



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** John Stufflebean

**SUBJECT:** SEVENTH AMENDMENT  
TO AGREEMENT WITH  
CAMP DRESSER & McKEE

**DATE:** 11-19-07

Approved

Date

11/26/07

**COUNCIL DISTRICT:** Citywide

## RECOMMENDATION

Approval of a seventh amendment to the agreement with Camp Dresser & McKee, Inc., for landfill and disposal consulting services, extending the term of the agreement one year to December 31, 2008, at no additional cost to City.

## OUTCOME

The time extension will enable the consultant to continue to assist the City with the unresolved 2006 International Disposal Corporation (IDC) regulatory cost review and other analyses related to landfills in San José and to disposal and processing of wastes.

## BACKGROUND

The City's Disposal Agreement with International Disposal Corporation (IDC), as amended December 5, 1995, provides for adjustments to IDC's compensation to reflect changes in Regulatory Costs. Regulatory Costs are defined in the Disposal Agreement as those costs "which are directly attributable to changes in laws or regulations affecting the Disposal Facility which occur on or after June 6, 1985...."

On June 27, 2000, the City executed an agreement with Camp Dresser & McKee, Inc. (CDM) for consultant services to provide technical assistance in the review and verification of claims submitted by IDC for regulatory rate changes for the period of June 12, 2000, to June 30, 2002. CDM has completed engineering reviews of all annual regulatory cost claims through 2006 and is currently assisting in the reconciliation of unresolved technical issues from recent claims.

**ANALYSIS**

CDM is an environmental engineering firm with more than 2,000 professional employees. CDM assisted the City with landfill tax reconciliation in the 1980s and 1990s and assisted with the review of previous Regulatory Rate requests submitted by IDC. Their experience in San José and their knowledge of the issues under review are unique. This amendment will provide adequate time and resources for review of IDC's 2006 claim. It will also allow CDM to complete an evaluation of existing landfill capacity and future disposal needs.

The Associate in charge of this project, Wayne Pickus, P.E, has been the project manager for all of CDM's work with the City. He will prepare or review all consultant work product and will serve as the lead for CDM at any meetings with IDC or their consultants as needed. Contracting for CDM's services will result in higher quality work at a lower cost than could be expected from any other qualified consultant, while also providing the quickest possible turnaround on the initial tasks. CDM is in the process of preparing a landfill capacity study, with results expected in the first quarter of 2008. The information from this study is needed for use by the consultant chosen to prepare the City's Zero Waste Plan and will also be needed for the General Plan Update. The Environmental Services Department has added to its 2007-2008 workplan the completion of a competitive procurement process for the solid waste engineering services currently done by CDM, with the process to begin this spring and be completed by the summer of 2008. This timeframe will allow a new contract to be in place before the funds encumbered in the CDM agreement are fully expended and the term of this recommended seventh amendment expires.

**PUBLIC OUTREACH/INTEREST**

This recommendation does not meet any of the below criteria. However this memorandum is posted on the City's website for the December 11, 2007 Council meeting.

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater.
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City.
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach.

**COORDINATION**

This memorandum has been coordinated with the City Attorney's Office and the City Manager's Budget Office.

**COST IMPLICATIONS**

There are no additional costs associated with this recommendation. The total compensation in the current agreement is \$249,500.

**CEQA**

Not a project.

A handwritten signature in blue ink, appearing to read "J. Stufflebean", is positioned above the printed name and title.

JOHN STUFFLEBEAN  
Director, Environmental Services

For questions please contact Jo Zientek, Deputy Director, Integrated Waste Management Division, Environmental Services Department at (408) 535-8557.