



# City of Madison

City of Madison  
Madison, WI 53703  
www.cityofmadison.com

## Master

**File Number: 55310**

<b>File ID:</b> 55310	<b>File Type:</b> Resolution	<b>Status:</b> Items Referred
<b>Version:</b> 1	<b>Reference:</b>	<b>Controlling Body:</b> BOARD OF PUBLIC WORKS
<b>Lead Referral:</b> BOARD OF PUBLIC WORKS	<b>Cost:</b>	<b>File Created Date :</b> 04/05/2019
<b>File Name:</b> Authorizing the Mayor and City Clerk to enter into a 3-year Industrial Waste and Services Agreement with Waste Management.		<b>Final Action:</b>

**Title:** A Resolution authorizing the Mayor and City Clerk to enter into a non-competitive 3-year Services Agreement with Waste Management for disposal of certain solid waste material. (City-Wide ADs)

**Notes:** Brynn B.

**Code Sections:**

**CC Agenda Date:** 04/16/2019

**Indexes:**

**Agenda Number:** 3.

**Sponsors:** Paul E. Skidmore

**Effective Date:**

**Attachments:**

**Enactment Number:**

**Author:** Rob Phillips, City Engineer

**Hearing Date:**

**Entered by:** mhacker@cityofmadison.com

**Published Date:**

### Approval History

Version	Date	Approver	Action
1		Travis J. Martin	Approve

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	04/05/2019	Referred for Introduction				
	<b>Action Text:</b>		This Resolution was Referred for Introduction				
	<b>Notes:</b>		Finance Committee (4/22/19), Board of Public Works (4/17/19)				
1	COMMON COUNCIL	04/16/2019	Refer	FINANCE COMMITTEE			Pass
	<b>Action Text:</b>		A motion was made by Bidar, seconded by Harrington-McKinney, to Refer to the FINANCE COMMITTEE. The motion passed by voice vote/other.				

Notes: Additional referral to Board of Public Works.

1 FINANCE COMMITTEE 04/16/2019 Referred BOARD OF PUBLIC WORKS

Action Text: This Resolution was Referred to the BOARD OF PUBLIC WORKS

Notes:

1 BOARD OF PUBLIC WORKS 04/17/2019

1 FINANCE COMMITTEE 04/22/2019

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### Text of Legislative File 55310

#### Fiscal Note

The proposed resolution authorizes a 3-year agreement with Waste Management for industrial waste services when applicable projects with contaminated soil are encountered. At this time there are no planned projects with contaminated soil and therefore no immediate fiscal impact exists for this proposed agreement. Future costs attributable to waste disposal under this agreement will be negotiated with Waste Management individually on a project-by-project basis and billed to the PW project account as is currently practiced.

#### Title

A Resolution authorizing the Mayor and City Clerk to enter into a non-competitive 3-year Services Agreement with Waste Management for disposal of certain solid waste material. (City-Wide ADs)

#### Body

WHEREAS, the City periodically excavates contaminated soil on City property or in City right of way during Public Works construction; and

WHEREAS, this contamination is typically associated with historical land uses, and may be from adjacent land owners; and

WHEREAS, when encountered, the City is required to follow state and federal laws on the handling and disposal of contaminated soils; and

WHEREAS, once excavated, contaminated soil is considered a solid waste and must be disposed of at a Wisconsin Department of Natural Resources-licensed solid waste landfill; and

WHEREAS, Waste Management has two DNR-certified solid waste landfills in the area and the City disposes of contaminated soil at one of two Waste Management landfills-Madison Prairie and Deer Track Park-at a significant cost savings to the City compared to the Dane County Rodefild Landfill, where it cannot be used as daily cover; and

WHEREAS, it is possible the total cost of services over 3 years could exceed \$50,000 if one or more large project(s) require significant removal of contaminated waste, and MGO 4.26 requires Common Council approval of service contracts exceeding \$50,000 if the contractor was not selected through a competitive selection process. The reasons that City Engineering has been using Waste Management for these services and would like to continue that option are set forth above and in the attached Noncompetitive Selection Request Form;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Clerk are authorized to enter into a Industrial Waste and Services Agreement with Waste Management, or its affiliates Waste Management of Wisconsin, Inc. and Waste Management of Minnesota, Inc., to allow for the City's disposal of contaminated soils at Waste Management landfills, in a form and manner

agreed to by the City Attorney and Risk Manager, for a term of up to three (3) years; and

BE IT FURTHER RESOLVED, the City Engineer or his designee is authorized to execute individual Industrial Waste & Disposal Services Agreements (Exhibit A) or similar forms as required by Waste Management, in a form approved by the City Attorney and Risk Manager, subject to available funds in the budget, for each specific project.