

RESOLUTION NO. 2011 - 87

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK
REJECTING CERTAIN APPLICATIONS FOR EXCLUSIVE AND NON-EXCLUSIVE
TEMPORARY DEBRIS BOX AND ROLL-OFF COLLECTION SERVICES AS NON-
RESPONSIVE AND AFFIRMING OTHER APPLICATIONS AS RESPONSIVE**

WHEREAS, Rohnert Park Municipal Code section 8.12.200 requires that waste collection services be provided by contract;

WHEREAS, the existing exclusive franchise agreements for temporary debris box services with Industrial Carting and Rohnert Park Disposal, Inc. expire on October 31, 2011;

WHEREAS, on June 28, 2011, the City Council directed the City Manager to solicit requests for proposals for both exclusive and non-exclusive temporary debris box services;

WHEREAS, applications were timely received for exclusive temporary debris box and roll-off collection services from M&M Services, Inc. (*dba* Pacific Sanitation) and Rohnert Park Disposal, Inc.;

WHEREAS, applications were timely received for non-exclusive temporary debris box and roll-off collection services from Industrial Carting, M&M Services, Inc., and Ratto Group of Companies, Inc.;

WHEREAS, the City's consultant, R3 Consulting Inc., screened all applications for responsiveness using a pass/fail test based on Section 4.3 of the RFP which states that no licensee shall take exception to the specifications, Application, or the Agreement;

WHEREAS, R3 Consulting found that both applications from M&M Services for exclusive and non-exclusive services and the application by Rohnert Park Disposal, Inc. for exclusive services, were non-responsive because they took exceptions to the Agreement;

WHEREAS, R3 Consulting found that the other applications passed the initial screening test for responsiveness;

WHEREAS, all non-responsive proposers were informed by letter on August 17, 2011 that their proposals were non-responsive and offered an opportunity to waive the exceptions by making an affirmative written statement by August 22, 2011;

WHEREAS, on August 22, 2011 Rohnert Park Disposal, Inc. timely responded in writing and agreed to waive its exceptions;

WHEREAS, M&M Services did not respond or otherwise agree to waive its exceptions;
and

WHEREAS, the City Council has reviewed all applications received, along with the correspondence regarding responsiveness between proposers and R3 Consulting.

NOW, THEREFORE, BE IT RESOLVED the above-referenced recitals are true and correct and material to this Resolution.

BE IT FURTHER RESOLVED that in making its findings the City Council relied upon and hereby incorporates by reference all of the RFP materials, including the Applications,

specifications, Agreements, R3 Consulting Report, correspondence from providers and all other related materials.

BE IT FURTHER RESOLVED that the application the City received from M&M Services, Inc. for exclusive temporary debris box and collection roll-off services is hereby rejected as non-responsive.

BE IT FURTHER RESOLVED that the application the City received from M&M Services, Inc. for non-exclusive temporary debris box and collection roll-off services is hereby rejected as non-responsive.

BE IT FURTHER RESOLVED that the application the City received from Rohnert Park Disposal, Inc. for exclusive temporary debris box and collection roll-off services is hereby deemed to be responsive because Rohnert Park Disposal, Inc. waived all exceptions.

BE IT FURTHER RESOLVED that the other applications the City received from Industrial Carting and Ratto Group for non-exclusive temporary debris box and collection roll-off services are hereby deemed to be responsive.

DULY AND REGULARLY ADOPTED by the City Council of the City of Rohnert Park this 13th day of September, 2011.

CITY OF ROHNERT PARK

Mayor

ATTEST:


City Clerk



AHANOTU: <u>AYE</u>	CALLINAN: <u>ABSENT</u>	MACKENZIE: <u>AYE</u>	STAFFORD: <u>AYE</u>	BELFORTE: <u>AYE</u>
AYES: (4)		NOES: (0)	ABSENT: (1) ABSTAIN: (0)	