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DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
DEVELOPMENT SERVICES BUILDING
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June 20, 2019

Board of County Commissioners
Clackamas County

Members of the Board:

**A BOARD ORDER APPROVING SOLID WASTE MANAGEMENT FEE
ADJUSTMENTS**

Purpose/Outcomes	A Board Order approving Solid Waste Management fee adjustments for collection service
Dollar Amount and Fiscal Impact	N/A
Funding Source	N/A
Duration	Subject to Annual Review
Previous Board Action/Review	Study Session: June 11, 2019.
Strategic Plan Alignment	Build public trust through good government and Ensure safe, healthy and secure communities
Counsel Review	Reviewed and approved by County Counsel on June 11, 2019
Contact Person	Rick Winterhalter, Sr. Sustainability Analyst DTD Sustainability & Solid Waste 503-742-4466

Background:

The Sustainability & Solid Waste Program of the Department of Transportation and Development (DTD) is responsible for managing the County's Integrated Solid Waste Collection System. This includes an annual review of the production records of the nine franchised solid waste collection companies. The purpose of the review is to ensure that solid waste collection services are provided to residents and businesses safely, cost-effectively, efficiently, and in a manner that supports the benefits of recovering materials from the system. The review is used to establish the fees charged for the variety of services required by the County and ensure a fair return to the collectors. The review process is assisted by a contracted certified public accountant to review franchisee financial records, create summaries and provide analysis.

Historically the County has recognized the administrative and strategic value of an annual review, coupled with annual adjustments *as necessary*, to keep fees and real costs aligned. The adjustments may come in the form of fee increases, additional collection services or a combination. This governance model prevents large and unexpected increases resulting from a less frequent review.

The County is divided into four fee zones: 1) Urban; 2) Rural; 3) Distant Rural and 4) Mountain. The Urban zone is within the Metro Urban Growth Boundary established prior to March 2003. Zones are differentiated by services offered (curbside Yard Debris service is not offered outside the Urban zone) and the distances traveled between houses and from disposal sites.

The Solid Waste Commission recommended increasing fees in 2018. The Board adopted and made effective new fees on May 1, 2018. Last year's review focused primarily on determining the increase required to provide adequate revenue to address the unprecedented and unanticipated increasing costs to process recyclables. The adjusted returns to revenue in the Urban zone fall within the acceptable range of 8-12%. The combined rural zone is at the bottom of the range. The total composite is approaching the 10% target.

The Metro Council has adopted an increase to the cost of yard debris disposal of \$6.38 per ton effective July 1, 2019. The cost to dispose garbage is not increasing. (*See Attached Metro Fee report*)

Annual Fee Review and Recommendations

Cart & Container Fees

In this year's review, focus continued on the increasing costs to process recyclables. The primary driver for increasing processing costs is the continued drop of prices paid for the material. However, the material collected for recycling continues to be sold to manufacturers where the environmental benefits of recycling are realized. Additionally, labor, health benefits and a slight increase in yard debris disposal is considered in the proposed increase. The cost of disposing yard debris is projected to increase by 6.7%.

These are the primary drivers for the proposed fee adjustment, to take effect on July 1, 2019. Using the most common service level, the 32-gallon can/cart collected weekly, as an example the fee would increase from \$32.55 to \$33.15 per month (a \$0.60 increase) in the Urban fee zone. Residential customers in the Rural fee zone would see an increase of \$0.85 per month. The proposed increase for the Distant Rural and Mountain zones is \$0.75. All other classes of service follow similar proposed increases, relative to the 35 gallon cart. (*See AttachedFeeBackground*)

The following tables illustrate the recommended proposed fees for each zone, along with a historical review of adjustments. The 32-35 gallon can/cart is the predominant service level. (See Attached Composite Summaries)

Residential 35 gallon cart	Current	Proposed	Change	
Urban	\$32.55	\$33.15	\$0.60	1.8%
Rural	\$29.35	30.20	\$0.85	2.9%
Distant Rural	\$34.35	35.10	\$0.75	2.2%
Mountain Zone	\$35.60	36.35	\$0.75	2.1%

Recent History of Monthly 32-Gallon Cart / Can Fees							
	2013	2014	2015	2016	2017	2018	Proposed
Urban	\$28.90	\$28.90	\$29.95	\$30.05	\$30.05	\$32.55	\$33.15
Rural	25.60	25.60	26.25	26.35	26.35	\$29.35	30.20
Distant Rural	30.60	30.60	31.25	31.35	31.35	\$34.35	35.10
Mountain	31.85	31.85	32.50	32.6	32.6	\$35.60	36.35

Staff also recommends an increase for commercial container service based on cubic yard serviced. This reflects the adjustments to labor, disposal and processing costs as mentioned above and a revenue adjustment to bring them into the range.

Commercial Container Fee Monthly Increase	
Fee Zone	Per Cubic Yard
Urban	\$0.20
Rural/Distant Rural/Mountain	\$0.50

Drop Box Fees

The returns in drop box service are below the targeted range. This is placing downward pressure on the composite returns. The Commission recommended an increase in general drop box service fees in 2017. The following table illustrates the proposed increase to drop box services for 2019.

Open Box	Current	Proposed	Change	
10 and 20 cu.yd	\$125.00	\$150.00	20.0%	\$25.00
30 cu.yd	\$145.00	\$160.00	10.3%	\$15.00
40 cu.yd	\$165.00	\$170.00	3.0%	\$ 5.00

NOTE: The fees adopted by the Board for drop box service do not include the cost of disposal at a landfill or transfer station. The franchisee pass that cost through to the customer separately.

The fee increases presented are proposed to take effect on July 1, 2019.

RECOMMENDATION:

Staff respectfully recommends the Board of County Commissioners adopt the Solid Waste Management Fee Schedules as presented in Exhibit A effective July 1, 2019.

Sincerely,

Eben Polk
Sustainability & Solid Waste Supervisor
Attachments

For information on this issue or the attachments, please contact Rick Winterhalter at 503-742-4466 or rickw@clackamas.us.

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 19-1433 FOR THE PURPOSE OF ADOPTING
SOLID WASTE CHARGES AND USER FEES FOR FY 2019-20.

Date: March 14, 2019

Presented by: Cinnamon Williams, FRS/PES (Ext. 1695)

Summary

The Property & Environmental Services Finance Manager proposes the new solid waste rates as part of the budget process. The changes are needed to keep current with costs and tonnage flows.

Main points of this legislation.

- Metro's tip fee for garbage will remain at \$97.45 in FY 2019-20, which provides consistent and predictable fees for the region.
- Transaction fees will remain unchanged at \$10 for staffed loads (fees paid by self-haulers) and \$2 for automated loads.
- The minimum load size will be remain 360 pounds with a minimum \$28 per load charge.
- Tip fee increases are proposed for residential organic waste accepted at Metro regional transfer stations. This increase stems from increases in Metro's per-ton contract cost and lower tonnage forecast, creating more of a fixed cost burden on the ton. The rate model also suggests an increase of \$13.76 per ton for commercial organics, however, staff is proposing to keep the rate flat to support Metro's recovery work in this area. The impact of this rate buy-down is projected to be \$228,161 in FY 2019-20. This rate decision will be reviewed annually for appropriateness.
- Tip fees for clean wood and yard debris have increased, \$7.39 and \$6.38 per ton due to increases in Metro's per-ton contract costs.

Adoption of Ordinance No. 19-1433 would authorize the following charges at Metro regional transfer stations, effective July 1, 2019.

Table 1. Proposed Solid Waste Charges at Metro Regional Transfer Stations
Rates Effective July 1, 2019

Rates	Current	Proposed	Change
Fees per transaction			
Users of staffed scales	\$10.00	\$10.00	\$ - 0 -
Users of automated scales	2.00	2.00	- 0 -
Fees per ton (Tip Fees)			
Mixed solid waste ("refuse")	\$ 97.45	\$ 97.45	\$ - 0 -
Clean wood	57.84	65.23	7.39
Yard Debris	49.62	56.00	6.38
Residential organics	67.08	77.99	10.91
Commercial organics	66.23	66.23	- 0 -

Background Part 1. Overview of Metro’s Solid Waste Rates

Metro maintains two classes of solid waste rates. One class, the Regional System Fee, is charged on all disposal. The second class is a suite of charges for services at Metro regional transfer stations only.

1. **Regional System Fee** is a universal charge on the disposal of garbage. It is levied at all landfills, the Marion County waste to energy facility, and the Metro stations. There are two levels of system fee: one for mixed solid waste, and a reduced rate for environmental cleanup materials. The proposed rates are \$18.58 and \$2.50 per ton, respectively. System fees raise about \$26.7 million per year and pay for Metro’s regional solid waste programs and services: household hazardous waste, latex paint recovery, St. Johns Landfill management, facility regulation, illegal dumpsite cleanup, and resource conservation and recycling.
2. **Charges for services at the Metro stations** cover the costs of Metro’s transfer station operations, transport, processing and disposal. Each customer pays a two-part fee: a fixed charge for the transaction costs and a variable charge (“tip fee”) for each ton in the load.
 - **“Transaction Charges”** are the fixed fees for each load of waste accepted. There are two levels of transaction fee: one for users of the staffed scales (mainly self-haulers), and another for users of the automated scales (mainly commercial haulers). Together they raise about \$3.2 million dollars per year and pay for the cost of operating the scalehouses and related functions.
 - **“Tip Fees”** are different for each waste stream – garbage, residential organics, commercial organics, and wood/yard debris – and reflect the costs that are specific to each stream. The current and proposed rates are shown in Table 1.

Every tip fee is made up of a **Tonnage Charge** and various pass-throughs (Table 2). The tonnage charge pays for the costs of doing the work. In this region, the Regional System Fee, Metro excise tax, and DEQ fees are charged on all disposal. Together, Metro’s tonnage charges raise about \$35.9 million per year, and pay for the costs of station operations, recovery, transport, processing, disposal, capital and management.

Of the add-on components, the Regional System Fee will increase, while the excise tax is set to decrease. The Regional System Fee is increasing by 77 cents, the excise tax is decreasing 84 cents and DEQ fees are expected to increase by 7 cents in April 2019. These changes kept the Metro tip fee \$97.45 per ton.

Table 2. Components of Proposed Metro Tip Fees by Waste Stream

Rates Effective July 1, 2019

Rate Component	Mixed Solid Waste	Organic Waste			
		Yard Debris	Clean Wood	Residential Organics	Commercial Organics
Tonnage Charge <i>Covers costs of transfer, transport, recovery, disposal.</i>	\$64.41	\$55.00	\$64.23	\$76.99	65.23
Pass-Throughs <i>Government fees and taxes levied at disposal sites.</i>					
Regional System Fee	\$18.58	-*	-*	-*	-*
Metro excise tax	11.57	-*	-*	-*	-*
DEQ fees	1.89	-*	-*	-*	-*
Enhancement Fee	1.00	1.00	1.00	1.00	1.00
Total = Tip Fee	\$97.45	\$56.00	\$65.23	\$77.99	\$66.23

* It is the policy of Metro and DEQ to support material recovery and recycling by levying solid waste surcharges and taxes on the waste that is ultimately disposed. For this reason, the Regional System Fee, Metro excise tax, and DEQ fees are not included in the tip fees for organic wastes.

Background Part 2. Understanding the Proposed FY 2019-20 Rates

Metro's solid waste rates are set to recover Metro's solid waste costs. When tonnage growth keeps pace with cost increases, in general per-ton costs will remain relatively constant. When tonnage increase faster than costs, per-ton costs decrease. Slow tonnage growth or declines can put upward pressure on per-ton costs.

1. **Trash.** Costs for handling trash have increased. Inflation, higher contract and facility costs, and increased oversight of facilities are contributing factors. Mixed solid waste tonnage growth has kept pace with cost increases, allowing Metro to hold the garbage tip fee constant this year, while recovering the costs of doing business.
2. **Recoverable waste.** Recoverable waste tonnage—clean wood, yard debris, residential organics—not only did not keep pace with inflation and other cost increases, but actually declined from the year before. This drove up per-ton costs of handling yard debris, wood, and residential yard debris, and, hence, proposed rates for acceptance of these waste types are significantly higher than the previous year. Increases are \$7.39 for clean wood, \$6.38 for yard debris and \$10.91 for residential organics.
3. **Commercial food scraps.** Commercial food scraps tonnage is projected to increase. This may be due to growing local jurisdiction and business interest in the nascent program, and Metro's adoption in 2018 of policies to drive better capture of this material. Like the other waste streams, the costs for handling commercial food scraps increased, but Metro is able to continue subsidizing the per-ton rate for commercial food scraps by keeping that rate at \$65.23, to incentivize better participation regionally in food scraps separation.
4. **Regional programs.** The cost of regional waste reduction, household hazardous waste, and other programs with regional benefit are recovered via the Regional System Fee, which is collected on all waste delivered for disposal, at public and private facilities, not just on waste delivered to Metro's transfer stations. Regional program costs have increased faster than regional tonnage, resulting in a 4.3% (77 cents) increase in the Regional System Fee.
5. **The excise tax.** The tax rate is set automatically by a formula in the Code each year, and is never a formal part of the rate ordinance. However, it is related to the rate actions because it is part of the tip fee (Table 2). For FY 2019-20, the excise tax rate will decrease 84 cents to \$11.57 per ton.

Information/Analysis

1. **Known Opposition.** There is one industry business in opposition of the mixed solid waste blended rate. Staff continues to feel that this is the correct approach and incentivizes the recovery initiatives of the region. Although there will be no increase or decrease to the mixed solid waste rate, the majority of ratepayers at Metro stations will experience an increase in Metro's fee for residential organic waste, clean wood and yard debris.
2. **Legal Antecedents.** The process for setting Metro's solid waste rates are set forth in Metro Code Chapter 5.02. Ordinance 14-1323 removed the specific Metro solid waste rates from Metro Code Chapter 5.02 and requires adoption of the rates via a separate ordinance and rate schedule. Metro reviews solid waste rates annually. The proposed FY 2019-20 rates comply with the restriction set forth in Chapter III, Section 15 of the Metro Charter limiting user charges to the amount needed to recover the costs of providing goods and services.

The excise tax rate is established automatically by a passive mechanism set forth in Metro Code sections 7.01.020 and 7.01.022 and does not require council action to take effect.

- 3. Anticipated Effects:** If adopted, this ordinance would keep the tip fee for mixed solid waste at Metro transfer stations at \$97.45. It would also increase the tip fees for clean wood, yard debris and residential organic wastes as set forth in Table 1.
- 4. Budget Impacts.** The rates established by this ordinance are designed to raise \$71 million in enterprise revenue during FY 2019-20. This revenue would cover the cash requirements of the proposed FY 2019-20 solid waste budget.

RECOMMENDATION

The Chief Operating Officer recommends adoption of Ordinance No. 19-1433.

Clackamas County

Projected 2019 Results

Annual Financial Review

**Return on Revenues with Disposal Increase Pass Through
All Regions**

	Residential	Commercial	Drop Box	Grand Totals
Collection & Service Revenues	21,267,328	8,733,532	6,986,649	37,309,336
Fee Increase (Tip Fee & Recycling)	204,835	68,740	111,290	384,865
Direct Costs of Operations	9,135,551	4,671,718	6,325,830	28,998,135
Disposal Expense	3,700,194	2,575,511	3,945,417	12,617,062
Labor Expense	2,503,855	957,174	1,247,972	8,403,935
Truck Expense	1,498,609	485,996	661,453	4,714,800
Equipment Expense	296,972	213,794	117,558	1,117,145
Franchise Fees	960,193	388,879	267,160	1,635,873
Other Direct Expense	175,728	50,364	86,270	509,320
Indirect Costs of Operations	3,428,310	1,355,916	344,835	5,129,061
Management Expense	805,041	291,381	73,418	1,169,840
Administrative Expense	1,176,644	472,986	96,252	1,745,882
Other Overhead Expenses	1,446,625	591,549	175,165	2,213,339
Less Unallowable Costs	61,929	18,622	4,392	84,943
Revenues	21,759,851	8,836,411	7,097,939	37,694,201
Direct Costs of Operations	16,237,709	6,434,597	6,325,830	28,998,135
Indirect Costs of Operations	3,428,310	1,355,916	344,835	5,129,061
Total Cost	19,666,019	7,790,513	6,670,665	34,127,196
Less Unallowable Costs	61,929	18,622	4,392	84,943
Allowable Costs	19,604,090	7,771,891	6,666,273	34,042,253
Franchise Income	2,155,761	1,064,520	431,667	3,651,948
Projected Return on Revenues	9.91%	12.05%	6.08%	9.69%

**Urban Zone Composite
Return on Revenues
2018 Adjusted Results**

	Can / Cart Service		Container Service		Drop Box Service		Total	
Collection & Service Revenues	9,977,269		5,565,857		5,036,171		20,579,297	
Direct Costs of Operations	7,604,817	% of revenue	4,203,786	% of revenue	4,513,027	% of revenue	16,321,630	% of revenue
Disposal Expense	2,845,323	29%	2,258,803	41%	2,928,077	58%	8,032,203	39%
Labor Expense	2,556,758	26%	962,817	17%	843,095	17%	4,362,670	21%
Truck Expense	1,383,383	14%	460,251	8%	422,488	8%	2,266,122	11%
Equipment Expense	301,001	3%	257,327	5%	52,906	1%	611,234	3%
Franchise Fees	438,723	4%	242,683	4%	213,123	4%	894,529	4%
Other Direct Expense	79,629	1%	21,905	0%	53,338	1%	154,872	1%
Indirect Costs of Operations	1,433,669		800,179		250,699		2,484,547	
Management Expense	330,725	3%	177,106	3%	55,425	1%	563,256	3%
Administrative Expense	394,379	4%	220,084	4%	61,468	1%	675,931	3%
Other Overhead Expenses	708,565	7%	402,989	7%	133,806	3%	1,245,360	6%
Total Cost	9,038,486		5,003,965		4,763,726		18,806,177	
Less Unallowable Costs	5,715		3,484		965		10,164	
Allowable Costs	9,032,771		5,000,481		4,762,761		18,796,013	
Franchise Income	944,498		565,376		273,410		1,783,284	
Return on revenues	9.47%		10.16%		5.43%		8.67%	
Customer Count /Cubic Yards/Drop Box Pulls	23,770		320,827		10,893			

2019 Projected Results

	Can / Cart Service		Container Service		Drop Box Service		Total
Collection & Service Revenues	10,207,630		5,711,929		5,036,171		20,955,730
Rate Increase	85,572		36,136		77,740		199,448
Direct Costs of Operations	7,736,951		4,256,162		4,533,733		16,526,845
Disposal Expense	2,922,195		2,290,155		2,928,077		8,140,427
Labor Expense	2,607,742		982,034		859,914		4,449,690
Truck Expense	1,383,383		460,251		422,488		2,266,122
Equipment Expense	301,000		257,327		52,906		611,233
Franchise Fees	443,002		244,490		217,010		904,501
Other Direct Expense	79,629		21,905		53,338		154,872
Indirect Costs of Operations	1,437,392		802,149		251,297		2,490,838
Management Expense	332,074		177,812		55,650		565,536
Administrative Expense	396,753		221,348		61,841		679,942
Other Overhead Expenses	708,565		402,989		133,806		1,245,360
Total Cost	9,174,343		5,058,311		4,785,030		19,017,683
Less Unallowable Costs	21,518		13,223		965		35,706
Allowable Costs	9,152,825		5,045,088		4,784,065		18,981,977
Franchise Income	1,140,377		702,977		329,846		2,173,201
Return on revenues	11.08%		12.23%		6.45%		10.27%

Rural + Distant Rural Zone Composite
Return on Revenues
2018 Adjusted Results

	Can / Cart Service	Container Service	Drop Box Service	Total
Collection & Service Revenues	11,003,525	2,969,432	1,937,998	15,910,955
Direct Costs of Operations	8,405,085 % of revenue	2,158,420 % of revenue	1,783,286 % of revenue	12,346,791 % of revenue
Disposal Expense	2,550,006 23%	869,015 29%	1,017,340 52%	4,436,361 28%
Labor Expense	2,855,469 26%	640,404 22%	380,363 20%	3,876,236 24%
Truck Expense	1,872,357 17%	337,356 11%	238,965 12%	2,448,678 15%
Equipment Expense	341,142 3%	108,574 4%	64,652 3%	514,368 3%
Franchise Fees	521,470 5%	146,196 5%	49,034 3%	716,700 5%
Other Direct Expense	264,641 2%	56,875 2%	32,932 2%	354,448 2%
Indirect Costs of Operations	1,983,874	551,979	93,235	2,629,088
Management Expense	471,128 4%	113,051 4%	17,699 1%	601,878 4%
Administrative Expense	774,686 7%	250,368 8%	34,177 2%	1,059,231 7%
Other Overhead Expenses	738,060 7%	188,560 6%	41,359 2%	967,979 6%
Total Cost	10,388,959	2,710,399	1,876,521	14,975,879
Less Unallowable Costs	40,411	5,399	3,427	49,237
Allowable Costs	10,348,548	2,705,000	1,873,094	14,926,642
Franchise Income	654,977	264,432	64,904	984,313
Return on revenues	5.95%	8.91%	3.35%	6.19%
Customer Count /Cubic Yards/Drop Box Pulls	26,663	130,416	3,586	

2019 Projected Results

	Can / Cart Service	Container Service	Drop Box Service	Total
Collection & Service Revenues	11,347,386	3,055,742	1,950,478	16,353,606
Rate Increase	119,263	32,604	33,550	185,417
Direct Costs of Operations	8,508,318	2,178,435	1,792,097	12,478,850
Disposal Expense	2,584,793	874,502	1,017,340	4,476,635
Labor Expense	2,912,885	653,302	388,058	3,954,245
Truck Expense	1,872,357	337,356	238,965	2,448,678
Equipment Expense	346,209	108,574	64,652	519,435
Franchise Fees	527,433	147,826	50,150	725,409
Other Direct Expense	264,641	56,875	32,932	354,448
Indirect Costs of Operations	1,990,918	553,767	93,538	2,638,223
Management Expense	472,967	113,569	17,768	604,304
Administrative Expense	779,891	251,638	34,411	1,065,940
Other Overhead Expenses	738,060	188,560	41,359	967,979
Total Cost	10,499,236	2,732,202	1,885,635	15,117,073
Less Unallowable Costs	40,411	5,399	3,427	49,237
Allowable Costs	10,458,825	2,726,803	1,882,208	15,067,836
Franchise Income	1,007,824	361,543	101,821	1,471,187
Return on revenues	8.79%	11.71%	5.13%	8.90%

Solid Waste Collection Supporting Documents

May 30, 2019

Solid Waste Collection Fee Adjustment

- ORS 459A.085(3) allows the Counties and Cities to “...displace competition with a system of regulated [integrated solid waste] collection service by issuing franchises which may be exclusive if service areas are allocated.”
- The State also provides to Cities and Counties the authority to assess fees that are adequate to provide necessary collection service and allow the recovery of the costs necessary to provide the opportunity to recycle.
- The Sustainability and Solid Waste program in the Department of Transportation and Development (DTD) is responsible for managing the County’s Integrated Solid Waste Collection System.
- One condition of maintaining a County franchise in good standing is:
On an annual basis submit production, sale and purchase records, which include income and expense statements, labor hours, truck hours, customer and receptacle counts, tonnage reports, and which may include, at the County’s option, financial statements and tax returns, for 12 month periods, beginning January 1 and ending December 31 of the previous year, for purposes of Solid Waste Management Fee review...(Clackamas County Solid Waste and Recycling Collection Services Administrative Regulations for Franchisee & Customer; Adopted 10/10/1994, Last amended 11/5/2009)
- The County currently franchises 9 companies to collect solid waste. Of the 9 companies three are publicly traded corporations and six are locally owned Subchapter C corporations. Some of the franchises consolidate their annual reports, resulting in fewer reports than franchisees.
- The County has a contract with Bell & Associates, Inc. a consulting firm specializing in solid waste financial analysis, to perform an analysis of the data submitted.
- The information submitted by the individual franchises is consolidated to create a composite ‘franchisee’. Costs are adjusted to eliminate those allowed for tax purposes but not allowed for determining collection fees. This composite is used to analyze the financial health of the entire system.
- The County determines the systems’ health based on return on revenues. The county’s policy is to measure the health of the solid waste collection system within a range of 8-12% return on revenues. When the system falls within this range typically consideration is given to contractual labor increases and increases in disposal costs. Special circumstances, such as the addition of new programs or anticipated increases in expenses outside the control of the companies, may cause exceptions.

History of Fee Adjustments (copied from previous reports)

May 1, 2018

- Note the 2 month early effective date.
- The County's collection system (and others across the state) has been impacted by an increase in the cost to process recyclables. Costs to process recyclables have increased 300-500% above the cost reflected in our current fees, and are expected to remain at this level for the time being.
- Analysis focused primarily on what was needed to capture the increasing processing costs in the future and a slight look back to the beginning of 2018.
- While the full annual review is not complete, we have reviewed the impact of increased processing costs, and known contractual increases in labor and disposal for the coming year. The Metro Council had their first hearing on March 15th of a recommended 2.6% increase in the cost of disposal (\$2.50 per ton) effective July 1, 2018. Labor costs are expected to rise by 4%.
- Reflecting known costs would result in an estimated increase of approximately \$2.50 to the monthly fee for a residential 35 gallon cart in the urban fee zone (from \$30.05/month), and \$1.50 per yard for urban commercial customers with container service (see Container Service table below). The rural zones would increase \$3.00 for a residential 35 gallon cart and container service would increase by \$2.00. All other fees would increase similarly.

July 1, 2017

- The Metro Council has adopted a small decrease to the cost of disposal of \$1.30 per ton effective July 1, 2017.
- No change to cart and container fees is proposed for 2017. This year's analysis recognizes a slight decrease in cost of garbage disposal in the coming year. Other expenses will increase in the coming year but our past increases and efficiencies gained by the franchisees have allowed the system to finally move into the middle of the targeted range of returns.
- The returns in drop box service are driving overall returns below the targeted range for the composite. The last increase in general drop box service fees was adopted by the Board in 2013. Specifically, the last fee adjustment was approved in 2013 for the standard roll off service-both open box and compactors. In 2015 a separate fee was approved for lidded boxes. Staff recommends an increase to the drop box collection fees for drop box and compactor collection services. The following table illustrates the proposed increase to drop box services for 2017.

Open Box	Current	Proposed	Change	
10 and 20 yd	\$119.00	\$125.00	5.0%	\$ 6.00
30 yd	\$136.00	\$145.00	6.6%	\$ 9.00
40 yd	\$153.00	\$165.00	7.8%	\$ 12.00
Lidded/Specialized 10/20 yard	\$135.00	\$150.00	11.1%	\$ 15.00

Compactor	Current	Proposed	Change
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<25 yards	\$135.00	\$150.00	11.1%	\$ 15.00
25-34 yards	\$169.00	\$189.00	11.8%	\$ 20.00
>34 yards	\$196.00	\$218.00	11.2%	\$ 22.00

-
- Drop Box Collection from Industrial sites with Special Wastes required to be delivered to an appropriately permitted out of the region landfill

	Current	Proposed	<i>Change</i>	
10/20 Yards	\$119.00	\$161.00	40.3%	\$42.00
30 Yards	\$136.00	\$178.00	37.5%	\$42.00

- Food Scrap collection included in commercial container service under current fees without an additional increase.
- The fee increases presented are proposed to take effect on July 1, 2017.

July 1, 2016

- Metro Council has approved an increase in the disposal fee by \$1.27 per ton effective July 1, 2016; increasing the tip fee to \$96.25. The current transaction fee, for customers with accounts (franchisees), is decreasing from \$3.00 to \$2.00. For analytical purposes when calculating disposal it is assumed each transaction is a five (5) ton load; therefore an additional \$0.40 (to account for the transaction fee at the transfer station) is added to the disposal fee to arrive at an effective disposal fee of \$ 96.65 beginning July 1, 2016. This increase has been factored into the projections calculated in the financial review.
- This year's analysis recognizes a slight increase in cost of garbage disposal, and known increases in contractual labor. While other upward pressures on expenses exist, past increases have allowed the system to finally move into the middle of the targeted range of returns. The minimal increase is being proposed to keep the composite within the range. Disposal and labor represent almost 50% of the costs to provide service and staff believes it is important to stay current with providing revenues necessary to cover expenses.
- The fee adjustment presented is proposed to take effect on July 1, 2016. Staff is proposing an increase for the most common service level, the 32 gallon can/cart collected weekly, of \$0.10 per month across all fee zones. This represents an incremental adjustment of about 0.3%.. All other classes of service follow similar adjustments for disposal. (*See Fee Background attachment for history*)
- The following tables illustrate staff's current proposed fee adjustments necessary in each zone to continue the provision of solid waste collection services the public has come to expect. The 32-35 gallon can/cart is the predominant service level. (*See attachment Composite Summaries for proposed changes to other service levels.*)

32/35 gallon can/ cart	Current	Proposed	<i>Change</i>
Urban	\$29.95	\$30.05	\$0.10

Rural	\$26.25	\$26.35	<i>\$0.10</i>
Distant Rural	\$31.25	\$31.35	<i>\$0.10</i>
Mountain Zone	\$32.50	\$32.60	<i>\$0.10</i>

- Staff is proposing an increase for container service based on cubic yard serviced. This reflects the adjustments to labor, disposal and processing costs as mentioned above.

Fee Zone	Adjustment Per Cubic Yard
Urban	\$0.09
Rural	\$0.09
Distant Rural/Mountain	\$0.09

- In 2013 the Solid Waste Commission approved bringing the commercial cart fees in the Rural, Distant Rural to parity with the residential cart fees. This was accomplished through incremental adjustments resulting with the 35 and 60 gallon commercial cart fees the same as residential services. An administrative oversight resulted in the 90 gallon commercial cart service not reaching parity this year. Bringing this service to parity with residential service will require an increase, in addition to the proposed disposal increase, of \$3.05 and \$3.40 for the Rural and Distant Rural zones respectively. This adjustment affects approximately 400 commercial customers. Staff recommends making the adjustment this year.

32/35 gallon can/ cart	Current	Proposed	<i>Change</i>
Rural	\$39.85	\$43.15	<i>\$3.30</i>
Distant Rural	\$43.40	\$47.05	<i>\$3.65</i>

July 1, 2015

- Metro Council has approved an increase in the disposal fee by \$1.65 per ton on July 1, 2015; increasing the tip fee to \$94.98. The ‘transaction fee’ of \$3.00 for customers with accounts (franchisees) is to remain the same. For analytical purposes when calculating disposal it is assumed each transaction is a five (5) ton load; therefore an additional \$0.60 (to account for the transaction fee at the transfer station) is added to the disposal fee to arrive at an effective disposal fee of \$ 95.58 beginning July 1, 2015. This increase has been factored into the projections calculated in the financial review.
- A 30% increase in the cost of disposing yard debris has been factored into the projections.
- The cost to remove contaminants from recyclables has been on the rise in recent years while commodity prices respond to global market conditions. In quarter four of 2014 was the first period where there was not a positive return when delivering materials to the processor. Over the past few years the fee adjustments have calculated a decrease in the returns from recyclables. Because of recent issues at ports and lower markets for some materials, there has been zero revenue and a \$25.00 processing fee calculated for delivering recyclables to the processor.
- General inflation has not been applied.
- There has been an increase in the demand for lidded drop boxes by businesses employing best management practices for storm water management. Lids add equipment cost currently not included in the drop box fee structure. Boxes with lids or other specialty boxes require a round trip return to the business of origin. The drop box fee structure for compactors includes this in the fee structure, the open box fees do not. Therefore a monthly fee has been added to address the purchase and maintenance cost for the lid. The collection fee for small compactors will be applied to the lidded and specialized boxes.

Open Drop Box-All Zones	Current	Proposed	Change
Lidded/Specialized box	\$119.00	\$135.00	<i>\$16.00</i>
Monthly Fee for Lid	\$0.00	\$20.00	<i>\$20.00</i>

- After reviewing the production records submitted by the franchisees, and making agreed upon adjustments and applying known increases for the processing of yard debris and recyclables and the disposal of garbage, it has been determined that collection fee adjustments will need to be made in each of the collection zones for the coming year.
- The following tables illustrate staff’s current proposed fee adjustments necessary in each zone to continue the provision of solid waste collection services the public has come to expect. The 32-35 gallon can/cart is the predominant service level. (See attachments for proposed changes to other service levels.)

32/35 gallon can/ cart	Current	Proposed	<i>Change</i>
Urban	\$28.90	\$29.95	<i>\$1.05</i>
Rural	\$25.60	\$26.25	\$0.65
Distant Rural	\$30.60	\$31.25	<i>\$0.65</i>
Mountain Zone	\$31.85	\$32.50	<i>\$0.65</i>

- Staff is proposing an increase for container service based on cubic yard serviced. This reflects the adjustments to fuel and disposal costs as mentioned above.

Fee Zone	Adjustment Per Cubic Yard
Urban	\$0.47
Rural	\$0.47
Distant Rural/Mountain	\$0.47

July 1, 2014

No Fee adjustment was made in 2014.

- Metro Council approved a decrease in the disposal fee by \$1.00 per ton on July 1, 2014; lowering the tip fee to \$93.33. The ‘transaction fee’ of \$3.00 for customers with accounts (franchisees) is to remain the same. For analytical purposes when calculating disposal it is assumed each transaction is a five (5) ton load; therefore an additional \$0.60 (to account for the transaction fee at the transfer station) is added to the disposal fee to arrive at an effective disposal fee of \$93.93 beginning July 1, 2014. This increase has been factored into the projections calculated in the financial review.
- A 25% increase in the cost of disposing yard debris has been factored into the projections.
- Other notable expenses are rising, but at a lower percentage in the recent past. Driver wages are increasing by 1.24% and health insurance for all employees was held flat this year.
- Last year fuel was projected to decrease by 1.21%. This year the projected adjustment is set at -1.76%.
- General inflation is anticipated to be 2.12%.

September 1, 2013

- Metro Council has approved an increase in the disposal fee by \$0.49 per ton on September 1, 2013; raising the tip fee to \$94.33. The ‘transaction fee’ of \$3.00 for customers with accounts (franchisees) is to remain the same. For analytical purposes when calculating disposal it is assumed each transaction is a five (5) ton load; therefore

an additional \$0.60 (to account for the transaction fee at the transfer station) is added to the disposal fee to arrive at an effective disposal fee of \$94.93 beginning September 1, 2013. This increase has been factored into the projections calculated in the financial review.

- A 0% increase in the cost of disposing yard debris has been factored into the projections.
- Other notable expenses are rising, but at a lower percentage in the recent past. Driver wages are increasing by 2.0% and health insurance for all employees was held flat this year.
- Last year fuel was projected to increase by 4.99%. This year the projected adjustment is set at -1.21%.
- Other costs have not been projected to increase.
- The following tables illustrate staff's current proposed fee adjustments necessary in each zone to continue the provision of solid waste collection services the public has come to expect. The 32-35 gallon can/cart is the predominant service level. (See attachments for proposed changes to other service levels.)

32/35 gallon can/ cart	Current	Proposed	Change
Urban	\$28.65	\$28.90	\$0.25
Rural	\$25.30	\$25.60	\$0.30
Distant Rural	\$30.35	\$30.60	\$0.25
Mountain Zone	\$31.60	\$31.85	\$0.25

- Staff is proposing an increase for container service based on cubic yard serviced. This reflects the adjustments to fuel, labor and disposal costs as mentioned above.

Fee Zone	Adjustment Per Cubic Yard
Urban	\$0.95
Rural	\$1.04
Distant Rural/Mountain	\$1.04

- In addition to the adjustment presented above, an additional adjustment to commercial carts is recommended. A historical differential has existed between the carts collected from residential and commercial customers, with commercial customers having a lower fee, except in the Rural zone. In the Urban area this differential can be attributed to the collection of yard debris from residential customers. However, in the rural, distant rural and mountain zones yard service is not offered in these zones. Staff is proposing this differential be equalized over the next three years.

32/35 gallon can/ cart	Current	Proposed	Change
Rural	\$25.35	\$25.60	\$0.25
Distant Rural	\$28.90	\$29.65	\$0.75

Mountain Zone	\$30.15	\$30.90	\$0.75
60 gallon cart	Current	Proposed	Change
Rural	\$35.80	\$36.30	\$0.50
Distant Rural	\$38.05	\$39.30	\$1.25
Mountain Zone	\$39.30	\$40.25	\$1.05

90 gallon cart	Current	Proposed	Change
Rural	\$38.40	\$38.90	\$0.50
Distant Rural	\$40.65	\$41.70	\$1.05
Mountain Zone	\$41.90	\$42.95	\$1.05

- Staff is recommending a slight adjustment in the hauling fees associated with open drop box service and for small compactors. Currently the composite earnings for the drop box falls below the acceptable range and has for several years. The system has seen an increase in use of lidded boxes as businesses attempt to avoid illegal dumping in their open drop boxes and adhere to storm water best management practices. The cost of new equipment along with the associated increases in labor expenses warrants this slight adjustment. The last increase on the haul portion of drop box fees was done in 2011.

Open Drop Box-All Zones	Current	Proposed	Change
10/20 Cubic Yards	\$113.00	\$119.00	\$6.00
30 Cubic Yards	\$130.00	\$136.00	\$6.00
40 Cubic Yards	\$147.00	\$153.00	\$6.00

Compactors-All Zones	Current	Proposed	Change
Less than 25 Cubic Yards	\$128.00	\$135.00	\$7.00

Proposed Fee Changes 2019

Urban	Current Fee	Service Level	Adjustment		
			Increase	Proposed	% ▲
\$ 28.65	20 gal Single-family	\$0.50	\$29.15	1.75%	
\$ 32.55	32 gal	0.60	\$ 33.15	1.84%	
\$ 42.05	60 gal	0.75	\$ 42.80	1.78%	
\$ 49.00	90 gal	0.90	\$ 49.90	1.84%	
\$ 14.65	On Call	0.25	\$ 14.90	1.71%	
\$ 15.35	Monthly	0.30	\$ 15.65	1.95%	
\$ 24.15	20 gal Multifamily	0.50	\$ 24.65	2.07%	
\$ 28.05	32 gal	0.60	\$ 28.65	2.14%	
\$ 28.60	35 gal Commercial	0.60	\$ 29.20	2.10%	
\$ 40.00	60 gal	0.75	\$ 40.75	1.88%	
\$ 42.85	90 gal	0.90	\$ 43.75	2.10%	
\$ 7.20	Recycling Only	0.15	\$ 7.35	2.08%	
\$ 5.70	YD Subscription	0.25	\$ 5.95	4.39%	

Current Fee	Service Level	Proposed	Increase	% ▲
\$ 102.18	1 yard weekly	\$ 103.05	\$ 0.87	0.8%
\$ 171.74	2 yard weekly	\$ 173.47	\$ 1.73	1.0%
\$ 335.74	2 yard 2x weekly	\$ 339.20	\$ 3.46	1.0%
\$ 586.81	4 yard 2x weekly	\$ 593.74	\$ 6.93	1.2%

Rural	Current Fee	Service Level	Adjustment		
			Increase	Proposed	% ▲
\$ 25.48	20 gal Single-family	\$0.75	\$26.25	2.94%	
\$ 29.35	32 gal	0.85	\$ 30.20	2.90%	
\$ 40.75	60 gal	1.20	\$ 41.95	2.94%	
\$ 46.45	90 gal	1.35	\$ 47.80	2.91%	
\$ 14.90	On Call	0.45	\$ 15.35	3.02%	
\$ 15.75	Monthly	0.45	\$ 16.20	2.86%	
\$ 23.90	20 gal Multifamily	0.75	\$ 24.65	3.14%	
\$ 27.75	32 gal	0.85	\$ 28.60	3.06%	
\$ 29.35	35 gal Commercial	0.85	\$ 30.20	2.90%	
\$ 40.75	60 gal	1.20	\$ 41.95	2.94%	
\$ 46.45	90 gal	1.35	\$ 47.80	2.91%	
\$ 9.85	Recycling Only	0.30	\$ 10.15	3.05%	

Current Fee	Service Level	Proposed	Increase	% ▲
\$ 116.88	1 yard weekly	\$ 119.04	\$ 2.17	1.9%
\$ 203.80	2 yard weekly	\$ 208.13	\$ 4.33	2.1%
\$ 394.75	2 yard 2x weekly	\$ 403.41	\$ 8.66	2.2%
\$ 726.79	4 yard 2x weekly	\$ 744.11	\$ 17.32	2.4%

Distant Rural	Current Fee	Service Level	Adjustment		
			Increase	Proposed	% ▲
\$ 30.20	20 gal Single-family	\$0.65	\$30.85	2.15%	
\$ 34.35	32 gal	0.75	35.10	2.18%	
\$ 44.60	60 gal	1.00	45.60	2.24%	
\$ 50.35	90 gal	1.10	51.45	2.18%	
\$ 15.35	On Call	0.35	15.70	2.28%	
\$ 17.40	Monthly	0.40	17.80	2.30%	
\$ 28.60	20 gal Multifamily	0.65	29.25	2.27%	
\$ 32.75	32 gal	0.75	33.50	2.29%	
\$ 34.35	35 gal Commercial	0.75	35.10	2.18%	
\$ 44.60	60 gal	1.00	45.60	2.24%	
\$ 50.35	90 gal	1.10	51.45	2.18%	
\$ 10.05	Recycling Only	0.20	10.25	1.99%	

Current Fee	Service Level	Proposed	Increase	% ▲
\$ 131.14	1 yard weekly	\$ 133.30	\$ 2.17	1.7%
\$ 224.07	2 yard weekly	\$ 228.40	\$ 4.33	1.9%
\$ 427.03	2 yard 2x weekly	\$ 435.69	\$ 8.66	2.0%
\$ 783.10	4 yard 2x weekly	\$ 800.42	\$ 17.32	2.2%

Mountain	Current Fee	Service Level	Adjustment		
			Increase	Proposed	% ▲
\$ 31.45	20 gal Single-family	\$0.65	\$32.10	2.07%	
\$ 35.60	32 gal	0.75	\$ 36.35	2.11%	
\$ 15.65	On Call	0.35	\$ 16.00	2.24%	
\$ 17.70	Monthly	0.40	\$ 18.10	2.26%	
\$ 29.85	20 gal Multifamily	0.65	\$ 30.50	2.18%	
\$ 34.00	32 gal	0.75	\$ 34.75	2.21%	
\$ 35.60	35 gal Commercial	0.75	\$ 36.35	2.11%	
\$ 10.05	Recycling Only	0.20	\$ 10.25	1.99%	

Current Fee	Service Level	Proposed	Increase	% ▲
\$ 150.19	1 yard weekly	\$ 152.36	\$ 2.17	1.4%
\$ 262.17	2 yard weekly	\$ 266.50	\$ 4.33	1.7%
\$ 503.24	2 yard 2x weekly	\$ 511.90	\$ 8.66	1.7%
\$ 935.52	4 yard 2x weekly	\$ 952.84	\$ 17.32	1.9%

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

In The Matter of Approving the
Clackamas County Fee Schedule
for Waste and Recycling Collection
Services to be uniformly applied by
the Franchised Solid Waste
Collection Companies

} Board Order No. _____
Page 1 of 2

Whereas, This matter coming before the Board of County Commissioners at this time, and it appearing to the Board that an application has been received by the Solid Waste Commission for a Waste Management Fee adjustment for the franchised collectors, and

Whereas It further appearing to the Board that the Solid Waste Commission, at a meeting on May 30, 2019 reviewed the application and supporting data received by the Commission for a Waste Management Fee adjustment for the franchised solid waste collectors within the County, and made their findings as follows:

1. That a Waste Management Fee adjustment has been requested by the franchisees; and
2. That it is the County's responsibility to ensure the solid waste collection system recovers the cost of providing service; and
3. That no general operating cost adjustment in Waste Management Fees be established for infectious waste collection service; and
4. That operating costs such as labor and health insurance are increasing; and
5. That conditions in global commodity markets have continued to affect the cost of processing recyclables beyond the amount considered in the fees adopted by the Board and made effective May 1, 2018; and
6. That yard debris disposal costs are increasing; and
7. The costs to provide drop box service have increased; and
8. That the Waste Management Fees be adjusted for a majority of the classes of residential and commercial can/cart service; for container collection service, for drop box service and for miscellaneous services in all fee zones as set forth in Exhibit A of this Order; and
9. That this request is just and reasonable under Chapter 10.03 of the Clackamas County Code; and

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

In The Matter of Approving the
Clackamas County Fee Schedule for
Waste and Recycling Collection
Services to be uniformly applied by
the Franchised Solid Waste Collection
Companies

} Board Order No. _____
} *Page 2 of 2*

Whereas, The Board having considered the investment in facilities and equipment; the services of management; methods of storage, collection, transportation and disposal; the length of haul to disposal facilities; the cost of the disposal; reasonable return to the owners of the business; the future service demands of the area or site which must be anticipated in equipment, facilities, personnel or land; extra charge for special pickups or pickups on days where service is not normally provided on a route; extra charges where the type of character of waste or solid waste, including but not limited to, wastes with peculiarly offensive odors, that requires special handling or service; the extra cost for providing the opportunity to recycle; and extra charges for providing janitorial services on the premises where service is provided; we do adopt the findings of the Solid Waste Commission as our own findings and do further find that the Waste Management Fee adjustments as set out herein are just, fair and reasonable; and

NOW THEREFORE, the Clackamas County Board of County Commissioners resolves as follows:

1. That the foregoing recommendations be adopted and that the franchised collectors be granted a Waste Management Fee adjustment, as shown on Exhibit A, according to the recommendations and made effective July 1, 2019.

DATED this ____ day of June, 2019.

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

Clackamas County Fee Schedule For Waste and Recycling Collection Services

Effective: July 1, 2019

U R B A N	Residential Service		Monthly Fee	Fee per Pick Up	At House Service²
	Weekly Pick Up¹ - one cart each for garbage, yard debris and recycling				
	20 gallon cart/can		\$ 29.15		\$ 32.65
	35 gallon cart/can		\$ 33.15		\$ 36.65
	60 gallon cart		\$ 42.80		N/A
	90 gallon cart		\$ 49.90		N/A
	Occasional extra garbage - 35 gallon			\$ 6.05	\$ 6.85
	Occasional extra yard debris - 35 gallon			\$ 3.00	
	Monthly Pick Up⁴ - one cart/can of garbage; weekly recycling included				
	35 gallon cart/can		\$ 15.65		\$ 16.55
	Occasional extra garbage - 35 gallon			\$ 6.05	\$ 6.85
	On-Call Pick Up⁴ - one cart/can of garbage				
	35 gallon cart/can			\$ 14.90	N/A
	Other Services and Fees				
	Recycling only - weekly		\$ 7.35		N/A
	Yard debris subscription ³ - weekly		\$ 5.95		N/A
	Yard debris Permanent 2nd Cart		\$ 4.50		N/A
	Distance fees		Table 2		
	Terrain fee		\$ 3.65		
	Multifamily Service - for shared containers see commercial fees.				
	Weekly Pick Up¹ - one cart/can of garbage and recycling				
	Central billing	20 gallon	\$ 24.65		\$ 26.65
		35 gallon	\$ 28.65		\$ 30.65
	Individual billing	20 gallon	\$ 26.25		\$ 28.25
		35 gallon	\$ 30.25		\$ 32.25
	Occasional extra garbage - 35 gallon			6.05	\$ 6.85
	Bulky waste - furniture, appliances etc.			Table 1	
	Additional fees - see Tables 1 and 2				

¹Greater than one cart/can per week, use multiples of single cart/can fee.

² At House Service is when garbage carts/cans are picked up at house instead of curbside/roadside (must be placed within 50 feet of curb/road). At House Service is not available for recycling or yard debris.

³Available to customers without weekly garbage service. Requires full year subscription. May be billed annually or monthly, depending on provider.

⁴Putrecibles must not be placed in cart/can in excess of 7 days prior to scheduled collection.

Exhibit A

Effective: July 1, 2019

U R B A N	Commercial Containers weekly recycling included						
	Stops/ Week	Monthly fee for container size in cubic yards					
		1	<i>Add'l</i>	1 1/3	<i>Add'l</i>	1.5	<i>Add'l</i>
	1	\$103.05	\$88.61	\$128.04	\$109.88	\$136.59	\$118.44
	2	\$198.35	\$171.12	\$248.37	\$214.64	\$265.44	\$229.45
	3	\$293.67	\$252.21	\$368.66	\$318.37	\$394.30	\$340.99
	4	\$388.97	\$336.16	\$488.98	\$422.73	\$523.13	\$451.75
	5	\$484.29	\$417.24	\$609.30	\$526.48	\$651.98	\$566.15
	6	\$579.60	\$500.38	\$729.62	\$629.54	\$780.82	\$676.31
	Stops/ Week	Monthly fee for container size in cubic yards					
		2	<i>Add'l</i>	3	<i>Add'l</i>	4	<i>Add'l</i>
	1	\$173.47	\$150.37	\$237.20	\$206.26	\$303.08	\$265.54
	2	\$339.20	\$294.93	\$461.95	\$402.62	\$593.74	\$519.96
	3	\$504.95	\$438.70	\$686.70	\$599.61	\$884.39	\$773.53
	4	\$670.68	\$580.11	\$911.45	\$798.66	\$1,175.05	\$1,024.51
	5	\$836.43	\$728.91	\$1,136.22	\$994.07	\$1,465.69	\$1,282.04
	6	\$1,002.16	\$870.90	\$1,360.96	\$1,186.18	\$1,756.34	\$1,535.88
	Stops/ Week	Monthly fee for container size in cubic yards					
		5	<i>Add'l</i>	6	<i>Add'l</i>	8	<i>Add'l</i>
	1	\$366.64	\$341.89	\$423.13	\$394.66	\$524.33	\$491.32
2	\$719.66	\$670.87	\$832.63	\$777.82	\$1,035.05	\$969.70	
3	\$1,072.69	\$997.70	\$1,242.13	\$1,154.70	\$1,545.75	\$1,448.27	
4	\$1,425.69	\$1,326.20	\$1,651.63	\$1,538.09	\$2,056.47	\$1,924.86	
5	\$1,778.73	\$1,657.66	\$2,061.15	\$1,921.11	\$2,567.19	\$2,394.47	
6	\$2,131.74	\$1,991.69	\$2,470.66	\$2,297.94	\$3,077.91	\$2,877.03	
Commercial Carts/Cans¹ - monthly fee; weekly recycling included							
One Stop per Week				One cart/can	Two carts/cans	Each additional	
35 gallon cart/can				\$29.20	\$56.20	\$25.00	
60 gallon cart				\$40.75	N/A	N/A	
90 gallon cart				\$43.75	N/A	N/A	
Occasional extra garbage - 35 gallon				N/A	N/A	\$5.00	
Two Stops per Week							
35 gallon cart/can - 2 stops/wk				\$57.80	\$111.30	\$25.65	
Occasional extra garbage - 35 gallon				N/A	N/A	\$5.00	
Additional fees may apply - see Tables 1, 2 & 3							

¹The use of a cart and the type of customer using a cart for commercial waste collection services shall be at the discretion of the collector.

Exhibit A

Effective: July 1, 2019

R U R A L	Residential Service		Monthly Fee	Fee per Pick Up	At House Service²
	Weekly Pick Up¹ - one cart/can of garbage and recycling				
	20 gallon cart/can		\$26.25		\$29.75
	35 gallon cart/can		\$30.20		\$33.70
	60 gallon cart		\$41.95		N/A
	90 gallon cart		\$47.80		N/A
	Occasional extra garbage - 35 gallon			\$6.10	\$6.90
	Monthly Pick Up³ - one cart/can garbage; weekly recycling included				
	35 gallon cart/can		\$16.20		\$17.10
	Occasional extra garbage - 35 gallon			\$6.10	\$6.90
	On-Call Pick Up³ - one cart/can of garbage				
	35 gallon cart/can			\$15.35	N/A
	Other Services and Fees				
	Recycling only - weekly		\$10.15		N/A
	Bulky waste - furniture, appliances etc.			Table 1	
	Distance fees		Table 2		
	Terrain fee		\$3.65		
	Multifamily Service - for shared containers see commercial fees.				
	Weekly Pick Up¹ - one cart/can of garbage and recycling				
	Central billing	20 gallon	\$24.65		\$26.65
		35 gallon	\$28.60		\$30.60
	Individual billing	20 gallon	\$26.25		\$28.25
		35 gallon	\$30.20		\$32.20
	Occasional extra garbage - 35 gallon			\$6.10	\$6.90
Bulky waste - furniture, appliances etc.			Table 1		
Additional fees may apply - see Tables 1 and 2					

¹Greater than one cart/can per week, use multiples of single cart/can fee.

² At House service is when garbage carts/cans are picked up at house instead of roadside (must be within 50 feet of curb/road). At House Service is not available for recycling.

³Putrecibles must not be placed in cart/can in excess of 7 days prior to scheduled collection.

Exhibit A

Effective: July 1, 2019

R U R A L	Commercial Containers weekly recycling included						
	Stops/ Week	Monthly fee for container size in cubic yards					
		1	<i>Add'l</i>	1 1/3	<i>Add'l</i>	1.5	<i>Add'l</i>
	1	\$119.05	\$ 114.35	\$ 147.16	\$ 142.00	\$ 163.81	\$ 158.17
	2	\$228.68	\$ 220.08	\$ 284.08	\$ 274.78	\$ 316.33	\$ 306.23
	3	\$338.23	\$ 325.83	\$ 420.94	\$ 407.49	\$ 468.99	\$ 454.34
	4	\$447.86	\$ 431.61	\$ 557.94	\$ 540.29	\$ 621.54	\$ 602.34
	5	\$557.41	\$ 537.36	\$ 694.83	\$ 672.98	\$ 774.05	\$ 750.50
	6	\$676.49	\$ 651.74	\$ 841.92	\$ 815.03	\$ 937.86	\$ 908.61
	Stops/ Week	Monthly fee for container size in cubic yards					
2		<i>Add'l</i>	3	<i>Add'l</i>	4	<i>Add'l</i>	
1	\$208.13	\$ 201.68	\$ 295.33	\$ 287.33	\$ 381.46	\$ 372.01	
2	\$403.41	\$ 391.76	\$ 574.69	\$ 560.34	\$ 744.11	\$ 727.16	
3	\$598.49	\$ 581.64	\$ 854.06	\$ 833.21	\$ 1,106.77	\$ 1,082.32	
4	\$793.61	\$ 771.56	\$ 1,133.42	\$ 1,106.27	\$ 1,469.43	\$ 1,437.48	
5	\$988.84	\$ 961.54	\$ 1,412.75	\$ 1,378.90	\$ 1,832.02	\$ 1,792.47	
6	\$1,196.97	\$ 1,163.27	\$ 1,708.05	\$ 1,666.50	\$ 2,213.58	\$ 2,164.43	
Stops/ Week	Monthly fee for container size in cubic yards						
	5	<i>Add'l</i>	6	<i>Add'l</i>	8	<i>Add'l</i>	
1	\$466.46	\$ 455.71	\$ 553.39	\$ 541.04	\$ 718.91	\$ 704.21	
2	\$911.44	\$ 892.07	\$ 1,082.17	\$ 1,060.17	\$ 1,408.93	\$ 1,382.83	
3	\$1,356.40	\$ 1,328.40	\$ 1,610.85	\$ 1,579.20	\$ 2,098.88	\$ 2,061.38	
4	\$1,801.42	\$ 1,764.82	\$ 2,139.58	\$ 2,098.33	\$ 2,788.79	\$ 2,739.89	
5	\$2,246.33	\$ 2,201.13	\$ 2,668.32	\$ 2,617.42	\$ 3,478.81	\$ 3,418.41	
6	\$2,712.77	\$ 2,656.82	\$ 3,220.80	\$ 3,157.60	\$ 4,197.72	\$ 4,122.72	
Commercial Carts/Cans¹ - monthly fee; weekly recycling included							
One Stop per Week				One cart/can	Two carts/cans	Each additional	
35 gallon cart/can				\$ 30.20	\$ 59.00	\$ 27.95	
60 gallon cart				\$ 41.95	N/A	N/A	
90 gallon cart				\$ 47.80	N/A	N/A	
Occasional extra garbage - 35 gallon				N/A	N/A	\$ 5.25	
Two Stops per Week							
35 gallon cart/can - 2 stops/wk				\$ 59.65	\$ 116.55	\$ 26.65	
Occasional extra garbage - 35 gallon				N/A	N/A	\$ 5.25	
Additional fees may apply - see Tables 1, 2 & 3							

¹The use of a cart and the type of customer using a cart for commercial waste collection services shall be at the discretion of the collector.

Exhibit A

Effective: July 1, 2019

D I S T A N T R U R A L	Residential Service		Monthly Fee	Fee per Pick Up	At House Service²
	Weekly Pick Up¹ - one cart/can of garbage and recycling				
	20 gallon cart/can		\$30.85		\$34.35
	35 gallon cart/can		\$35.10		\$38.60
	60 gallon cart		\$45.60		N/A
	90 gallon cart		\$51.45		N/A
	Occasional extra garbage - 35 gallon			\$6.65	\$7.45
	Monthly Pick Up³ - one cart/can; weekly recycling included				
	35 gallon cart/can		\$17.80		\$18.70
	Occasional extra garbage - 35 gallon			\$6.65	\$7.45
	On-Call Pick Up³ - one cart/can of garbage				
	35 gallon cart/can			\$15.70	N/A
	Other Services and Fees				
	Recycling only - weekly		\$10.25		N/A
	Bulky waste - furniture, appliances etc.			Table 1	
	Distance fees		Table 2		
	Terrain fee		\$3.65		
	Multifamily Service - for shared containers see commercial fees.				
	Weekly Pick Up¹ - one cart/can of garbage and recycling				
	Central billing	20 gallon	\$29.25		\$31.25
		35 gallon	\$33.50		\$35.50
	Individual billing	20 gallon	\$30.85		\$32.85
		35 gallon	\$35.10		\$37.10
	Occasional extra garbage - 35 gallon			\$6.65	\$7.45
Bulky waste - furniture, appliances etc.			Table 1		
Additional fees may apply - see Tables 1, 2 & 3					

¹Greater than one cart/can per week, use multiples of single cart/can fee.

² At House service is when garbage carts/cans are picked up at house instead of curbside/roadside (must be within 50 feet of curb/road). At House Service is not available for recycling.

³Putrecibles must not be placed in cart/can in excess of 7 days prior to scheduled collection.

Exhibit A

Effective: July 1, 2019

D I S T R I B U T I O N S	Commercial Containers includes weekly recycling						
	Stops/ Week	Monthly fee based on size in cubic yards					
		1	<i>Add'l</i>	1 1/3	<i>Add'l</i>	1.5	<i>Add'l</i>
	1	\$133.31	\$ 128.61	\$ 163.41	\$ 158.25	\$ 181.09	\$ 175.44
	2	\$248.95	\$ 240.35	\$ 308.35	\$ 299.05	\$ 342.60	\$ 332.50
	3	\$364.50	\$ 352.10	\$ 453.21	\$ 439.76	\$ 504.28	\$ 489.63
	4	\$480.14	\$ 463.89	\$ 598.21	\$ 580.56	\$ 665.84	\$ 646.64
	5	\$595.70	\$ 575.65	\$ 743.11	\$ 721.26	\$ 827.37	\$ 803.82
	6	\$720.79	\$ 696.04	\$ 898.20	\$ 871.30	\$ 1,000.18	\$ 970.93
	Stops/ Week	Monthly fee based on size in cubic yards					
		2	<i>Add'l</i>	3	<i>Add'l</i>	4	<i>Add'l</i>
	1	\$228.40	\$ 221.95	\$ 321.60	\$ 313.60	\$ 413.74	\$ 404.29
	2	\$435.69	\$ 424.04	\$ 618.99	\$ 604.64	\$ 800.42	\$ 783.47
	3	\$642.79	\$ 625.94	\$ 916.38	\$ 895.53	\$ 1,187.12	\$ 1,162.67
	4	\$849.92	\$ 827.87	\$ 1,213.77	\$ 1,186.62	\$ 1,573.81	\$ 1,541.86
	5	\$1,057.17	\$ 1,029.87	\$ 1,511.12	\$ 1,477.27	\$ 1,960.43	\$ 1,920.88
	6	\$1,277.32	\$ 1,243.62	\$ 1,824.44	\$ 1,782.89	\$ 2,366.02	\$ 2,316.87
	Stops/ Week	Monthly fee based on size in cubic yards					
		5	<i>Add'l</i>	6	<i>Add'l</i>	8	<i>Add'l</i>
	1	\$504.75	\$ 494.00	\$ 597.69	\$ 585.34	\$ 775.22	\$ 760.52
2	\$979.77	\$ 960.40	\$ 1,162.52	\$ 1,140.52	\$ 1,513.31	\$ 1,487.21	
3	\$1,454.77	\$ 1,426.77	\$ 1,727.24	\$ 1,695.59	\$ 2,251.32	\$ 2,213.82	
4	\$1,929.83	\$ 1,893.23	\$ 2,292.02	\$ 2,250.77	\$ 2,989.30	\$ 2,940.40	
5	\$2,404.78	\$ 2,359.58	\$ 2,856.81	\$ 2,805.91	\$ 3,727.38	\$ 3,666.98	
6	\$2,901.26	\$ 2,845.31	\$ 3,445.34	\$ 3,382.14	\$ 4,494.35	\$ 4,419.35	
Commercial Carts/Cans¹ - monthly fee; weekly recycling included							
One Stop per Week				One cart/can	Two carts/cans	Each additional	
35 gallon cart/can				\$35.10	\$69.50	\$34.10	
60 gallon cart				\$45.60	N/A	N/A	
90 gallon cart				\$51.45	N/A	N/A	
Occasional extra garbage- 35 gallon				N/A	N/A	\$6.00	
Two Stops per Week							
35 gallon cart/can - 2 stops/wk				\$69.50	\$137.55	\$33.50	
Occasional extra garbage - 35 gallon				N/A	N/A	\$6.00	
Additional fees may apply - see Tables 1, 2 & 3							

¹The use of a cart and the type of customer using a cart for commercial waste shall be at the discretion of the collector.

Exhibit A

Effective: July 1, 2019

M O U N T A I N	Residential Service		Monthly Fee	Fee per Pick Up	At House Service²
	Weekly Pick Up¹ - one can of garbage and recycling				
	20 gallon can		\$32.10		\$35.60
	35 gallon can		\$36.35		\$39.85
	Occasional extra - 35 gallon			\$6.65	\$7.45
	Monthly Pick Up³ - one can; weekly recycling included				
	35 gallon can		\$18.10		\$19.00
	Occasional extra - 35 gallon			\$6.05	\$6.85
	On-Call Pick Up³ - one can of garbage				
	35 gallon can			\$16.00	N/A
	Other Services and Fees				
	Recycling only - weekly		\$10.25		N/A
	Bulky waste - furniture, appliances etc.			Table 1	
	Distance fees		Table 2		
	Terrain Fee		\$3.65		
	Multifamily Service - for shared containers see commercial fees.				
	Weekly Pick Up¹ - one cart/can of garbage and recycling				
	Central billing	20 gallon	\$30.50		\$32.50
		35 gallon	\$34.75		\$36.75
	Individual billing	20 gallon	\$32.10		\$34.10
		35 gallon	\$36.35		\$38.35
Occasional extra - 35 gallon			\$6.65	\$7.55	
Bulky waste - furniture, appliances etc.			Table 1		
Additional fees may apply - see Tables 1, 2 & 3					

¹Greater than one can per week, use multiples of single can fee.

² Cans picked up at house instead of roadside or curb (must be within 50 feet of roadside or curb).

³Putrecibles must not be placed in cart/can in excess of 7 days prior to scheduled collection.

Exhibit A

Effective: July 1, 2019

M O U N T A I N	Commercial Containers includes weekly recycling						
	Stops/ Week	Monthly fee for container size in cubic yards					
		1	<i>Add'l</i>	1 1/3	<i>Add'l</i>	1.5	<i>Add'l</i>
	1	\$152.36	\$ 147.66	\$ 188.82	\$ 183.66	\$ 209.67	\$ 204.02
	2	\$287.05	\$ 278.45	\$ 359.15	\$ 349.85	\$ 399.76	\$ 389.66
	3	\$421.66	\$ 409.26	\$ 529.42	\$ 515.97	\$ 590.02	\$ 575.37
	4	\$556.35	\$ 540.10	\$ 699.82	\$ 682.17	\$ 780.15	\$ 760.95
	5	\$690.96	\$ 670.91	\$ 870.12	\$ 848.27	\$ 970.26	\$ 946.71
	6	\$835.10	\$ 810.35	\$ 1,050.62	\$ 1,023.72	\$ 1,171.65	\$ 1,142.40
	Stops/ Week	Monthly fee for container size in cubic yards					
		2	<i>Add'l</i>	3	<i>Add'l</i>	4	<i>Add'l</i>
	1	\$266.50	\$ 260.05	\$ 378.76	\$ 370.76	\$ 489.95	\$ 480.50
	2	\$511.90	\$ 500.25	\$ 733.30	\$ 718.95	\$ 952.84	\$ 935.89
	3	\$757.10	\$ 740.25	\$ 1,087.85	\$ 1,067.00	\$ 1,415.74	\$ 1,391.29
4	\$1,002.34	\$ 980.29	\$ 1,442.39	\$ 1,415.24	\$ 1,878.64	\$ 1,846.69	
5	\$1,247.69	\$ 1,220.39	\$ 1,796.90	\$ 1,763.05	\$ 2,341.47	\$ 2,301.92	
6	\$1,505.94	\$ 1,472.24	\$ 2,167.38	\$ 2,125.83	\$ 2,823.27	\$ 2,774.12	
Commercial Cans - monthly fee; weekly recycling included							
One Stop per Week				One cart/can	Two carts/cans	Each additional	
35 gallon can				\$36.35	\$72.00	\$35.35	
Occasional extra - 35 gallon				N/A	N/A	\$6.00	
Two Stops per Week							
35 gallon can - 2 stops/wk				\$72.00	\$142.55	\$34.75	
Occasional extra - 35 gallon				N/A	N/A	\$6.00	
Additional fees may apply - see Tables 1, 2 & 3							

Table 1

Miscellaneous Services		
Bulky Waste - appliances, furniture, etc.		
<i>Fee based on weight and special handling needs. If not easily accessible, hourly fee also applies.</i>		
Minimum fee	\$5.45	
Maximum fee	\$29.15	
Coolant removal fee	\$30.00	<i>Applies to refrigerators, freezers and air conditioners even if refrigerant is removed. Disposal fee additional.</i>
Clean Up Containers		
Each collection charged at 33% of regular container fee (see commercial containers).		
Handling fee*	\$16.60	<i>*only charged for first collection.</i>
Container rent is charged when container is kept longer than 5 working days with no collection. ¹		
< 3 cubic yard	\$2.10	rent per day
3 cubic yards	\$3.10	rent per day
4 cubic yards	\$4.10	rent per day
<i>For larger containers, see Drop Box, Table 4</i>		
Tire Handling Fee - charged in addition to disposal fees		
On rim	\$2.00	
Off rim	\$5.50	
<i>Tires greater than 18 inch diameter are subject to a special handling fee.</i>		
Occasional Extra Garbage - 35 gallon maximum		
Light	\$3.00	<i>does not require extra trip</i>
Heavy	\$5.05	<i>curbside/roadside and requires extra trip</i>
At House	\$5.85	<i>picked up at house (50 ft max from curb/road)</i>
Hourly handling fee - charged in addition to disposal fees		
1 truck, 1 person	\$73.00	per hour
1 truck, 2 people	\$105.00	per hour
Other Fees		
Gate fee	\$4.00	
Reinstatement fee	\$5.00	<i>When service is reinstated after it has been stopped for non-payment or if customer stops and starts service more than once in a calendar year.</i>
Cart redelivery	\$10.00	<i>If cart picked up then service restarted within 12 months.</i>

¹ Rent shall not exceed \$20.00 per container in a 30 day period.

Table 2

Distance Fees	
Distance	Monthly Fee
3 - 50 feet	\$ 3.50
51 - 100 feet	\$ 5.10
101 - 200 feet	\$ 6.15
201 - 400 feet	\$ 7.20
401 - 800 feet	\$ 8.25
More than 800 feet	\$ 9.30

Distance fees apply when service is not curbside or roadside as defined.

Distances over 50 feet are considered drive-in only.

Fees for distances over 50 feet also apply to non-urban containers served off public roads.

Table 3

Miscellaneous Container Fees
Overweight charges will be applied to containers weighing over 275 pounds per cubic yard. The fee must be mutually agreeable to the customer and collector. The County will act as an arbitrator in the event of a dispute.
Containers that have been compacted are charged 2.2 times the regular container fee for the zone.
Overweight compacted containers weighing over 500 pounds per cubic yard will be charged this fee plus disposal for the excess weight.
Container cleaning fee will be charged for containers needing cleaning more than 2 times in a 12 month period. The fee is the actual cost of cleaning.
Mileage fee applies to Distant Rural and Mountain Fee Zones when containers are located over 26 miles round trip from a disposal site if there are less than seven (7) containers picked up per collection route.

take a look at "other"

Table 4

Drop Boxes and Compactors -Disposal, rental, mileage & other fees are additional	
Open Drop Box	
10-20 cubic yard	\$150.00
Lidded/Specialized-requiring deadhead roundtrip	\$175.00
30 cubic yard	\$160.00
40 cubic yard	\$170.00
Compacted Drop Box	
Less than 25 cubic yards	\$150.00
25 - 34 cubic yards	\$189.00
35 cubic yards and greater	\$218.00
Industrial Special Waste Drop Box	
10-20 cubic yard	\$161.00
30 cubic yard	\$178.00
Other fees	
Rental Fee	
Per day (after 2 working days at one site)	\$6.30
Per month (Occasional Customer collection of less than one load per week)	\$63.00
Per month (Permanent customer)	\$50.00
Per Month Equipment Fee: Lidded/Specialty Drop Box	\$20.00
Delivery Fee¹	
Urban zone	\$40.00
All other zones	\$50.00
Mileage Fee	
Per mile over 18 miles roundtrip from where the truck is stationed (if in Clackamas County, if not then from the Metro South Transfer Station) for a repeat customer and for over 18 miles of truck operation for a one-stop drop box customer.	\$4.70
Multifamily Service Fee - additional fee for communities using compactors and drop boxes to collect garbage. Fee is charged per unit per month.	
5-299 units	\$1.60
300 - 399 units	\$1.45
More than 399 units	\$1.40
Incidental Service Fees	
Stand by time - waiting for box to be cleared, cars to be moved, etc. ²	\$7.00
Leveling load - if driver must spend time leveling load to safely haul. ²	\$7.00
Wash out - if requested by customer or box is contaminated.	\$30.00
Compactor turn-around - if repositioning required to enable collection and tip.	\$40.00
Deadhead round trip: specialized boxes that cannot be exchanged .	\$25.00
Dry run - if scheduled collection is prevented because box is blocked or customer is not ready.	\$30.00

¹For the occasional customer, the delivery charge shall be made for the first drop box at a given location within a 30-day period. For the repeat customer, the delivery charge shall be made for service at different locations.

²Charged in 5 minute increments.

Effective: July 1, 2019

Table 5

Infectious Waste		
Number of units	Fee per gallon	
	20/21	35/48
1	\$ 81.45	\$ 83.23
2	\$ 61.85	\$ 63.50
3	\$ 54.30	\$ 56.00
4	\$ 49.35	\$ 51.00
5	\$ 46.35	\$ 48.00
6	\$ 44.35	\$ 46.00
7	\$ 41.85	\$ 43.50
8	\$ 40.40	\$ 42.00
9	\$ 37.35	\$ 39.00
10	\$ 35.85	\$ 37.50
11	\$ 34.75	\$ 36.50
12	\$ 33.25	\$ 35.00
13	\$ 32.75	\$ 34.50
14	\$ 32.00	\$ 33.75
15	\$ 31.25	\$ 33.00
16	\$ 26.30	\$ 28.00
17	\$ 26.30	\$ 28.00
18	\$ 26.30	\$ 28.00
19	\$ 26.30	\$ 28.00
20	\$ 26.30	\$ 28.00
60	\$ 17.90	\$ 18.75
75	\$ 17.45	\$ 18.10
90	\$ 12.80	\$ 13.10



DAN JOHNSON
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

Board of County Commissioners
Clackamas County

Members of the Board:

**Approval of a Contract with Eagle-Elsner, Inc. for the
Wilsonville Road Paving Package**

Purpose/Outcomes	This Contract will resurface 7 miles of road which includes: Wilsonville Road between the county line and Willamette Way; Ladd Hill Road between Wilsonville Road and Heater Road; and Heater Road between Ladd Hill Road and Coral Creek Road.
Dollar Amount and Fiscal Impact	Contract value is \$2,304,484.00
Funding Source	215-7433-00-424423-RM2019-702 Wilsonville Road Fund
Duration	Contract execution through December 31, 2019
Previous Board Action	None
Strategic Plan Alignment	This project will provide strong infrastructure and ensure safe communities by maintaining the County's existing road infrastructure.
Counsel Approval	June 12, 2019
Contact Person	Vince Hall, Project Manager 503-650-3210

Background:

The Wilsonville Paving Package will pave seven miles of road, to include:
Resurfacing a portion of Wilsonville Road between the county line and Willamette Way with asphalt. Wilsonville Road has an average daily traffic of 3,500 vehicles per day and is classified as a major arterial.

Resurfacing a portion of Ladd Hill Road between Wilsonville Road and Heater Road with asphalt. Ladd Hill Road has an average daily traffic of 600 vehicles per day and is classified as a minor arterial.

Resurfacing a portion of Heater Road between Ladd Hill Road and Coral Creek Road with asphalt. Heater Road has an average daily traffic of 300 vehicles per day and is classified as a local access road.

This project will include placing approximately 22,980 tons of asphalt; grinding about 9,115 square yards of asphalt; placing pavement markings and striping; installing, maintaining, and removing temporary work zone traffic control measures.

The project work is anticipated to begin immediately following contract signing. Substantial completion will be not later than August 30, 2019, with final completion no later than December 31, 2019.

Procurement Process:

This project was advertised in accordance with ORS and LCRB Rules on March 20, 2019. Bids were opened on April 25, 2019. The County received six (6) bids: Brix Paving, \$2,945,232.50; Eagle-Elsner, \$2,304,484.00; Knife River Corporation, \$2,814,307.25; Oregon Mainline Paving, \$2,747,491.38; Roy Houck Construction, \$2,960,364.75; and North Santiam Paving, \$2,352,308.00. After review of the bids, Eagle-Elsner, Inc. was determined to be lowest responsive bidder.

Recommendation:

Staff respectfully recommends that the Board approve and sign this public improvements contract with Eagle-Elsner, Inc. for the Wilsonville Road Paving Package.

Sincerely,

Randall A. Harmon
Transportation Operations Manager

Placed on the BCC Agenda _____ by Procurement



CLACKAMAS COUNTY PUBLIC IMPROVEMENT CONTRACT

This Public Improvement Contract (the "Contract"), is made by and between the Clackamas County, a political subdivision of the State of Oregon, hereinafter called "Owner," and **Eagle-Elsner, Inc.**, hereinafter called the "Contractor" (collectively the "Parties"), shall become effective on the date this Contract has been signed by all the Parties and all County approvals have been obtained, whichever is later.

Project Name: **#2019-23 Wilsonville Road Paving Package**

1. Contract Price, Contract Documents and Work.

The Contractor, in consideration of the sum of **two million three hundred four thousand four hundred eighty-four dollars (\$2,304,484.00)** (the "Contract Price"), to be paid to the Contractor by Owner in the manner and at the time hereinafter provided, and subject to the terms and conditions provided for in the Instructions to Bidders and other Contract Documents (as defined in the Clackamas County General Conditions for Public Improvement Contracts (11/1/2017) ("General Conditions") referenced within the Instructions to Bidders), all of which are incorporated herein by reference, hereby agrees to perform all Work described and reasonably inferred from the Contract Documents. The Contract Price is the amount contemplated by the Base Bid.

Also, the following documents are incorporated by reference in this Contract and made a part hereof:

- Notice of Contract Opportunity
- Supplemental Instructions to Bidders
- Bid Form
- Performance Bond and Payment Bond
- Supplemental General Conditions
- Payroll and Certified Statement Form
- Addenda #1 through #2
- Instructions to Bidders
- Bid Bond
- Public Improvement Contract Form
- Clackamas County General Conditions
- Prevailing Wage Rates
- Plans, Specifications and Drawings

2. Representatives.

Contractor has named Curtis Cooksey as its Authorized Representative to act on its behalf. Owner designates, or shall designate, its Authorized Representative as indicted below (check one):

Unless otherwise specified in the Contract Documents, the Owner designates Vince Hall as its Authorized Representative in the administration of this Contract. The above-named individual shall be the initial point of contact for matters related to Contract performance, payment, authorization, and to carry out the responsibilities of the Owner.

Name of Owner's Authorized Representative shall be submitted by Owner in a separate writing.

3. Key Persons.

The Contractor's personnel identified below shall be considered Key Persons and shall not be replaced during the project without the written permission of Owner, which shall not be unreasonably withheld. If the Contractor intends to substitute personnel, a request must be given to Owner at least 30 days prior to the intended time of substitution. When replacements have been approved by Owner, the Contractor shall provide a transition period of at least 10 working days during which the original and replacement personnel shall be working on the project concurrently. Once a replacement for any of these staff members is authorized, further replacement shall not occur without the written permission of Owner. The Contractor's project staff shall consist of the following personnel:

Project Executive: Richard Eagle shall be the Contractor's project executive, and will provide oversight and guidance throughout the project term.

Project Manager: Curtis Cooksey shall be the Contractor's project manager and will participate in all meetings throughout the project term.

Job Superintendent: David Elsner shall be the Contractor's on-site job superintendent throughout the project term.

Project Engineer: Curtis Cooksey shall be the Contractor's project engineer, providing assistance to the project manager, and subcontractor and supplier coordination throughout the project term.

4. Contract Dates.

COMMENCEMENT DATE: Upon Issuance of Notice to Proceed

SUBSTANTIAL COMPLETION DATE: August 30, 2019

FINAL COMPLETION DATE: December 31, 2019

Time is of the essence for this Contract. It is imperative that the Work in this Contract reach Substantial Completion and Final Completion by the above specified dates.

5. Insurance Certificates.

In accordance with Section G.3.5 of the General Conditions and item 2 of Supplemental General Conditions, Contractor shall furnish proof of the required insurance naming Clackamas County as an additional insured. Insurance certificates may be returned with the signed Contract or may be emailed to Procurement@clackamas.us.

6. Tax Compliance.

Contractor must, throughout the duration of this Contract and any extensions, comply with all tax laws of this state and all applicable tax laws of any political subdivision of this state. Any violation of this section shall constitute a material breach of this Contract. Further, any violation of Contractor's warranty in this Contract that Contractor has complied with the tax laws of this state and the applicable tax laws of any political subdivision of this state also shall constitute a material breach of this Contract. Any violation shall entitle County to terminate this Contract, to pursue and recover any and all damages that arise from the breach and the termination of this Contract, and to pursue any or all of the remedies available under this Contract, at law, or in equity, including but not limited to: (A) Termination of this Contract, in whole or in part; (B) Exercise of the right of setoff, and withholding of amounts otherwise due and owing to Contractor, in an amount equal to County's setoff right, without penalty; and (C) Initiation of an action or proceeding for damages, specific performance, declaratory or injunctive relief. County shall be entitled to recover any and all damages suffered as the result of Contractor's breach of this Contract, including but not limited to direct, indirect, incidental and consequential damages, costs of cure, and costs incurred in securing replacement performance. These remedies are cumulative to the extent the remedies are not inconsistent, and County may pursue any remedy or remedies singly, collectively, successively, or in any order whatsoever.

The Contractor represents and warrants that, for a period of no fewer than six calendar years preceding the effective date of this Contract, has faithfully complied with: (A) All tax laws of this state, including but not limited to ORS 305.620 and ORS chapters 316, 317, and 318; (B) Any tax provisions imposed by a political subdivision of this state that applied to Contractor, to Contractor's property, operations, receipts, or income, or to Contractor's performance of or compensation for any work performed by Contractor; (C) Any tax provisions imposed by a political subdivision of this state that applied to Contractor, or to goods, services, or property, whether tangible or intangible, provided by Contractor; and (D) Any rules, regulations, charter provisions, or ordinances that implemented or enforced any of the foregoing tax laws or provisions.

7. Confidential Information.

Contractor acknowledges that it and its employees or agents may, in the course of performing their responsibilities under this Contract, be exposed to or acquire information that is confidential to Owner. Any and all information of any form obtained by Contractor or its employees or agents in the performance of this Contract shall be deemed confidential information of Owner (“Confidential Information”). Contractor agrees to hold Confidential Information in strict confidence, using at least the same degree of care that Contractor uses in maintaining the confidentiality of its own confidential information, and not to copy, reproduce, sell, assign, license, market, transfer or otherwise dispose of, give, or disclose Confidential Information to third parties or use Confidential Information for any purpose unless specifically authorized in writing under this Contract.

8. Required Terms.

In addition to the terms and conditions contained in this Contract and the Contract Documents, the following terms and conditions are required by Oregon law:

- A. If the Contractor fails, neglects, or refuses to make prompt payment of any claim for labor or services furnished to the Contractor or a subcontractor by any person in connection with this contract as the claim becomes due, the proper officer representing the Owner may pay such claim to the person furnishing the labor or services and charge the amount of the payment against the funds due or to become due the Contractor by reason of the contract.
- B. If the Contractor or a first-tier subcontractor fails, neglects or refuses to pay a person that provides labor or materials in connection with the public improvement contract within 30 days after receiving payment from the contracting agency or a contractor, the Contractor or first-tier subcontractor owes the person the amount due plus interest charges that begin at the end of the 10-day period within which payment is due under ORS 279C.580 (4) and that end upon final payment, unless payment is subject to a good faith dispute as defined in ORS 279C.580. The rate of interest on the amount due is nine percent per annum. The amount of interest may not be waived.
- C. If the Contractor or a subcontractor fails, neglects or refuses to make payment to a person furnishing labor or materials in connection with the public contract, the person may file a complaint with the Construction Contractors Board, unless payment is subject to a good faith dispute as defined in ORS 279C.580.
- D. The Contractor shall include in each subcontract those provisions required under ORS 279C.580.
- E. For demolition tasks, if any, the Contractor shall salvage or recycle construction and demolition debris, if feasible and cost-effective.

9. Counterparts.

This Contract may be executed in several counterparts, all of which when taken together shall constitute an agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart. Each copy of the Contract so executed shall constitute an original.

10. Integration.

All provisions of state law required to be part of this Contract, whether listed in the General or Special Conditions or otherwise, are hereby integrated and adopted herein. Contractor acknowledges the obligations thereunder and that failure to comply with such terms is a material breach of this Contract.

The Contract Documents constitute the entire agreement between the parties. There are no other understandings, agreements or representations, oral or written, not specified herein regarding this Contract. Contractor, by the signature below of its authorized representative, hereby acknowledges that it has read this Contract, understands it, and agrees to be bound by its terms and conditions.

11. Liquidated Damages

The Contractor acknowledges that the Owner will sustain damages as a result of the Contractor’s failure to substantially complete the Project in accordance with the Contract Documents. These damages may include, but are not limited to delays in completion, use of the Project, and costs associated with Contract administration and use of temporary facilities.

- 11.1 Liquidated Damages shall be as follows if the actual Substantial Completion exceeds the required date of Substantial Completion:
 - 11.1.1. \$1,000.00 per Calendar day past the Substantial Completion date.

12. Compliance with Applicable Law. Contractor shall comply with all federal, state, county, and local laws, ordinances, and regulations applicable to the Work to be done under this Contract including, but not limited to, compliance with the prohibitions set forth in ORS 652.220, compliance of which is a material element of this Contract and failure to comply is a material breach that entitles County to exercise any rights and remedies available under this Contract including, but not limited to, termination for default.

In witness whereof, Clackamas County executes this Contract and the Contractor does execute the same as of the day and year first above written.

Contractor DATA:
Eagle-Elsner, Inc.
PO Box 23294
Tigard, OR 97281

Contractor CCB # 27112 Expiration Date: 4/02/2020
Oregon Business Registry # 135009-13 Entity Type: DBC State of Formation: Oregon

Payment information will be reported to the IRS under the name and taxpayer ID# provided by the Contractor. Information must be provided prior to contract approval. Information not matching IRS records could subject Contractor to 28 percent backup withholding.

Eagle-Elsner, Inc.

Clackamas County Board of County Commissioners

Authorized Signature Date

Chair Date

Name / Title Printed

Recording Signature

APPROVED AS TO FORM

County Counsel Date