	8			20	\$ 4,120.00	3%
Task 2D	Compile and Prepare RFP for Release	2	5	2	8	2	2	21	\$ 4,150.00	3%
Task 2 Draft RFP Subtotal		8	12	16	36	6	4	82	\$ 15,750.00	13%
Task 3A	Prepare List of Potential Proposers and Assist with Hauler Notification	4	2	2	4			12	\$ 2,570.00	2%
Task 3B	Assist with Presenting RFP Package to Council, including Assistance with PowerPoint Presentation	6	4	2	16	4		32	\$ 6,180.00	5%
Task 3C	Assist with Conducting Pre-Proposal Meeting and Prepare Written Responses of Any Subsequent RFP Addenda	6	8	4	10			28	\$ 6,160.00	5%
Task 3D	Distribute RFP/Respond to Q&A From Hauling Community	4	10	4	15	4		37	\$ 7,675.00	6%
Task 3 Manage RFP Process Subtotal		10	18	8	25	4		65	\$ 22,585.00	18%
Task 4A	Prepare Technical Analysis of Proposers to Verify Ability to Comply with, Provide for, and Meet Requirements of Contract Period	8	4	10	15	5	4	46	\$ 8,650.00	7%
Task 4B	Prepare and Analyze Proposers' Comparison Data	2	6	4	10	5		27	\$ 5,365.00	4%
Task 4C	Analyze Proposers' Financial Capability and Strength to Perform Contract	2		4	8			14	\$ 2,570.00	2%
Task 4D	Analyze Proposers' Contract Exceptions and Potential Impact on Contract	4	16	4	12			36	\$ 8,340.00	7%
Task 4E	Analyze Proposers' Rates in Relation to the Contract Requirements	8	2	18	8	8		44	\$ 8,450.00	7%
Task 4F	Develop Proposers' Questions Sets based on Proposals Submitted and Evaluate Proposers' Responses	4	10	8	15	6		43	\$ 8,745.00	7%
Task 4G	Develop Proposers' Interview Questions and Attend Interviews	9	9	9	9			36	\$ 7,965.00	6%
Task 4 Evaluate Proposals Subtotal		37	47	57	77	24	4	246	\$ 50,085.00	40%
Task 5A	Preparation of Final Contract	2	16	2	6			26	\$ 6,490.00	5%
Task 5B	Additional Research	2	2	4	4	2	2	16	\$ 3,010.00	2%
Task 5C	Prepare Proposals' Evaluation Report	8	14	12	20	5	4	63	\$ 12,765.00	10%
Task 5D	Contract Award and Staff Report Support	4	2	4	16	4		30	\$ 5,520.00	4%
Task 5 Award Subtotal		16	34	22	46	11	6	135	\$ 27,785.00	22%
Task 6	Meetings with City staff and City Attorney, Update Schedule	22	10	10	22		6	70	\$ 14,340.00	11%
TOTAL PROJECT HOURS		95	129	115	210	45	20	614		
TOTAL RFP PROPOSAL BUDGET		\$22,325	\$37,410	\$22,425	\$34,650	\$6,525	\$2,300	\$125,635		

Staff hours may be moved between tasks upon City approval.

PROPOSED BUDGET – SB 1383 IMPLEMENTATION

San Marino SB 1383 Implementation Proposed Budget		President	Attorney	Vice President	Directors	Manager	Coordinator	Hours	Budget	Percent of Proposed Budget
		O'Toole	St. John	Blythe	Furbie Robles	Aubery	Ferrufino, Gomez, Sullins, Bevan			
		\$235.00	\$290.00	\$195.00	\$165.00	\$145.00	\$115.00			
Task 1	CalRecycle Conference Call and Site Visit	8			16		12	36	\$ 5,900.00	8%
Task 2	CalRecycle EAR and Form 303	3			35		20	58	\$ 8,780.00	12%
Task 3	CalRecycle Implementation Record				10		20	30	\$ 3,950.00	5%
Task 4	Enforcement Protocol Development	5	4	4	22	8	4	47	\$ 8,365.00	11%
Task 5	SB 1383 Waiver Protocol Development	2	2		30	8	4	46	\$ 7,620.00	10%
Task 6	Self-Haul Program Development	4		3	25	10	10	52	\$ 8,250.00	11%
Task 7	Develop Environmentally Preferable Purchasing (EPP) Policy				20	4		24	\$ 3,880.00	5%
Task 8	CALGreen & C&D and MWELO		4		30	6		40	\$ 6,980.00	10%
Task 9	Procurement of Recycled Organics Content Products (ROCPs)			14	20	8		42	\$ 7,190.00	10%
Task 10	Monthly Progress Meetings with City Staff & Preparation for Meetings	24			24		24	72	\$ 12,360.00	17%
TOTAL PROJECT HOURS		46	10	21	232	44	94	447		
TOTAL SB 1383 IMPLEMENTATION PROPOSAL BUDGET		\$10,810	\$2,900	\$4,095	\$38,280	\$6,380	\$10,810	\$73,275.00		

Staff hours may be moved between tasks upon City approval.

PROPOSED BUDGET – TOTAL OF COMBINED BUDGETS

San Marino Combined Proposed Budgets for Solid Waste & Recycling RFP & SB 1383 Implementation	President	Attorney	Vice President	Directors	Manager	Coordinator	TOTALS
	O'Toole	St. John	Blythe	Furbee Robles	Aubery	Ferrufino, Gomez, Sullins, Bevan	
	\$235.00	\$290.00	\$195.00	\$165.00	\$145.00	\$115.00	
GRANTED TOTAL PROJECT HOURS FOR RFP & SB 1383 IMPLEMENTATION	141	139	136	442	89	114	1,061
GRAND TOTAL RFP & SB 1383 IMPLEMENTATION PROPOSED BUDGET	\$33,135	\$40,310	\$26,520	\$72,930	\$12,905	\$13,110	\$198,910

SECTION VII. REFERENCES

Name of Project Manager	Position	Affiliation	Contact Information	Project Description
Jessica Pulliam	Deputy of Sustainability	City of Rancho Mirage	Address: 69-825 Highway 111 Telephone: 760.324.4511 x211 Email: jessicap@ranchomirageca.gov	Negotiate with hauler for new collection contract that aligns with SB 1383 and other state diversion mandates; assist city in compliance with AB 939, AB 341, AB 1826; franchise management; analysis of annual rate adjustment; diversion tonnage report analysis; CalRecycle annual report filing; develop and implement commercial and multi-family recycling programs; recurring contract management meetings with City and hauler.
Thomas Wheeler	Director of Public Works	City of Lake Forest	Address: 100 Civic Center Dr Telephone: 949.461.3481 Email: twheeler@lakeforestca.gov	RFP for collection contract including diversion program design, writing of new contract, writing RFP; managing RFP process, proposal evaluation, contract award, contract monitoring and management; Prop 218 notification assistance for rate adjustments; design and rollout of AB 341 and AB 1826 and SB 1383 compliance programs including commercial food scrap and edible food programs.
Hazel McIntosh	Associate Engineer	City of Mission Viejo	Address: 200 Civic Center Telephone: 949.470.8458 Email: hmcintosh@cityofmissionviejo.org	Assist City with CalRecycle compliance issues; assist with franchise revisions to require enhanced AB 341/AB 1826/SB 1383 performance and reporting requirements; draft mandatory commercial ordinance; manage hauler contract; AB 341, AB 1826 and SB 1383 generator identification, notification, and implementation; commercial and multi-family outreach and education; SB 1383 program management.
Stacey Cuevas	Acting Assistant Director of Public Works	City of Tustin	Address: 300 Centennial Way Telephone: 714.573.3037 Email: scuevas@cityoftustin.org	RFP for collection contract including diversion program design, writing of new contract, writing RFP; managing RFP process, proposal evaluation, contract award, contract monitoring; assist city in compliance with AB 939, AB 341, AB 1826 and SB 1383; analysis of annual rate adjustment; develop and implement commercial, restaurant, and multi-family diversion programs; diversion tonnage report analysis; CalRecycle annual report filing; develop and implement commercial and multi-family recycling programs.
Dan DeBassio	Deputy Public Works Director	City of Anaheim	Address: 400 E Vermont Ave Telephone: 714.765.6875 Email: DDeBassio@anaheim.net	Develop and implement commercial, restaurant, hotel, golf course, stadium and multi-family diversion programs; assist with franchise negotiations to align hauler contract with SB 1383; assist City with implementing SB 1383 Corrective Action Plan to expand SB 1383 compliance to over 2000 non-compliant generators; assist city in compliance with AB 939, AB 341, AB 1826 and SB 1383; diversion tonnage report analysis; CalRecycle annual report filing.
David Reynolds	Deputy City Manager	City of Laguna Hills	Address: 25555 Alicia Parkway Telephone: 949.707.2685 Email: dreynolds@lagunahillscsca.gov	RFP for collection contract including diversion program design, writing of new contract, writing RFP; managing RFP process, proposal evaluation, contract award, contract monitoring and management; Prop 218 notification assistance for rate adjustments; design and rollout of AB 341 and AB 1826 and SB 1383 compliance programs for commercial, multi-family and residential sectors and edible food programs; recurring meetings with City and hauler.