



## Legislation Details (With Text)

**File #:** 22-1531      **Version:** 1

**Type:** Resolution      **Status:** Adopted

**File created:** 11/14/2022      **In control:** Safety, Housing, Education & Homelessness Committee

**On agenda:** 12/5/2022      **Final action:** 12/5/2022

**Title:** A resolution approving a proposed Fifth Amendatory Agreement between the City and County of Denver and Waste Management Disposal Services of Colorado, Inc. for the continued operation of a composting facility at the Denver Arapahoe Disposal Site. Amends a revenue agreement with Waste Management of Colorado, Inc. by adding one year for a new end date of 12-31-2023 for the continued operation of a composting facility at the Denver Arapahoe Disposal Site (D.A.D.S). No change to the contract amount (ENVHL-201524286-03/ ESEQD-202265533). The last regularly scheduled Council meeting within the 30-day review period is on 12-19-22. The Committee approved filing this item at its meeting on 11-23-22.

**Sponsors:**

**Indexes:** Anne Wallace

**Code sections:**

**Attachments:** 1. RR22-1531\_DDPHE WMC Compost, 2. 22-1531 Filed Resolution\_Waste Management Disposal Services of Colorado\_202265533-05, 3. 22-1531\_WM DISPOSAL SERVICES OF COLO\_-Composting\_at DADS\_202265533-05, 4. 22-1531 Filed Resolution\_Waste Management Disposal Services of Colorado\_202265533-05, 5. 22-1531 - signed

Date	Ver.	Action By	Action	Result
12/5/2022	1	Council President	signed	
12/5/2022	1	City Council	adopted	Pass
11/23/2022	1	Safety, Housing, Education & Homelessness Committee	approved by consent	

### Contract Request Template (Contracts; IGAs; Leases)

**Date Submitted: 11-21-2022**

**Requesting Agency: Department of Public Health and Environment  
Division:**

**Subject Matter Expert Name: Agatha Linger  
Email Address: Agatha.Linger@denvergov.org  
Phone Number:**

**Item Title & Description:**

*(Do not delete the following instructions)  
These appear on the Council meeting agenda. Initially, the requesting agency will enter a 2-3 sentence description. Upon bill filling, the City Attorney's Office should enter the title above the description (the title should be in **bold** font).*

*Both the title and description must be entered between the red "title" and "body" below. Do **not** at any time delete the red "title" or "body" markers from this template.*

**A resolution approving a proposed Fifth Amendatory Agreement between the City and County of Denver and Waste Management Disposal Services of Colorado, Inc. for the continued operation of a composting facility at the Denver Arapahoe Disposal Site.**

Amends a revenue agreement with Waste Management of Colorado, Inc. by adding one year for a new end date of 12-31-2023 for the continued operation of a composting facility at the Denver Arapahoe Disposal Site (D.A.D.S). No change to the contract amount (ENVHL-201524286-03/ ESEQD-202265533). The last regularly scheduled Council meeting within the 30-day review period is on 12-19-22. The Committee approved filing this item at its meeting on 11-23-22.

**Affected Council District(s) or citywide? Citywide**

**Contract Control Number:** ENVHL-201524286-03/ESEQD-202265533

**Vendor/Contractor Name (including any "DBA"):** WASTE MANAGEMENT DISPOSAL SERVICES OF COLORADO, INC.

**Type and Scope of services to be performed:**

The compost agreement (#ENVHL-201524286) and all its amendments has been assigned to and assumed by Waste Management Disposal Services of Colorado, Inc. for continued composting services at (DADS). The composting agreement was executed with Waste Management of Colorado, Inc. in 2016; The contract and all its amendments was assigned to and assumed by Waste Management Disposal Services of Colorado, Inc. under contract ESEQD-202265533.

For background, in 2016 the City entered into the compost agreement which allows Waste Management 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 \$225,556.50 in payment. From Waste Management's operating costs, we know that the income generated from their compost operations minimally covers the costs of their operations. Both parties continue to be optimistic that the need for composting will increase.

Both the City and Waste Management want to continue offering compost as an alternative to disposal.

**Location (if applicable):** Denver Arapahoe Disposal Site (DADS) is located in Arapahoe County.

**WBE/MBE/DBE goals that were applied, if applicable (construction, design, Airport concession contracts):** N/A

**Are WBE/MBE/DBE goals met (if applicable)?**

**Is the contract new/a renewal/extension or amendment?**  
amendment

**Was this contractor selected by competitive process or sole source?**  
N/A

**For New contracts**

**Term of initial contract:**

**Options for Renewal:**

**How many renewals (i.e. up to 2 renewals)?**

**Term of any renewals (i.e. 1 year each):**

**Cost of initial contract term:**

**Cost of any renewals:**

**Total contract value council is approving if all renewals exercised:**

**For Amendments/Renewals Extensions:**

**Is this a change to cost/pricing; length of term; terms unrelated to time or price (List all that apply)?**

Length

***If length changing***

**What was the length of the term of the original contract?**

1-1-2016 through 12-31-2022

**What is the length of the extension/renewal?**

**One year**

**What is the revised total term of the contract?**

1-1-2016 through 12-31-2023

***If cost changing***

**What was the original value of the entire contract prior to this proposed change?**

**What is the value of the proposed change?**

**What is the new/revised total value including change?**

***If terms changing***

**Describe the change and the reason for it (i.e. compliance with state law, different way of doing business etc.)**