

★ Roll Call Number

Agenda Item Number

08-1056

78

Date June 9, 2008

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ACCEPTING REPORT OF HEARING OFFICER ON APPEAL OF EVALUATION AND SELECTION COMMITTEE RECOMMENDATION FOR RFP FOR SINGLE-STREAM RECYCLABLES PROCESSING, REJECTING ALL PROPOSALS AND DIRECTING THE CITY MANAGER TO EXAMINE AND RECOMMEND A NEW COMPETITIVE PROCESS FOR SINGLE- STREAM RECYCLABLES PROCESSING

WHEREAS, the Public Works Department provides a number of services, including the curbside collection and processing of recyclable materials; and

WHEREAS, on February 25, 2008, by Roll Call No. 08-317, the City Council authorized the issuance of a Request for Proposals (RFP) for an exclusive recycler to receive, process, and market single-stream recyclable materials collected by the Public Works Department; and

WHEREAS, three proposals were received and the RFP Evaluation and Selection Committee has reviewed and evaluated the proposals submitted and has recommended that the proposal from MidAmerica Recycling, Inc. (Michael Barry, President, 2742 E. Market St., Des Moines, Iowa) be accepted; and

WHEREAS, an appeal of the Evaluation and Selection Committee's recommendation was filed by a proposer who was not recommended, Recycling, Inc.; and

WHEREAS, the Deputy City Manager reviewed such appeal, a hearing was held on the appeal on May 12, 2008, and a report has been made overruling the objections of the appealing proposer, pursuant to the RFP appeal process under Section 2-756 of the Procurement Ordinance and the provisions of the RFP; and

WHEREAS, the Des Moines Metropolitan Waste Authority ("MWA") at its May 21, 2008 meeting approved the issuance of an RFP for single-stream recycling collection; and

WHEREAS, the City Manager's Office review of the RFP Evaluation and Selection Committee process determined that the best interests of the City would be served if all of the proposals were rejected and the RFP process were begun anew, or an alternative competitive process were utilized.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the City Council hereby affirms the report of the Deputy City Manager overruling the objections of Recycling, Inc.

BE IT FURTHER RESOLVED that all proposals are rejected and the City Manager is directed to examine alternative competitive processes to solicit a provider for single-stream recyclables processing via automation, with the intent of producing a revenue to the City, including the possibility of a joint RFP with the MWA, and to provide a recommended course of action to the City Council for approval.

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(Council Communication No. 08-346)

Approved As To Form:

Ann DiDonato

Ann DiDonato
Assistant City Attorney

The City Council made 3 motions.

- | | |
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| <p>6 Yeas
1 Absent
Mahaffey</p> | <p>1. Moved by <u>Hensley</u> to find that the evaluation and selection committee was not biased and to affirm the findings and report of the Deputy City Manager regarding the Recycling Inc. appeal.</p> |
| <p>6 Yeas
1 Absent
Mahaffey</p> | <p>2. Moved by <u>Hensley</u> to reject all proposals received in response to the Request for Proposals (RFP), per Section 2-758 of the Municipal Code, and Section 16 of the Standard Provisions and Requirements for the RFP.</p> |
| <p>4 Yeas
2 Nays
Coleman
Vlassis
1 Absent
Mahaffey</p> | <p>3. Moved by <u>Hensley</u> to waive the use of the RFP proposal process, pursuant to Section 2-710(b), for good cause shown, namely the time and delay involved, and instead to direct the City Manager and Public Works Director to negotiate a contract with Mid America Recycling, and to bring it back to the City Council for review and approval.</p> |

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
MAHAFFEY				
KIERNAN				
MEYER				
VLASSIS				
TOTAL				
MOTION CARRIED	APPROVED			
<i>T. M. Franklin Cownie</i>				
Mayor				

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Diane Rauh

City Clerk