



DAN JOHNSON
DIRECTOR

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

October 12, 2023

BCC Agenda Date/Item: _____

Board of County Commissioners
Clackamas County

Approval of a Board Order approving the transfer of Solid Waste Collection Franchise from S & C Licensing, Inc. to Recology Clackamas, Inc. and a Board Order approving the subcontracting for infectious waste collection between Recology Clackamas, Inc. and Trilogy Medwaste, Inc. No fiscal impact. No County General Funds are involved.

Previous Board Action/Review	Request for Consent: October 10, 2023		
Performance Clackamas	1. Ensure Safe, Healthy and Secure Communities: Recycling programs help to honor and protect our natural resources and garbage service supports healthy communities and builds public trust.		
Counsel Review	Yes; Hong Huynh	Procurement Review	NA
Contact Person	Rick Winterhalter	Contact Phone	503-742-4466

EXECUTIVE SUMMARY

County Code (10.03.250) allows current franchisees to transfer their franchised areas with approval by the Board and a recommendation from the Solid Waste Commission. Additionally, franchisees may subcontract (Code 10.03.260 A.3) for the provision of solid waste collection services, with approval by the Board. Staff received notification of a request to transfer a franchise and to subcontract for infectious waste.

Transfer of a franchise

An application has been submitted to transfer the solid waste collection franchise held by S&C Licensing, Inc. (Sunset Garbage Company) to Recology Clackamas, Inc. The franchise area, identified as 70-22-C and described on the attached map (Attachment 1), includes areas in unincorporated Clackamas County and the City of Happy Valley.

The Board has approved two previous transfers of this franchise. In 1990 the franchise was transferred to the owner's son, and in 1999 the Board approved a transfer of the franchise from Sunset Garbage Collection, Inc. to S & C Licensing, LLC, to continually operate as Sunset Garbage Collection Inc.

On August 2, 2023 staff received an application, letter and certificate of insurance from Recology Clackamas, Inc. requesting consent to transfer the S & C

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Licensing, LLC.'s (Sunset) solid waste franchise (Attachment 2). Recology Clackamas, Inc. is a newly formed entity for the purposes of acquiring Sunset and this transfer. It is a wholly owned subsidiary of Recology Oregon Inc., which is a wholly owned subsidiary of Recology Inc. Recology Inc. is an employee owned company providing residential and commercial collection services in California, Oregon and Washington.

This transfer means all the equipment, land and personnel owned or managed by the current County franchisee will be available to Recology. Recology intends to operate from Sunset's current location and offer all employees employment.

Subcontract for infectious waste collection

County Code 10.03.260 A.3. allows a solid waste collection franchise holder to “...*subcontract with another person to provide service, or a particular type of service, within a Service Area ...*”. These subcontracts are business-to-business agreements between the County franchisee and the service provider. The subcontracted service provider is required to charge the Board approved fees for service during their tenure. The County franchisee is ultimately responsible for ensuring their subcontractor provides services to customers within the franchised area.

Recology Clackamas, Inc. has verbally notified the County, if granted this franchise, they intend to enter into a subcontract with Trilogy Medwaste, Inc. to provide infectious waste collection services. A draft letter of intent is attached. (Attachment 3)

Solid Waste Commission Recommendation

The Solid Waste Commission, the County's formal advisory body reflecting public participation in managing the solid waste system, met on September 7, 2023 to consider the transfer and subcontract requests. The Commission believes Recology Clackamas, Inc. has proven they have the available land, equipment and personnel to carry out the requirements of a franchise holder in Clackamas County. The Commission voted 4-0 to recommend the Board approve the proposed transfer and the subcontract for infectious waste collection service.

RECOMMENDATION: Staff respectfully recommends the Board of County Commissioners approve the attached board orders approving the franchise transfer from S & C Licensing, LLC. to Recology Clackamas, Inc., and the subcontract for Trilogy Medwaste, Inc. to provide infectious waste collection as recommended by the Solid Waste Commission.

Respectfully submitted,

Dan Johnson

Dan Johnson, Director
Department of Transportation & Development

Attachments:

1. S&C Licensing, Inc. Service Area Map (70-22-C)
2. Franchise Transfer Application
3. Recology and Trilogy Medwaste, Letter of Intent

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

In the Matter of a Transfer of the
Collection Service Franchise and
service area held by S&C
Licensing, Inc. through a transfer



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 for transfer of the Solid Waste Collection Service Franchise and service area 70-22-C has been received by the Solid Waste Commission pursuant to Section 10.03.250 of the County Code; and

Whereas the Solid Waste Commission at its meeting of September 7, 2023 reviewed the application and made its findings as follows:

1. That the franchise to collect solid waste in Clackamas County, area 70-22-C, was granted to John F. and Flora Schwab dba Sunset Garbage Collection by Board Order No. 71-425 in July 1970; and
2. That John F. and Flora Schwab sold controlling interest in Sunset Garbage Collection, Inc. to Steven M. Schwab and the franchise was transferred by Board Order 90-166 on February 15, 1990; and
3. That Steven Schwab and Carla Schaefer dba Sunset Garbage Collection, Inc. transferred the franchise to Steven Schwab and Carla Schaefer dba S&C Licensing, Inc.; and
4. That S&C Licensing, Inc. intends to sell the assets and transfer the franchise 70-22-C to Recology Clackamas, Inc.; and
5. That Recology Clackamas, Inc. is of good moral character; and
6. That Recology Clackamas, Inc. has the available collection vehicles, equipment, facilities and personnel sufficient to meet the standards of the Clackamas County Code Chapter 10.03; and
7. That Recology Clackamas, Inc. shall be subject to all laws, ordinances, and other applicable conditions and requirements of franchise holders in Clackamas County.

Whereas, on the basis of its findings, the Solid Waste Commission has recommended in favor of the transfer of the Collection Service Franchise 70-22-C held by S&C Licensing, Inc.; and

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

In the Matter of a Transfer of the
Collection Service Franchise and
service area held by S&C
Licensing, Inc. through a transfer



Board Order No. _____
Page 2 of 2

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

1. The Board of Commissioners accepts the findings and recommendations of the Solid Waste Commission set forth above; and
2. The Solid Waste Collection Service Franchise and service area (70-22-C) held by S&C Licensing, Inc. with Steven M. Schwab and Carl Schaefer as owners is hereby transferred to Recology Clackamas, Inc. Said transfer to be effective November 1, 2023.

DATED this ____ day of October, 2023.

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

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

In The Matter of approval of a subcontract between Recology Clackamas, Inc. and Trilogy MedWaste, Inc. for the collection of infectious waste



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 the Solid Waste Commission received a request from Recology Clackamas, Inc. for approval of a subcontract for the collection of infectious waste, and

Whereas, It further appearing to the Board that the Solid Waste Commission, at a meeting on Thursday, September 7, 2023, reviewed the request for a subcontract for the collection of infectious waste and made their findings as follows:

1. That pursuant to Clackamas County Code (10.03.260 A.3) the holder of a collection service franchise may contract with another person to provide specific collection service within a franchised area after giving notice to and obtaining approval of the Board; and
2. That infectious waste is defined as solid waste under ORS 459; and
3. That the franchised collection service firms in Clackamas County are responsible for the collection of solid waste including infectious waste; and
4. That the collection of infectious waste requires special collection equipment and training for its collection, transportation, storage and disposal; and
5. That Trilogy MedWaste, Inc. has proven they have the available land, equipment and personnel to carry out the requirements of an infectious waste collection subcontractor; and
6. That it is in the best interest of the public to subcontract the collection of infectious waste; and

Whereas, It further appearing to the Board that on the basis of their findings, the Solid Waste Commission has recommended in favor of allowing Recology Clackamas, Inc. to subcontract for the collection of infectious waste; and

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

In The Matter of approval of a subcontract between Recology Clackamas, Inc. and Trilogy MedWaste, Inc. for the collection of infectious waste



Board Order No. _____
Page 2 of 2

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

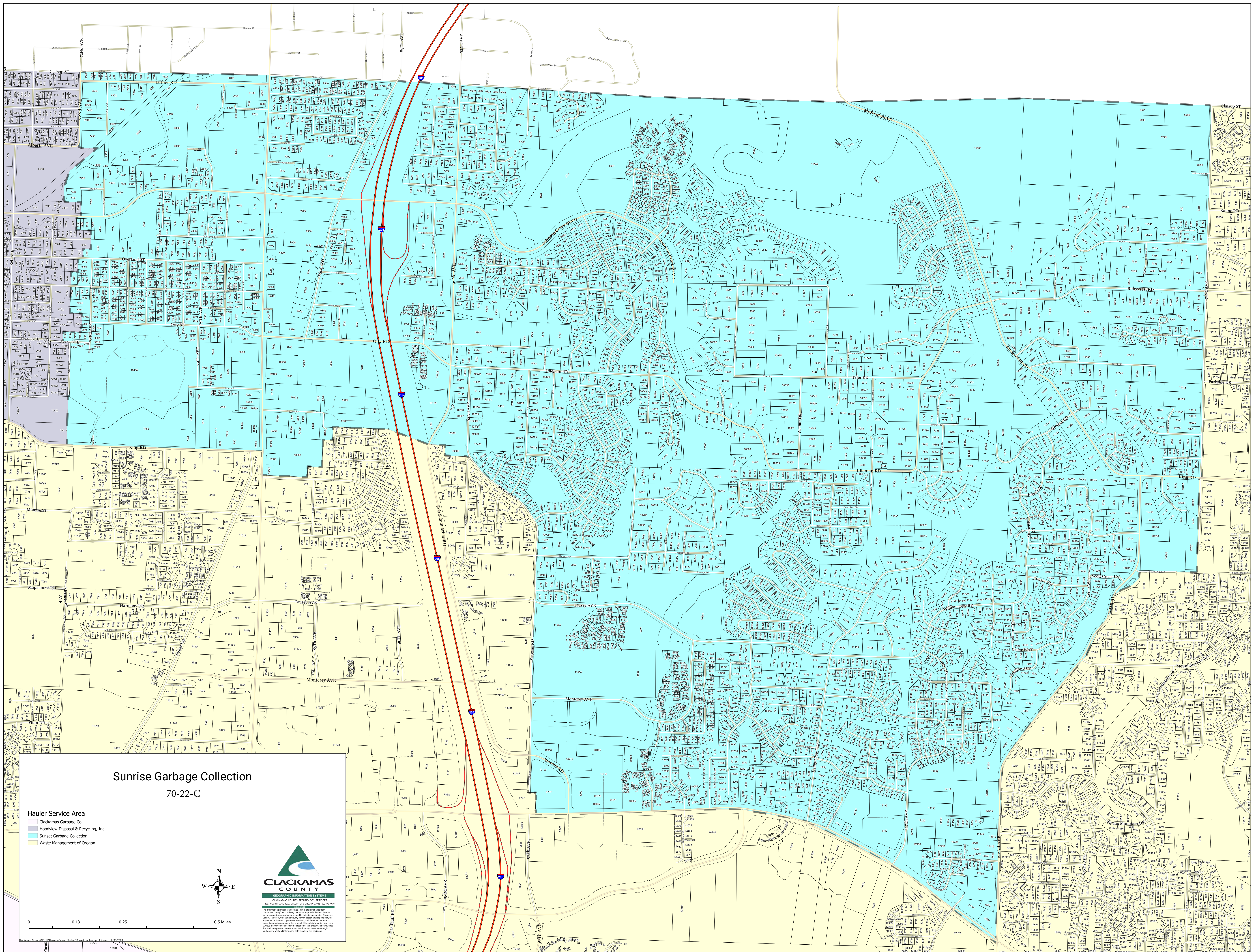
1. The Board of Commissioners accepts the findings and recommendations of the Solid Waste Commission set forth above; and
2. Approves the subcontract of Trilogy MedWaste, Inc. to collect infectious waste in the franchised areas held by Recology Clackamas, Inc. Said subcontract to be effective November 1, 2023.

DATED this _____ day of October, 2023.

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

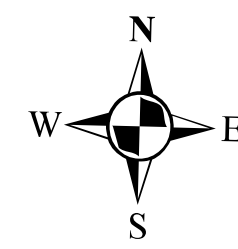
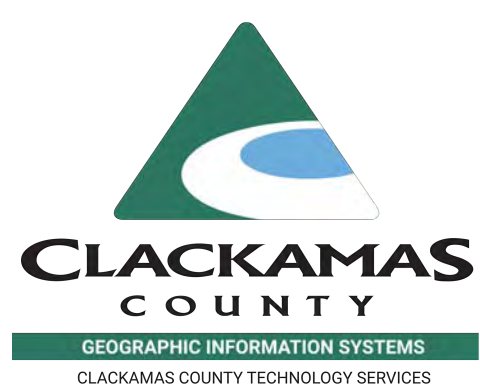


Sunrise Garbage Collection

70-22-C

Hauler Service Area

- Clackamas Garbage Co
- Hoodview Disposal & Recycling, Inc.
- Sunset Garbage Collection
- Waste Management of Oregon



0 0.13 0.25 0.5 Miles

Clackamas County GIS/70-22-C/Sunrise Garbage Collection Routes/Output: 7/20/2023



Submitted via email

August 2, 2023

Rick Winterhalter
Senior Sustainability Analyst
Clackamas County
rickw@clackamas.us

Re: Recology Clackamas Inc. Application for Clackamas County's Consent to Transfer Sunset Garbage Collection's Solid Waste Collection Franchise

Dear Mr. Winterhalter,

Thank you for reviewing Recology Clackamas Inc.'s Application for Clackamas County's Consent to Transfer S&C Licensing Inc.'s (Sunset Garbage) Solid Waste Collection Franchise.

Recology Clackamas Inc. entered into an agreement to purchase substantially all the assets of Sunset Garbage Collection S&C Properties, and S&C Licensing (collectively referred to as "Sunset Garbage Collection" in this application).

Recology is excited to expand its presence in the Clackamas market, and is submitting this application to commence the franchise transfer process. Recology Clackamas Inc. is a newly formed entity for the purposes of this acquisition. It is a wholly owned subsidiary of Recology Oregon Inc., which is a wholly owned subsidiary of Recology Inc.

We have attached a copy of the service area map that was recently provided by the County to S&C Licensing (Sunset Garbage). Recology's understanding is that the attached map accurately reflects franchise area 70-22-C and S&C Licensing's exclusive service area that covers areas of both unincorporated Clackamas County and the City of Happy Valley.

As a part of the Consent to Transfer and for sake of clarity, we request that the County include the attached map and state that the franchise being transferred from S&C Licensing to Recology includes the exclusive rights to collect in the areas shown on such map.

Recology operating companies have been proud to partner with entities in the region to support our shared goals to divert more material from the landfill. Recology Oregon Inc., the parent company of Recology Clackamas Inc., is also the parent of:

- Recology Oregon Recovery Inc., which has operated the Metro Central Transfer Station since 2010, and the Metro South Transfer Station since 2020.
- Recology Oregon Compost Inc., which has owned and operated the North Plains and Aumsville compost facilities since 2009 and 2011 respectively. North Plains has recently been upgraded to a mass bed system, increasing capacity from 50,000 tpy to

80,000 tpy of mixed organics, providing even more capacity to divert organics collected in the region.

- Recology Portland Inc., which has been providing solid waste, recycling, and compost collection services to commercial customers in the City of Portland since 2009.

Sunset Garbage Collection currently uses the Metro South Transfer Station, ECR, and Hillsboro Landfill to dispose of solid waste and organics; it uses various recycling processors in the region, including Pioneer Recycling, Far West Fibers, and EFI. At this time, Recology Clackamas intends to continue using these processing locations, and will notify the County in the event these sites change.

Recology Inc. is proud to be 100% employee-owned company. As an employee-owned company, our team members stand at the very heart of our operations, and their ownership stake fuels our culture and propels our success. Today, Recology Inc. has 26 collection companies in 140 communities along the West Coast, providing service to over 2.5 million residential and over 100,000 commercial customers.

We look forward to expanding our relationship with the County of Clackamas through the transfer of this franchise. If you have any further questions, please feel free to reach out to Christopher Carey, General Manager at ccarey@recology.com or 503.803.4984; or Liz Smith, Senior Proposal Manager at Recology, at esmith@recology.com or 415.926.2452.

Sincerely,



Salvatore M. Coniglio
Chief Executive Officer
Recology Clackamas Inc.

Enclosures: Recology application for franchise transfer - County of Clackamas
Fleet Sheet - Clackamas Application
Map of Service Area from Clackamas County (please confirm)
Certificate of Insurance – Clackamas County - Recology Clackamas



DAN JOHNSON
DIRECTOR

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

APPLICATION FOR CLACKAMAS COUNTY'S CONSENT TO TRANSFER OF SOLID WASTE COLLECTION FRANCHISE

Any transfer of a solid waste franchise in Clackamas County requires completion of this application. All requested information must be provided and application must be signed by all parties in order for transfer to be considered by County.

Date of Application August 2, 2023

1. INFORMATION ON DISTRICTS/ROUTES TO BE TRANSFERED

Provide the number of customers serviced by the current franchisee (Transferor) that will be served by the applicant (Transferee) if this transfer is approved by the County. For multifamily and commercial, use the number of service addresses where service is provided, not the number of paid accounts.

Residential	<u>3,193</u>
Multifamily (5 units or more)	<u>624</u>
Commercial	<u>150</u>

2. INFORMATION ON APPLICANT (Transferee)

Business Legal Name	<u>Recology Clackamas Inc.</u>
Business DBA Name	<u>Not applicable</u>
Mailing Address	<u>50 California Street, 24th floor,</u> <u>San Francisco, CA 94111</u>

Location of Office (if different) N/A; upon completion of the acquisition, Recology Clackamas Inc's local office address will be 9035 SE Henderson Street, Portland OR

Website Address www.Recology.com

Contact Person

Name & Title Christopher Carey, General Manager

Mailing Address (if different) Upon completion of the acquisition, Recology Clackamas Inc's local office address will be: 9035 SE Henderson Street, Portland OR

Office Phone 503.803.4984

Office e-mail CCarey@Recology.com

Person Responsible for Management

Of this Franchise (if different) _____

Type of Organization: Corporation

Other Companies Controlled by Applicant (Transferee) (list for each):

Names of Company Not applicable

Location (County and State) _____

Business Activity _____

Continue on separate sheet of paper, if necessary.

If Applicant is a Subsidiary of Another Corporation:

Name of Parent Company Recology Clackamas Inc. is a subsidiary of Recology Oregon Inc. Recology Oregon Inc. is a wholly owned by Recology Inc.

If Applicant is a Partnership:

Names of partners and percentage of partnership interest held by each

Not applicable _____

Continue on separate sheet of paper, if necessary.

3. AREAS CURRENTLY SERVED BY APPLICANT (Transferee)

List the jurisdictions in the Portland Metro Region and Clark County, Washington in which the applicant or its principal officer(s) has provided solid waste, recycling and or composting service to customers during the past five years. Include length of time, in years, that service was provided and whether service was conducted under a franchise, permit, contract, or open market conditions. Note other business names used, if applicable.

Recology Clackamas Inc. is a newly created entity and currently provides no service in the Portland Metro Region or Clark County, WA.

Recology Oregon Inc., the parent company of Recology Clackamas Inc., is also the parent of Recology Portland Inc., Recology Oregon Recovery Inc., and Recology Oregon Compost Inc.

Recology Portland has been providing solid waste, recycling, and compost collection services to commercial customers in the City of Portland since 2009. Recology Oregon Recovery Inc. has operated the Metro Central Transfer Station since 2010, and the Metro South Transfer Station since 2020. Recology Oregon Compost Inc. has owned and operated the North Plains and Aumsville compost facilities since 2009 and 2011 respectively. North Plains has recently been upgraded to a mass bed system, increasing capacity from 50,000 tpy to 80,000 tpy of mixed organics. Aumsville can accept up to 34,000 tpy of mixed organics.

List the number of customers currently being serviced by the applicant in each jurisdiction. For multifamily and commercial, use the number of service addresses where service is provided, not the number of paid accounts.

Jurisdiction Not applicable; Recology Clackamas Inc. is a newly formed entity for the purposes of the acquisition of substantially all the assets of Sunset Garbage Collection, and does not currently have operations in the Portland area.

Date Applicant Began Operations	<u>Not applicable</u>
Residential	_____
Multifamily (5 units or more)	_____
Commercial	_____

Continue on separate sheet of paper, if necessary.

4. DESCRIPTION OF SERVICES PROVIDED

Provide the number of customers currently served by the applicant in the County. For multifamily and commercial, use the number of service addresses where service is provided, not the number of paid accounts.

Residential	Not applicable
Multifamily	_____
Commercial	_____

Are any of these customers served by a subcontractor? Not applicable If yes, list name(s) of subcontractor(s) and type(s) of service provided and number of customers served.

Not applicable

If the request for a franchise transfer/change in control is approved by the County and the applicant intends to use a subcontractor to provide services within the County, they will be required to submit a separate application requesting approval from the Manager for each subcontractor.

Recology Clackamas Inc. does not intend to use a subcontractor to provide solid waste, recycling, or compost collection services in the County.

Recology anticipates entering into an agreement with a medical waste management subcontractor with a qualified vendor that will perform the same scope of work as S&C Licensing’s current medical waste management subcontractor. Recology will inform the County when the contract is finalized.

5. VEHICLES

Complete the attached Fleet Sheet listing all vehicles that will be used for residential, multifamily or commercial collection within the County. Indicate which are currently owned, which would be acquired with the transfer, and which would be purchased new.

Please see the attached excel document titled “Fleet Sheet – Clackamas County.” Please note that these vehicles will become the property of Recology Clackamas upon the close of its asset purchase of Sunset Garbage Inc.

6. EMPLOYEES & SERVICE

How many employees, calculated as full-time equivalents, will the applicant have for each of the following functions? Indicate those that are currently employees of the applicant, which would be acquired as part of the transfer and which would be hired new.

Note: The figures shown below are for the total of Recology Clackamas’s operations; Recology does not intend to have separate staff for Clackamas County. Recology Clackamas intends to offer employment to current employees who apply for their position and who meet Recology’s employment requirements (including background checks). The numbers below represent Recology’s best estimate of staffing immediately following the acquisition, and is based on current employee counts.

		<u>Overall operations</u>	<u>County only operations</u>
Management:	Current	<u>0 FTE</u>	<u>0 FTE</u>
	Acquired	<u>1 FTE</u>	<u>1 FTE</u>
Administrative (trainer)	Current	<u>0 FTE</u>	<u>0 FTE</u>
	Acquired	<u>1 FTE</u>	<u>1 FTE</u>
Collection	Current	<u>0 FTE</u>	<u>0 FTE</u>
	Acquired	<u>9 FTE</u>	<u>9 FTE</u>
Customer Service	Current	<u>0 FTE</u>	<u>0 FTE</u>
	Acquired	<u>2 FTE</u>	<u>2 FTE</u>
Maintenance	Current	<u>0 FTE</u>	<u>0 FTE</u>
	Acquired	<u>0 FTE</u>	<u>0 FTE</u>

Please list times and days of week your office will be open and conducting administrative business such as customer service, payment acceptance, and billing. 8:30 AM - 4:00 PM, M-F

7. DETAIL COST REPORT

If the applicant is not currently a franchisee in the County, but is a permitted or licensed hauler elsewhere in the Metro Region, attach the most recent Detail Cost Report submitted in the jurisdiction in which you serve the most customers.

Not Applicable

8. INSURANCE

List the carrier names, carrier phone numbers and account numbers for the insurance coverage that the applicant will use to provide coverage for its County operations.

Please also see the attached “Certificate of Insurance – County of Clackamas - Recology Clackamas”

Coverage Type	Carrier Name	Local Agent	Name/Phone #	Policy #
Commercial General Liability	Beecher Carlson Insurance Services	Christine Philips	(747) 242-7099	XSL G27631460
Automobile Liability	Beecher Carlson Insurance Services	Christine Philips	(747) 242-7099	ISA H08869558
Umbrella Liability	Beecher Carlson Insurance Services	Christine Philips	(747) 242-7099	RES5000612-02
Excess Liability	Beecher Carlson Insurance Services	Christine Philips	(747) 242-7099	RWD5000402-09
Property	Beecher Carlson Insurance Services	Christine Philips	(747) 242-7099	Various

9. ADDITIONAL INFORMATION FOR NON-FRANCHISEES / PERMITTEES

If the applicant is not currently a franchisee in the County, attach the following documents:

- U.S. Department of Transportation verification of compliance

Recology Clackamas has registered for a DOT number (#4105716). Please note that these vehicles will become the property of Recology Clackamas upon the close of its asset purchase of Sunset Garbage Inc.

- Certificate of Insurance indicating public liability and property damage coverage with a combined single limit of not less than \$1,000,000 per occurrence
- Certificate (form CG-20-12) naming the County, their officers and employees as additional insured

Please see the attached "Certificate of Insurance – Clackamas County - Recology Clackamas," which also names the County, their officers, and employees as additional insured.

NOTICE: THE ABOVE INFORMATION IS NOT EXEMPT FROM DISCLOSURE UNDER STATE PUBLIC RECORDS LAW.

10. TRANSFEREE: ATTEST TO COMPLY AND VERIFY ACCURACY OF APPLICATION

I certify that I have read, understand and shall abide by the following regulatory requirements:

- Clackamas County Code Chapter 10.03.
- Clackamas County Solid Waste and Recycling Collection Services Administrative Regulations for Franchisee & Customer

I certify that all employees have access to, are familiar with and shall abide by these regulations.

I, the undersigned, verify that all information submitted on this form is truthful and accurate, and that I am authorized to complete and submit this application.

Signed: DocuSigned by:
Salvatore M. Coniglio
444C41D60A26433...

Date: August 2, 2023 | 10:05 AM PDT

Print name: Salvatore M. Coniglio

Title: Chief Executive Officer

Address: 50 California St., 24th floor

Phone: (414)-875-1000

San Francisco, CA 94111

RELEASE OF ADDITIONAL INFORMATION

I authorize the County and/or its representatives to request any information they find necessary to verify the applicant's technical, financial and legal qualifications to operate this franchise. Those who are asked for information related to this inquiry may accept a copy of this document as their authorization to release such information.

Recology Clackamas Inc. _____

Company Name

DocuSigned by:
Salvatore M. Coniglio
444C41D60A26433...
Signature

Chief Executive Officer
Title

August 2, 2023 | 10:05 AM PDT
Date

Salvatore M. Coniglio
Name (please print)

TRANSFEEE

1. I SHALL notify the County of any intent to change principal ownership or name of the business entity holding the franchise(s).
 YES NO
2. I SHALL submit a written request to receive the forms for Change in Control, Name Change, or Transfer of the Franchise Holder prior to either action occurring.
 YES NO
3. I SHALL notify the County of any intent to transfer the franchise(s) to another person or entity.
 YES NO
4. I SHALL be bound by the County's decision to accept or deny a Change in Control, Name Change, or Transfer of the franchise(s).
 YES NO
5. I recognize the County's authority to revoke the privileges of holding the franchise(s) associated with this Change in Control, Name Change, or Transfer without compensation.
 YES NO
6. I recognize the County's authority to realign the borders of the area served by this franchise.
 YES NO
7. I HAVE not willfully misrepresented the material facts or information given in this application for a franchise.
 YES NO
8. I SHALL not willfully misrepresent material facts or information given in a future application for a franchise.
 YES NO
9. I SHALL comply with all policies established by the County during the Franchise period.
 YES NO
10. I SHALL use only authorized disposal sites.
 YES NO
11. I SHALL notify the County of all disposal sites used at the time of this application and when those sites change.
 YES NO
12. I SHALL furnish the County with a Certificate of Insurance and comply with Section 10.03.160 B 4, 5 and 6 of the Clackamas County Solid Waste and Waste Management Code and any subsequent amendments of regulations adopted thereto.
 YES NO
13. I SHALL make accurate and timely franchise fee payments due the County under the Clackamas County Code and any subsequent amendments of regulations adopted thereto.
 YES NO

14. I SHALL submit, on forms provided by the County, the production records of the transferor beginning January 1 of the year of the transfer to the closest month end prior to the submittal of the request for transfer.
 YES NO
15. I SHALL separately submit, on forms provided by the County, the financial and production records of the transferor beginning January 1 of the year of the transfer to the date of the transfer as determined by the Board of County Commissioners. If the transfer takes place in the first quarter the submittal date shall be June 10; if in the second quarter the submittal date shall be September 10, if in the third quarter the , submittal date shall be September 10; in in the fourth quarter the submittal shall be the same as required for the annual financial review.
 YES NO
16. I SHALL separately submit, on forms provided by the County, the financial and production records produced by me after assuming operational responsibility of the franchise at the time of required submittal for the annual financial review.
 YES NO
17. I SHALL combine, on forms provided by the County, the financial and production records produced by the transferor prior to my assuming operational responsibility of this franchise, with the production records produced by me after assuming operational responsibility, in order to meet the County's requirement for generation of the annual financial review report.
 YES NO
18. I SHALL maintain collection vehicles, equipment, facilities and personnel commensurate with existing service.
 YES NO
19. I SHALL continue to serve customers at the level of service they are accustomed to at the time of the transfer.
 YES NO
20. I SHALL notify the County of any intention to change the level of service provided to customers at the time of the transfer.
 YES NO
21. I SHALL notify the County of any impending changes to collection vehicles, equipment, facilities and personnel (management and other County contacts) during the franchise period.
 YES NO
22. I SHALL secure written approval of the County prior to making changes to collection vehicles, and equipment affecting a change in service delivery from that of the transferor.
 YES NO
23. I SHALL not willfully refuse to provide adequate service in a defined service area.
 YES NO

24. I SHALL not willfully misrepresent the total number of customers or any other information relating to performing the operations necessary to comply with the Clackamas County Code and any subsequent amendments of regulations adopted thereto.
 YES NO

25. I SHALL not willfully violate the Clackamas County Code, Administrative Rules, ORS Chapter 459 and 459A, or the rules or regulations promulgated there under and any subsequent amendments of regulations adopted thereto.
 YES NO

26. I SHALL provide the best possible integrated solid waste collection service in the area served by my Clackamas County Franchise.
 YES NO

TRANSFeree (BUYER)

I/we agree to the above commitments and will attend any Board of County Commission or Solid Waste Commission meeting on this matter to answer any questions regarding the transfer of the franchise by any Board, Commission or staff member.

DocuSigned by:

Salvatore M. Coniglio

444C41D60A26453...
(signature)

(signature)

Salvatore M. Coniglio

(print name)

(print name)

Chief Executive Officer

Title

Title

DATE: August 2, 2023 | 10:05 AM PDT

TRANSFEROR (SELLER)

I/we agree to the transfer of the franchise to Transferee :

DocuSigned by:

Steve Schwab

4F0E426E3AG7436...
(signature)

DocuSigned by:

Carla Scheafer

0D1002DD12A0448...
(signature)

Steven M. Schwab

Carla Scheafer

(print name)

(print name)

Owner

Owner

Title

Title

DATE: August 2, 2023 | 10:09 AM PDT August 2, 2023 | 10:13 AM PDT



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

7/10/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Beecher Carlson Insurance Services 21650 Oxnard Street, Suite 1600 Woodland Hills, CA 91367 www.beechercarlson.com	CONTACT NAME: Beecher Carlson Insurance Services PHONE (A/C, No. Ext): 404-460-1400 FAX (A/C, No): 770-870-3043 E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	
INSURED Recology Clackamas Inc. 9345 N. Harborgate Street Portland OR 97203	INSURER A: ACE American Insurance Company NAIC # 22667	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES

CERTIFICATE NUMBER: 75249546

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> SIR: \$500,000 GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	<input checked="" type="checkbox"/>		XSL G27631460	10/1/2022	10/1/2023	EACH OCCURRENCE \$1,500,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$1,500,000 MED EXP (Any one person) \$0 PERSONAL & ADV INJURY \$1,500,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N <input checked="" type="checkbox"/> N/A If yes, describe under DESCRIPTION OF OPERATIONS below						<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

If additional insured (ADDL INSR) and/or subrogation waived (SUBR WVD) boxes are checked, applicable blanket policy endorsements apply in favor of the DESIGNATED ENTITY where required by written contract, but only as respects liability arising out of work performed by or on behalf of the insured.

DESIGNATED ENTITY: Clackamas County, their officers and employees

CERTIFICATE HOLDER**CANCELLATION**

Clackamas County Department of Transportation and Development Development Services Building 150 Beaver Creek Road Oregon City OR 97045	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE <i>Beecher Carlson Insurance Services, LLC</i> Beecher Carlson Insurance Services, LLC

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ACORD 25 (2016/03)

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ADDITIONAL INSURED – STATE OR POLITICAL SUBDIVISIONS – PERMITS OR AUTHORIZATIONS

Named Insured Recology Inc.			Endorsement Number 42
Policy Symbol XSL	Policy Number G27631460	Policy Period 10/01/2022 to 10/01/2023	Effective Date of Endorsement
Issued By (Name of Insurance Company) ACE American Insurance Company			

Insert the policy number. The remainder of the information is to be completed only when this endorsement is issued subsequent to the preparation of the policy.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.
This Endorsement modifies insurance provided under the following:
EXCESS COMMERCIAL GENERAL LIABILITY POLICY

SCHEDULE

State Or Political Subdivision: Any state or political subdivision that has issued a permit or authorization to you in connection with your operations.

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

A. Section II – Who Is An Insured is amended to include as an additional insured any state or governmental agency or subdivision or political subdivision shown in the Schedule, subject to the following provisions:

1. This insurance applies only with respect to operations performed by you or on your behalf for which the state or governmental agency or subdivision or political subdivision has issued a permit or authorization.

However:

- a. The insurance afforded to such additional insured only applies to the extent permitted by law; and
- b. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

2. This insurance does not apply to:

- a. "Bodily injury", "property damage" or "personal and advertising injury" arising out of operations performed for the federal government, state or municipality; or
- b. "Bodily injury" or "property damage" included within the "products-completed operations hazard".

B. With respect to the insurance afforded to these additional insureds, the following is added to Section III – Limits Of Insurance And Retained Limit:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
 2. Available under the applicable Limits of Insurance shown in the Declarations;
- whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

Authorized Representative

August 21, 2023

BY EMAIL

Rick Winterhalter
Clackamas County
2051 Kaen Road
Oregon City, OR 97045

RE: Letter of Intent to Enter into Contract with Recology Clackamas

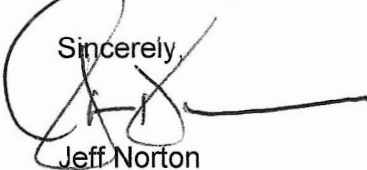
Dear Mr. Winterhalter,

Trilogy Medwaste, Inc. ("Trilogy") is pleased to provide this letter of intent to support Recology Clackamas ("Recology") as its subcontractor by collecting infectious waste from customers in the area currently served by S&C Licensing, LLC dba Sunset Garbage ("Sunset"). Trilogy is a trusted company with a national footprint that specializes in collection, transportation, treatment, and disposal of infectious waste.

Trilogy intends to enter into a contract with Recology upon the County's approval of the requested franchise transfer and close of the purchase transaction between Sunset and Recology. Under this agreement, Trilogy will provide for the collection, transportation, and disposal of infectious waste from all customers in Recology's Clackamas County franchise service area that request such service.

We look forward to providing these services and assisting Recology Clackamas in providing quality services to its customers in Clackamas County. Please feel free to contact me at [360-913-4877 or [jnorton@trilogymedwaste.com if you have any questions.

Sincerely,



Jeff Norton

Sr. District Manager, Trilogy Medwaste, Inc.