

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team

at MileHighOrdinance@DenverGov.org by **11 a.m. Friday**. Contact the Mayor's Legislative team with questions

Please mark one: ☐ Bill Request or ☒ Resolution Request

Date of Request: 10/19/23

1. Type of Request:

- ☒ Contract/Grant Agreement ☐ Intergovernmental Agreement (IGA) ☐ Rezoning/Text Amendment
☐ Dedication/Vacation ☐ Appropriation/Supplemental ☐ DRMC Change
☐ Other:

2. Title: (Start with *approves*, *amends*, *dedicates*, etc., include name of company or contractor and indicate the type of request: grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.)

Amends a revenue agreement with Waste Management Disposal Service of Colorado, Inc. by adding one year for a new end date of 12-31-24 for operation of a composting facility at the Denver Arapahoe Disposal Site. No change to the contract amount (ESEQD-202370860-06).

3. Requesting Agency: Department of Public Health & Environment - Division of Environmental Quality

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Agatha Linger	Name: Agatha Linger & Will Fenton
Email: Agatha.Linger@denvergov.org	Email: Agatha.Linger@denvergov.org & william.fenton@denvergov.org
Phone: 720-865-5356	Phone: 720-865-5356 & 720-865-5361

5. General description or background of proposed request. Attach executive summary if more space needed:

This amendment extends by one year the compost agreement between WMC and the City.

For background, in 2016 the City entered into the compost agreement (ENVHL-201524286) which allows WMC to offer composting services. They obtained State approvals, constructed the composting pad and monitoring well, and met State requirements for operations. They receive food and green material including wood material, generate compost, and sell compostable material and sometimes wood chips. In return for leasing land for the compost operations, the City receives a) an 8 percent (%) royalty on the revenue that WMC generates from the incoming material, b) details on the type and volume of incoming material, and c) information on waste management's operating costs.

Based on the 8% royalty received by the City from 2016 to present, the City has received approximately \$325,000.00 in payment. Both the City and Waste Management want to continue offering compost as an alternative to disposal.

6. City Attorney assigned to this request (if applicable): Lee Zarzecki

7. City Council District: NA - DADS is in Arapahoe County.

8. ****For all contracts, fill out and submit accompanying Key Contract Terms worksheet****

Key Contract Terms

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Type of Contract: (e.g., Professional Services > \$500K; IGA/Grant Agreement, Sale, or Lease of Real Property): Revenue

Vendor/Contractor Name (including any dba's): WASTE MANAGEMENT DISPOSAL SERVICES OF COLORADO, INC.

Contract control number (legacy and new): ESEQD-202370860-06 / ENVHL-201524286-06

Location: 3500 S. Gun Club Road in Aurora (Arapahoe County)

Is this a new contract? ☐ Yes ☒ No **Is this an Amendment?** ☒ Yes ☐ No **If yes, how many?** 6th

Contract Term/Duration (for amended contracts, include existing term dates, and amended dates):

Existing: 1/1/2016 – 12/31/2023

Amended: 1/1/2016– 12/31/2024

Contract Amount (indicate existing amount, amended amount and new contract total):

<i>Current Contract Amount (A)</i>	<i>Additional Funds (B)</i>	<i>Total Contract Amount (A+B)</i>
8% of gross revenue from receipt or diversion of compostable material	NA	8% of gross revenue from receipt or diversion of compostable material

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
1/1/2016 – 12/31/2023	one year	12/31/2024

Scope of work: Operation a facility that processes and recycles concrete and asphalt as an alternative to disposal at the City-owned DADS landfill in Arapahoe County. WMC currently operates the site as a landfill and composting facility.

Was this contractor selected by competitive process? If not, why not? No; Pursuant to the 1998 Landfill Agreement (GC8Y001), WMC has exclusive control of DADS for landfilling and has expanded its operation to include composting services.

Has this contractor provided these services to the City before? ☒ Yes ☐ No

Source of funds: This is incoming revenue.

Is this contract subject to: ☐ W/MBE ☐ DBE ☐ SBE ☐ XO101 ☐ ACDBE ☒ N/A

WBE/MBE/DBE commitments (construction, design, Airport concession contracts):
NA

Who are the subcontractors to this contract?
NA

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