



Board Agenda Item 54

DATE: July 09, 2024

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director
Department of Public Works and Planning

SUBJECT: Amendment I to Agreement for Senate Bill 1383 Reporting Software

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute Amendment I to Agreement No. 22-493 with MSW Consultants, Inc. for Senate Bill 1383 Reporting Software, effective upon execution, with no change to the term of October 25, 2022 through October 24, 2027, not to exceed five consecutive years, which includes a three-year base term and two optional one-year terms, and increasing the maximum compensation amount by \$29,320 to a total of \$189,000.

Approval of the recommended action will authorize an Amendment to the current Agreement with MSW Consultants to assist Department of Public Works and Planning (Department) staff in monitoring and reporting implementation of Senate Bill 1383 (SB 1383) compliant solid waste programs to the Department of Resources Recycling and Recovery (CalRecycle). This item is countywide.

ALTERNATIVE ACTION(S):

Your Board may choose not to approve the recommended action. However, doing so may prevent the County from achieving compliance with SB 1383 timely reporting requirements, which could expose the County to regulatory enforcement action from CalRecycle which may include administrative penalties of \$10,000 per day for non-compliance.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. The recommended amendment would increase the maximum compensation amount to \$189,000. Sufficient appropriations and estimated revenues are included in the Department's Resources Division Org 9015 FY 2024-25 Budget Request and will be included in future recommended budgets for the duration of the term.

DISCUSSION:

On September 19, 2016, the State of California enacted SB 1383 (Chapter 395, Statutes of 2016), which focuses on organic waste management and establishes strict standards for achieving significant reductions in Short-Lived Climate Pollutants (SLCP), as part of its strategy for addressing air quality throughout the State. SB 1383 regulations require that jurisdictions provide periodic reporting of organic waste diversion efforts, waste generator data, and other compliance documentation.

To streamline regulatory reporting efforts, on October 25, 2022, the Board executed Agreement No. 22-493 with MSW Consultants to provide a cloud-based reporting software to assist Department staff with collection

of data for SB 1383 organic waste diversion reporting requirements to CalRecycle. The reporting software tool allows Department staff to upload pertinent organic waste generator data directly and securely, to input information regarding implementation of services, to monitor and track compliance activities, and other information needed to build reports for the Department and CalRecycle. MSW Consultants has met all performance standards as specified in the agreement and has been instrumental in the County's success thus far.

Accordingly, the proposed amendment allocates additional funds necessary to expand the reporting software's capabilities to better assist Department staff with collection of the increased quantity of data due to reporting requirements recently clarified by CalRecycle. Staff currently maintains records of the service levels for commercial customers, and additionally must maintain records of the service levels for residential customers.

REFERENCE MATERIAL:

BAI 53, March 28, 2023
BAI 8, March 14, 2023
BAI #62, October 25, 2022
BAI #66, June 7, 2022
BAI #13, May 17, 2022

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Amendment I to Agreement 22-493

CAO ANALYST:

Salvador Espino