

The City and County of Denver and Waste Management of Colorado, Inc. entered into a “Landfill Agreement” dated January 9, 1998, regarding Contractor’s management and operation of the City-owned Denver-Arapahoe Disposal Site (D.A.D.S.)

On December 3, 2001, Executive Order number 115, Required Use of Denver-Arapahoe Disposal Site (Landfill) established the policy of the City and County of Denver regarding use of the D.A.D.S landfill following the execution of a Landfill Agreement with Waste Management of Colorado (January 9, 1998).

The Executive Order, Section 6.0, Requirements: “The DADS Landfill is a fully permitted non-hazardous waste disposal facility owned by the City and County of Denver and operated by Waste Management of Colorado pursuant to the Landfill Agreement. This long-term Agreement requires the City, among other things, to direct non-hazardous waste generated by the City to the DADS Landfill. All agencies shall comply with the procedures outline in Memorandum No. 155A, attached hereto, in order to assure compliance with the provisions and optimum use of the facility.”

Further, Memorandum No. 115A requires all City agencies to comply with the rules set forth therein, including: "all non-hazardous waste collected or hauled in Denver vehicles shall be directed to DADS for disposal." "All city contractors . . . shall direct non-hazardous waste from Denver owned or controlled facilities to DADS for disposal . . ." etc. Section 2.2 of the Memorandum states that Department and Agency Heads shall "Ensure that city bids and contracts for the collection, transportation or disposal of non-hazardous waste under their authority contain appropriate language to ensure compliance with this policy."

CCD and Waste Management of Colorado, Inc. entered into agreements dated July 5, 1995, April 19, 2000, November 15, 2005, December 24, 2009 (amendments December 28, 2010 and April 7, 2011), October 24, 2011, March 9, 2015, and most recently January 15, 2020 (DOTI-201951474 – expires on 12/31/22).

Based on the Landfill Agreement of 1998, Waste Management of Colorado, Inc. is the sole contractor that manages and operates D.A.D.S. In order to continue to utilize D.A.D.S for the disposal of non-hazardous waste (as required in Executive Order 115 and Memo No. 115A), this Ordinance Request would be for an amendment that would add \$21,000,000.00 and three additional years (ending on 12/31/25) to the most recent contract (DOTI-201951474).