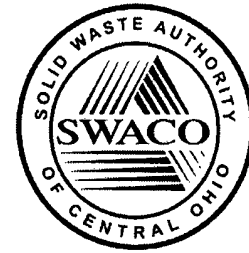


**SOLID WASTE AUTHORITY OF CENTRAL OHIO  
BOARD OF TRUSTEES MEETING**



**February 1, 2011**

**4239 London-Groveport Road  
Grove City, Ohio 43123**

**AGENDA**

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*Please fill out a speaker slip if you wish to address the Board of Trustees.*

- 1. Call to order of the regular February 1, 2011 meeting at 2:30 p.m.**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Approval of January 6, 2010 minutes**
- 5. Old Business**

**Resolution 156-10** repealing District Rules 13-2008 and 14-2008 exempting Generation Fees and Waiver Fees on Automotive Shredder Residue. (Tabled December 7, 2010)

- 6. New Business**

**Resolution 016-11** to convene into executive session in accordance with Ohio Revised Code 121.22 (G)(1) to consider personnel matters and (G)(3), to consider pending or threatened litigation.

**Audit & Finance Committee**

**Resolution 017-11** repealing Resolutions 136-07 and 22-09 regarding SWACO's accounts receivable policy, and granting authority to the Executive Director to promulgate and enforce such policy.

**Planning & Programs Committee**

**Resolution 018-11** authorizing the Executive Director to submit Market Development Grant applications to the Ohio Department of Natural Resources on behalf of the Center of Science and Industry and Novotec Recycling, LLC and if approved, enter into grant agreements for such Market Development Grants, and to amend the 2011 Operating Budget to authorize the expenditure (\$204,500).

**Resolution 019-11** authorizing the Executive Director to enter into an agreement with Allied Sources, LLC for the purposes of conducting a communications audit and preparation of a communications plan for SWACO's community outreach programs (\$65,000).

**Resolution 024-11** authorizing the Executive Director to provide a letter of support and to enter into a Memorandum of Understanding with the Franklin County Commissioners for the purpose of applying for a US EPA Environmental Workforce Development and Job Training Grant.

**Engineering, Operations & Compliance Committee**

**Resolution 020-11** authorizing a modification to the contract with Bair, Goodie and Associates, Inc. for general engineering services at the Franklin County Sanitary Landfill (\$150,000).

**Resolution 021-11** authorizing a contract with URS Corporation - Ohio to provide engineering services for the west entrance at the Franklin County Sanitary Landfill (\$200,000).

**Legal & Legislative Committee**

**Resolution 022-11** authorizing the Executive Director to modify the existing legal services agreement with the Plank Law Firm (\$25,000).

**Resolution 023-11** authorizing the Executive Director to modify the existing legal services agreement regarding the FirmGreen Project with the law firm of Squire, Sanders & Dempsey LLP (\$70,000).

**Board of Trustees Resolutions**

7. **Board Discussion**
8. **Executive Staff's Report**
  - A. **2011 SWACO Vision – Ron Mills**
  - B. **SWACO Strategic Plan – Albert Iosue**
  - C. **Exemption Rule - Source Separated Recyclables – Ron Mills**
9. **Staff Approved Contracts and Expenditures**
10. **Public Comment Period**

## **Upcoming Meetings**

**Joint Committee Meeting**  
**Planning and Programs Committee**  
**Engineering and Operations Committee**  
February 15, 2011 – 2:30 pm  
SWACO Administrative Office Building  
4239 London-Groveport Road  
Grove City, Ohio

**Administrative Services Committee**  
February 15, 2011 – 5:00 pm  
Frick Law Building  
1265 Neil Avenue  
Columbus, Ohio

**Board of Trustees Meeting**  
March 1, 2011 – 2:30 p.m.  
Solid Waste Authority of Central Ohio  
4239 London-Groveport Road  
Grove City, Ohio 43123

**Audit and Finance Committee**  
To be determined  
PNC Bank  
155 E. Broad Street – 7<sup>th</sup> Floor  
Columbus, Ohio 43215

**Legal and Legislative Committee**  
To be determined

## **11. Adjourn**



(Tabled December 7, 2010) RESOLUTION NO. 156-10

Repealing District Rules 13-2008 and 14-2008 exempting Generation Fees and Waiver Fees on Automotive Shredder Residue.

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**Planning and Programs Committee**

SWACO is granted the authority to adopt or revise rules for the establishment and maintenance of its solid waste district pursuant to Ohio Revised Code (ORC) Chapter 343.01(G).

Also, pursuant to ORC §3734.576 (B)(1) an Authority that has levied a Generation Fee under ORC 3734.573 may adopt a resolution exempting auto shredder residue (ASR) from that fee. ORC§3734.576(C) authorizes SWACO to eliminate any such exemption of ASR from its generation fee.

SWACO has historically exempted ASR from its generation and waiver fees and most recently confirmed those exemptions by adopting District Rule 13-2008 (exempting ASR from its generation fee) and District Rule 14-2008 (exempting ASR from its waiver fee) as part of a general revision of its Rules in Resolution 110-08.

Staff has determined that it is in SWACO's best interest to eliminate the exemptions for ASR contained in District Rules 13-2008 and 14-2008 for the reason that ASR's properties make it a desirable and cost effective filler for other solid waste disposed of at the Franklin County Sanitary Landfill (FCSL).

Requested by: Albert Iosue, Director of Planning & Programs

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**BE IT RESOLVED by the Board of Trustees of the Solid Waste Authority of Central Ohio that:**

1. District Rule 13-2008 (exempting ASR from the generation fee) and District Rule 14-2008 (exempting ASR from the waiver fee) are hereby repealed.
2. SWACO staff shall notify all owners and operators of solid waste disposal facilities and transfer facilities within the District of the elimination of the exemptions and such revocation shall become effective on the first day of the first month following the month in which such notification is sent.
3. This resolution shall be in full force and effect from and immediately upon its adoption.

### TERM SHEET FOR REPEAL OF ASR RULES

- Auto Shredder Residue (ASR) is defined in ORC§3734.576 to mean: “nonrecyclable residue that is generated as a direct result of processing automobiles, appliances, sheet steel, and other ferrous and nonferrous scrap metal through a hammermill shredder for purposes of recycling and that meets all of the following requirements:
  - (a) The residue is solid waste.
  - (b) The residue is not hazardous waste.
  - (c) The residue created during the recycling process comprises not more than 35% of the total weight of the material that is processed for recycling.
  - (d) The residue is generated by processing recycled materials that are to be sold, used, or reused within ninety days of the time when the material is processed.”
- ASR is “solid waste” under Ohio law and therefore subject to SWACO flow control authority and its fees.
- However SWACO has historically not required ASR to be disposed of at its designated facilities and exempted it from its fees except for a brief period when Ohio EPA took the position in its regulations that ASR could not be exempted from the generation fee imposed by ORC §3734.573 on all solid waste. The Ohio Legislature amended the statute effective in 2006 to override the EPA regulations and permit solid waste districts to waive the fees by resolution if they so chose. ORC§3734.576.
- SWACO then adopted Rules exempting ASR from its generation fee and waiver fees and from the need to request a designation waiver. The current ASR rules are numbered Rule 13-2008 and Rule 14-2008, copies of which are attached.
- The reason SWACO decided to waive designation and fees on ASR is not documented. However current staff believes the ASR exemption originated at the time MSW was being incinerated at the Waste To Energy Facility. Incineration of ASR created potential air pollutants and was therefore unwanted waste. However after the WTEF was demolished the waivers continued into the current District rules adopted in 2008.
- In 2009 over 50,000 tons of ASR were diverted from the Franklin County Sanitary Landfill (FCSL), on which no fees were paid.
- Staff has determined that there is no reason to continue to grant an automatic waiver of designation for ASR or exempt it from generation and waiver fees to which all other solid waste generated in the district are subjected. Rather, staff has determined that ASR is a desirable solid waste for disposal at the FCSL because it fills in spaces created by the disposal of other types of solid waste.
- Repeal of Rules 13-2008 and 14-2008 will require that all ASR generated in the District be delivered to SWACO Designated Facilities unless a waiver from designation is requested and approved by the Board of Trustees pursuant to the criteria established in District Rule 8-2008.

Resolution 156-10

Repealing District Rules 13-2008 and 14-2008 exempting Generation Fees and Waiver Fees on Automotive Shredder Residue.

Page 2 of 2

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Date Adopted: December 7, 2010

Vote:

For: 8 Against: 0 Abs: 0

Barry N. Frink  
Chairman, Board of Trustees

Lynda Rauer  
Secretary/Treasurer

[Signature]  
Approved as to form, Chief Counsel





**RESOLUTION NO. 016-11**

To convene into executive session in accordance with Ohio Revised Code 121.22 (G)(1) to consider personnel matters and (G)(3) to consider pending or threatened litigation.

**WHEREAS**, the Board of Trustees need to convene into executive session to consider personnel matters and pending or threatened litigation.

Now, therefore, upon motion of Trustee Honsey, seconded by Trustee Bush.

**Be it resolved by the Board of Trustees of the Solid Waste Authority of Central Ohio that:**

1. The Solid Waste Authority of Central Ohio Board of Trustees convenes into Executive Session in accordance with Ohio Revised Code 121.22 (G)(1) to consider personnel matters and (G)(3) to consider pending or threatened litigation.

Roll Call:	Voting Aye Thereon	Voting Nay Thereon
Colleen Briscoe	<input checked="" type="checkbox"/>	_____
Marilyn Brown/Ken Wilson	<input checked="" type="checkbox"/>	_____
David Bush	<input checked="" type="checkbox"/>	_____
Robert J. Clemons	<input checked="" type="checkbox"/>	_____
Bradley N. Frick	<input checked="" type="checkbox"/>	_____
Philip Honsey	<input checked="" type="checkbox"/>	_____
Mark Kelsey	<input checked="" type="checkbox"/>	_____
William Lotz, Sr.	<input type="checkbox"/>	_____
Steve Shepard	<input checked="" type="checkbox"/>	_____

Board of Trustees, Solid Waste Authority of Central Ohio  
I, hereby attest and certify that the votes recorded herein are true and correct.

2/01/11 Lynda [Signature]  
Date

Approved as to form: [Signature]  
Michael C. Mentel  
Chief Counsel  
Solid Waste Authority of Central Ohio



## RESOLUTION NO. 017-11

Repealing Resolutions 136-07 and 22-09 regarding SWACO's accounts receivable policy, and granting authority to the Executive Director to promulgate and enforce such policy.

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### Audit & Finance Committee

SWACO's current accounts receivable policy ("Policy") was amended by the Board of Trustees, with recommendation of staff, by Resolutions 136-07 and 22-09. The primary purpose and affect of these amendments was to reduce risk exposure by revising certain payment terms for credit accounts. Staff has undertaken a review and evaluation of the existing Policy and has determined it to be in SWACO's best interest to revise and update the Policy for clarity and in furtherance of good public policy.

Amendments to the Policy have historically been authorized by Board action. Given the varying degree of changes that regularly occur in this industry and the need to address necessary revisions in a timely manner, staff recommends that the Executive Director be granted the authority to implement the final Policy and make revisions, from time to time, as necessary. The Audit & Finance Committee of the Board of Trustees has reviewed the draft Policy and shall review all future revisions prior to finalization.

The Board of Trustees is being requested to repeal Resolutions 136-07 and 22-09 in their entirety and to authorize the Executive Director to implement the final Policy and make revisions, from time to time, as necessary. An interim draft Policy will be utilized for no more than 60 days until the final Policy is implemented.

Requested by: Lynda Sudderberg, Chief Financial Officer

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**BE IT RESOLVED by the Board of Trustees of the Solid Waste Authority of Central Ohio that:**

1. Resolutions 136-07 and 22-09 are hereby repealed in their entirety (the accounts receivable policy).
2. The Executive Director is hereby granted the authority to immediately implement an interim accounts receivable policy for no longer than 60 days. The Executive Director is granted the authority to implement a final policy and may at his discretion revise such policy from time to time, as necessary. The Audit & Finance Committee of the Board of Trustees shall review all future revisions prior to finalization.

**Resolution 017-11**

Repealing Resolutions 136-07 and 22-09 regarding SWACO's accounts receivable policy, and granting authority to the Executive Director to promulgate and enforce such policy.

Page 2 of 2

3. This resolution shall be in full force and effect from and immediately upon its adoption.

Date Adopted: February 1, 2011

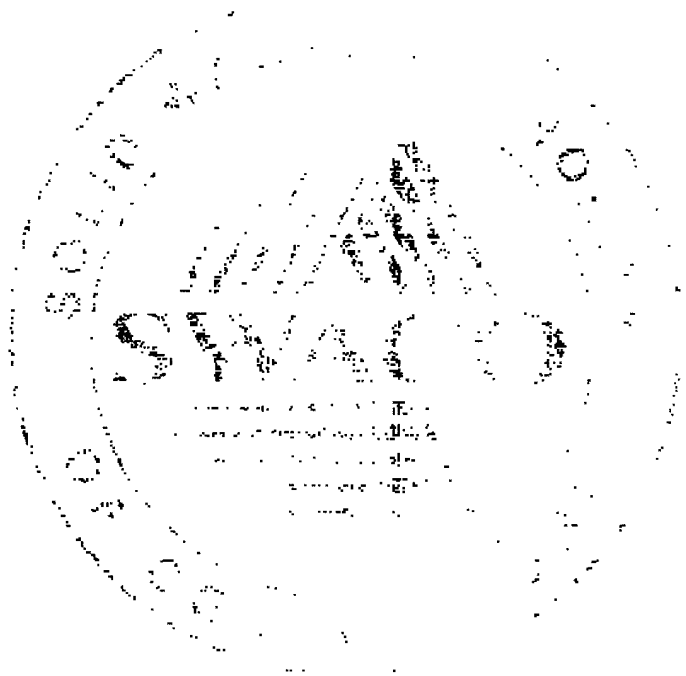
Vote:

For: 8 Against: 0 Abs: 0

Bradley N. Francis  
Chairman, Board of Trustees

Lynne R. ...  
Secretary/Treasurer

[Signature]  
Approved as to form, Chief Counsel





## RESOLUTION NO. 018-11

Authorizing the Executive Director to submit Market Development Grant applications to the Ohio Department of Natural Resources on behalf of the Center of Science and Industry and Novotec Recycling, LLC and if approved, enter into grant agreements for such Market Development Grants, and to amend the 2011 Operating Budget to authorize the expenditure (\$204,500).

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### Planning and Programs Committee

#### Background:

The Ohio Department of Natural Resources (ODNR), Division of Recycling and Litter Prevention, offers annual Market Development Grants for the purpose of improving the markets for recyclable materials and related products. Selected grants are sponsored and administered by SWACO, and the funds received from ODNR are passed through SWACO to the awarded entities for their approved projects.

The Center of Science and Industry (COSI) has requested that SWACO sponsor their application for a Market Development Grant to increase recycling at COSI by installing a cardboard baler and training in-house custodial staff in its operation. If approved by ODNR, SWACO would enter into grant agreements with ODNR and COSI for the proposed project. The estimated project cost is \$28,000 and a 100% match is required from the applicant, which results in a grant request of \$14,000.

Novotec Recycling, LLC (Novotec) has requested that SWACO sponsor their application for a Market Development Grant to develop a manufacturing and processing facility to process glass generated from electronics, and other waste streams into useable commercial products. If approved by ODNR, SWACO would enter into grant agreements with ODNR and Novotec for the proposed project. The estimated project cost is \$381,000 and a 100% match is required from the applicant, which results in a grant request of \$190,500.

The term of the Market Development Grant is two years. Additionally, it is necessary to amend the budget to provide budget authority for expenditures related to the grant. The budget will be amended on a case-by-case basis for such grants going forward.

Requested by: Albert Iosue, Director of Planning & Programs

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**BE IT RESOLVED** by the Board of Trustees of the Solid Waste Authority of Central Ohio that:

1. The Executive Director is authorized to submit a Market Development Grant application to the Ohio Department of Natural Resources on behalf of the Center of Science and Industry and Novotec Recycling, LLC.

Resolution 018-11

Authorizing the Executive Director to submit Market Development Grant applications to the Ohio Department of Natural Resources on behalf of the Center of Science and Industry and Novotec Recycling, LLC, and if approved, enter into grant agreements for such Market Development Grants, and to amend the 2011 Operating Budget to authorize the expenditure (\$204,500).

Page 2 of 2

2. Upon approval of the Market Development Grant application by the Ohio Department of Natural Resources, the Executive Director is authorized to enter into grant agreements with the Ohio Department of Natural Resources and the Center of Science and Industry in an amount not to exceed \$14,000, and enter into grant agreements with the Ohio Department of Natural Resources and Novotec Recycling, LLC in an amount not to exceed \$190,500, and in accordance with the terms as specified in ODNR's Grant Application form, ODNR's Grant Managers Manual, and the applicant's grant application.

3. The following budget amendment is hereby approved for the year ending December 31, 2011:

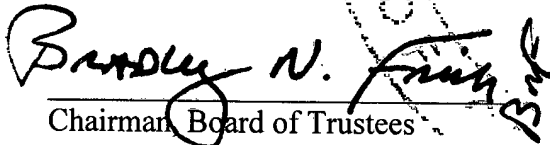
<u>Account Category</u>	<u>Amount</u>
Pass-through grants	\$ 204,500

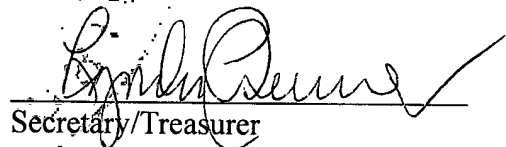
4. This resolution shall be in full force and effect from and immediately upon its adoption.

Date Adopted: February 1, 2011

Vote:

For: 8 Against: 0 Abs: 0

  
Chairman, Board of Trustees

  
Secretary/Treasurer

  
Approved as to form, Chief Counsel



## RESOLUTION NO. 019-11

Authorizing the Executive Director to enter into an agreement with Allied Sources, LLC for the purposes of conducting a communications audit and preparation of a communications plan for SWACO's community outreach programs (\$65,000).

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### Planning and Programs Committee

SWACO provides information and manages outreach programs that benefit all District member communities, commercial and industrial business, educational institutions, non-profit organizations, and citizens of Franklin County. SWACO promotes waste reduction, product reuse, and recycling efforts at various venues and facilities within SWACO's District. SWACO's messaging and branding is critical to the success of such programs and meeting specific Solid Waste Management Plan goals as described in SWACO's Approved, Amended Solid Waste Management Plan.

During SWACO's last rate increase campaign in 2010, it was clearly evident that SWACO must improve communications with its District partners. Communities requested that SWACO be more visible and provide additional information regarding program offerings to assist them in waste reduction efforts, thus resulting in reduced reliance on landfilling.

SWACO's past communication efforts have operated independently of each other for many years which has resulted in mixed results and limited effectiveness. The development of an effective communications & outreach plan, with specific messaging requirements, will bring all SWACO community outreach efforts under a single theme and enable SWACO to better educate the public and local communities about the benefits that SWACO provides. This plan will include an internal & external audit to identify SWACO's current communication practices and determine their effectiveness. Following the audit, Allied Sources, LLC will prepare a communications and outreach plan that will assist SWACO in providing better service to our communities and other customers.

Funding for this work is included in the 2011 program budget.

Requested by: Albert Iosue, Director of Planning & Programs

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**BE IT RESOLVED** by the Board of Trustees of the Solid Waste Authority of Central Ohio that:

1. The Executive Director is authorized to enter into an agreement with Allied Sources, LLC for the purposes of conducting a communications audit and preparation of a communications plan and to expend an amount not to exceed \$65,000.
  2. This resolution shall be in full force and effect from and immediately upon its adoption.
-

Resolution 019-11

Authorizing the Executive Director to enter into an agreement with Allied Sources, LLC for the purposes of conducting a communications audit and preparation of a communications plan for SWACO's community outreach programs (\$65,000).

Page 2 of 3

Date Adopted: February 1, 2011

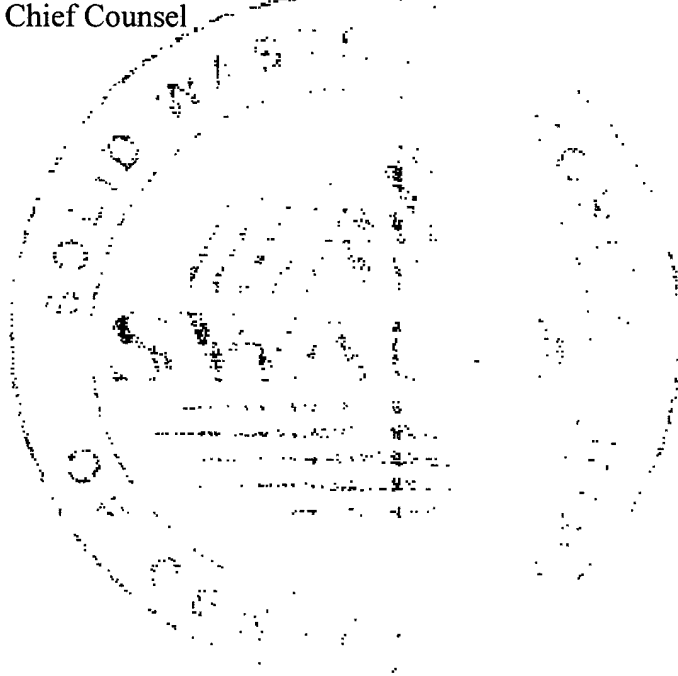
Vote:

For: 8 Against: 0 Abs: 0

Bradley N. Friedman  
Chairman, Board of Trustees

Lynne R. ...  
Secretary/Treasurer

[Signature]  
Approved as to form, Chief Counsel



Authorizing the Executive Director to enter into an agreement with Allied Sources, LLC for the purposes of conducting a communications audit and preparation of a communications plan for SWACO's community outreach programs (\$65,000).

**Process**

- SWACO advertised in the Columbus Dispatch on April 14, 2010, inviting "Requests For Qualifications"
- 16 firms downloaded the RFQ document from the SWACO website
- Four Qualification Statements were received on April 28, 2010
- Qualification Statements were evaluated by SWACO staff
- Two firms were chosen for interviews (Allied Sources Inc. & Paul Werth Associates).
- SWACO staff conducted the interviews on June 4, 2010 and June 8, 2010
- Allied Sources Inc was selected as the firm that best fit the needs of SWACO.

Firms Responding to SWACO RFO for Communications Audit & Communications Plan

Allied Sources	Hilliard, Ohio
Paul Werth Associates	Columbus, Ohio
McGann Media	Columbus, Ohio
David Hopcraft	Columbus, Ohio

**Budget**

SWACO budgeted \$65,000 for ~~2011~~ under project D-303, "Public Relations" for the development of a Communications Plan & Audit.

**Scope of Services**

- Review current SWACO print, broadcast, and social media (as well as speeches and presentations) to determine strengths as well as areas that can be improved upon for the delivery of the SWACO message.
- Conduct opinion research to determine SWACO's level of awareness with staff, residents, and community leaders.
- Review/analyze data collected to determine the foundation for future SWACO messaging to stakeholders.

**Deliverables**

- Create long term message for SWACO (reference point), that all community outreach to stakeholders will focus
- Guided by reviews, opinion research, and analyzing of data, develop a long term communications plan that focuses on positioning SWACO as a valuable asset to Franklin County and its residents.



RESOLUTION NO. 020-11

Authorizing a modification to the contract with Bair, Goodie and Associates, Inc. for general engineering services at the Franklin County Sanitary Landfill (\$150,000).

Engineering, Operations and Compliance Committee

Previously, SWACO entered into a three-year contract with Bair, Goodie and Associates, Inc. (Bair Goodie) for general engineering services at the Franklin County Sanitary Landfill. The tasks assigned to Bair Goodie during 2010 include both capital and operational projects and will require an increase to the contract amount and to authorize Consumer Price Index based increases of the hourly rates. Staff recommends the Board of Trustees approve the requested \$150,000 contract amount increase. Total compensation under the contract shall not exceed \$300,000. Funding is included in both the 2011 Operating Budget and Capital Improvements Plan. It is not necessary to increase the contract term to complete the services.

Requested by: Jack Stacy, Senior Director of Landfill Operations and Development

BE IT RESOLVED by the Board of Trustees of the Solid Waste Authority of Central Ohio that:

- 1. The Executive Director is authorized to execute a contract modification with Bair, Goodie and Associates, Inc. for general engineering services at the Franklin County Sanitary Landfill, and to expend an amount not to exceed \$300,000.
2. This resolution shall be in full force and effect from and immediately upon its adoption.

Date Adopted: February 1, 2011

Vote: For: 8 Against: 0 Abs: 0

Bradley N. Frisvold
Chairman, Board of Trustees

Secretary/Treasurer

Approved as to form, Chief Counsel

Authorizing a modification to the contract with Bair, Goodie and Associates, Inc. for general engineering services at the Franklin County Sanitary Landfill. (\$150,000).

### Contract History

Resolution 182-09 authorized entering into the contract. The contract with Bair, Goodie and Associates, Inc. for general engineering services at the Franklin County Sanitary Landfill was executed on December 31, 2009 and is set to expire on December 31, 2012.

### Reasons for Modifications

#### Annual Consumer Price Index based labor rate increases:

The term sheet included in resolution 182-09 did not present the contract language allowing consumer price index based labor rate increases. This resolution presents the language for authorization. Based on the 2010 indexes cited the language allows an increase of 1.42 percent in labor rates.

The language follows:

- 2.1.1. With the consent of SWACO, which consent SWACO may withhold for any or no reason, Associate may, on the annual anniversary date of this Contract, increase the rate or fee schedules set forth in the Contract or any documents incorporated into this Contract by reference in an amount not to exceed the change in the Consumer Price Index, All Urban Consumers (CPI-U) (index base period 1982-1984=100) as published by the U.S. Department of Labor's Bureau of Labor Statistics (BLS).
- 2.1.2. In determining the adjustment percentage, the arithmetic average of the CPI-U index for the U.S. City Average, the Cleveland-Akron-Lorain OH Area, and the Cincinnati-Hamilton OH-KY-IN Area, shall be used in the calculating such adjustment.
- 2.1.3. The adjustment shall be calculated by first determining the index point change between the first day of the immediately preceding year of the Contract and the first day of the current year of the Contract, and then determining the percent change in the CPI between the two years of the Contract term for each of the three CPI-U indexes indicated in paragraph 2.1.1 above. The parties acknowledge and agree that the following example is an accurate illustration of the computation of the percent change in CPI index:

CPI for first month of current year of the Contract term	136.0
Less CPI for first month previous year of the Contract term	129.9
Equals index point change	6.1
Divided by the CPI for the first month of the previous year of the Contract term	129.9
Equals	0.047
Multiplied by 100	0.047 x 100
Equals percent change in CPI to be used in determining the CPI adjustment:	4.7%

Resolution 020-11

Authorizing a modification to the contract with Bair, Goodie and Associates, Inc. for general engineering services at the Franklin County Sanitary Landfill. (\$150,000).

Page 3 of 3

If the hourly rate for a person is \$100.00 per hour, the increase in the hourly rate would \$4.70 cents or \$100.00 multiplied by 4.7%

**Increase in Contract Amount:**

Bair, Goodie and Associates, Inc. is providing services for various capital and operations projects and an increase to the contract amount is necessary to complete the services during 2011. The services and dollar amount committed to tasks assigned are illustrated below:

January 2011

Task Description	Location	Budget	Task Amount	Amended	Task Total
H3 Earthwork Certification-Surveying	Complete	Capital	\$33,000		\$33,000
Leachate Pond Surveying	Complete	Capital	\$1,500		\$1,500
2010 Transitional Cover Engineering and CQA	Partial	Capital	\$55,000		\$55,000
Fill Planning-Lift Models	On-Going	Operations	\$30,000	\$30,000	\$60,000
Site Utility Mapping	On-Going	Operations	\$10,000		\$10,000
Barr Property Survey	Complete	District	\$10,000		\$10,000
2011 Engineering and/or Certification Surveying (various projects)	On-Going	Capital		\$125,000	\$125,000
				<b>Total</b>	<b>\$294,500</b>



Authorizing a contract with URS Corporation - Ohio to provide engineering services for the west entrance at the Franklin County Sanitary Landfill (\$200,000).

Engineering, Operations and Compliance Committee

SWACO has a need for engineering services for design and construction of a west entrance at the Franklin County Sanitary Landfill. The initial scope of services will include, but not be limited to, assisting SWACO personnel with planning, obtaining required permissions and/or permits, assisting with negotiations with the State, the County, and Townships, defining second scope of services for site civil design, roadway design, weigh facility and associated communications systems, and other services required to design and construct the proposed facility. The contract will subsequently be modified to fund the services necessary to design and construct the facility. Funding is included in the Capital Improvements Plan.

SWACO staff solicited qualifications per SWACO's Procurement Policy and the State of Ohio's Design Professional Selection Law to contract for these services. After evaluating the qualification statements and ranking firms, SWACO staff has deemed URS Corporation - Ohio qualified to perform these services.

Requested by: Jack Stacy, Senior Director of Landfill Operations and Development

BE IT RESOLVED by the Board of Trustees of the Solid Waste Authority of Central Ohio that:

- 1. The Executive Director is authorized to execute a contract with URS Corporation - Ohio consistent with the attached Term Sheet, Exhibit A, for general engineering services at the Franklin County Sanitary Landfill, and to expend an amount not to exceed \$200,000.
2. This resolution shall be in full force and effect from and immediately upon its adoption.

Date Adopted: February 1, 2011

Handwritten signature of Bradley N. Frantz, Chairman, Board of Trustees

Vote: For: 8 Against: 0 Abs: 0

Handwritten signature of Secretary/Treasurer

Handwritten signature of Chief Counsel, Approved as to form, Chief Counsel

Resolution 021-11

Authorizing a contract with URS Corporation - Ohio to provide engineering services for the west entrance at the Franklin County Sanitary Landfill (\$200,000).

Page 3 of 3

## RFQ SUMMARY

### Selection Process

- SWACO publicly advertised this project in the Columbus Dispatch on December 6, 2010 and made the RFQ packet available.
- Proposals were due on January 4, 2011.
- Nine proposal packages were received by SWACO one of which was disqualified due to a submittal irregularity. Eight proposal packages were evaluated by SWACO staff.
- URS Corporation - Ohio. was deemed most qualified to perform the services.

### Proposers

Rank	Firm	Location	Points
1	URS Corporation - Ohio	Columbus/Akron, OH	1073
2	Burgess & Niple, Inc.	Columbus, OH	1032
3	DLZ	Columbus, OH	968
4	EMH&T	Columbus, OH	963
6	Malcolm Pirnie, Inc.	Columbus, OH	930
7	ms consultants, inc.	St Charles, IL	912
8	Diversified Engineering Inc.	New Philadelphia, OH	812
9	Hockaden and Associates, Inc.	Columbus, OH	795

Exhibit A – Resolution 021-11

Authorizing a contract with URS Corporation - Ohio to provide engineering services for the west entrance at the Franklin County Sanitary Landfill (\$200,000).

Page 2 of 3

TERM SHEET

Description

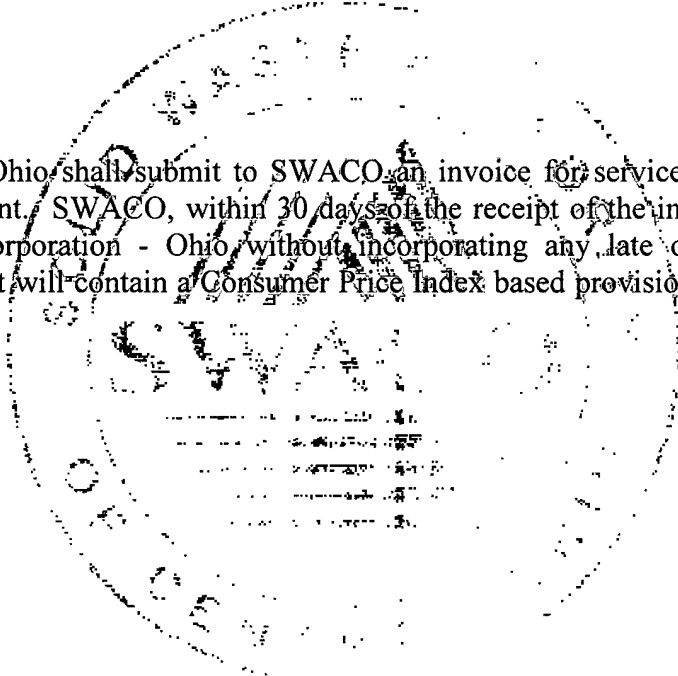
URS Corporation - Ohio will provide engineering services for planning, design and construction of a west entrance at the Franklin County Sanitary Landfill. The initial phase of the work will define the scope of services required to design and construct the facility.

Term of agreement

This is a three-year contract and will follow the normal SWACO terms of cancellation.

Terms of Payment

URS Corporation - Ohio shall submit to SWACO an invoice for services provided under the terms of the agreement. SWACO, within 30 days of the receipt of the invoice, shall make the payment to URS Corporation - Ohio without incorporating any late or delinquent penalty charges. The contract will contain a Consumer Price Index based provision to allow adjustment of labor rates.





Authorizing the Executive Director to modify the existing legal services agreement with the Plank Law Firm (\$25,000).

Legal and Legislative Committee

SWACO entered into an agreement with the Plank Law Firm ("Plank") early in 2010 to act as SWACO's outside legal counsel with respect to certain real estate matters, including an eminent domain action instituted by the City of Grove City to appropriate real property in connection with the I-71/Rt. 665 interchange project. Since that time SWACO has asked Plank to represent it in other real estate matters, including the sale of the "RASTRA" building at 2512 Jackson Pike to the City of Columbus and the potential purchase of the 'Barr' property on Route 62 and financing related thereto.

The agreement with Plank has been modified three times before to add additional compensation in view of the additional projects. This modification will allow Plank to continue its representation of SWACO in the matters assigned to Plank.

Requested by: Michael C. Mentel, Chief Counsel

BE IT RESOLVED by the Board of Trustees of the Solid Waste Authority of Central Ohio that:

1. The Executive Director is authorized to add an additional amount of \$25,000 to the existing legal service agreement with Plank, and to expend a total amount under such agreement to an amount not to exceed \$75,000.
2. This resolution shall be in full force and effect from and immediately upon its adoption.

Date Adopted: February 1, 2011

Vote: For: 7 Against: 0 Abs: 1

Bradley N. Frisvold  
Chairman, Board of Trustees

Lynda Decker  
Secretary/Treasurer

[Signature]  
Approved as to form, Chief Counsel



**RESOLUTION NO. 023-11**

Authorizing the Executive Director to modify the existing legal services agreement regarding the FirmGreen Project with the law firm of Squire, Sanders & Dempsey LLP (\$70,000).

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**Legal and Legislative Committee**

SWACO previously entered into a landfill gas processing project consisting of multiple agreements with FirmGreen Fuels of Ohio LLC and FirmGreen, Inc. The project is the subject of disputes between the parties which have been asserted in Claims and Counterclaims in a lawsuit filed by SWACO and pending in the Franklin County Court of Common Pleas.

SWACO retained the law firm of Squire, Sanders & Dempsey LLP as outside counsel to represent it in matters related to these disputes and the lawsuit. Events subsequent to the initial filing of the lawsuit resulted in further claims and the need to amend the pleadings twice. In addition, discovery both in-state and out-of-state, has been initiated and will continue throughout the coming months, as will anticipated motion practice. As a result the contract amount for this legal services Agreement must be increased to assure sufficient funding for the litigation.

Requested by: Michael C. Mentel, Chief Counsel

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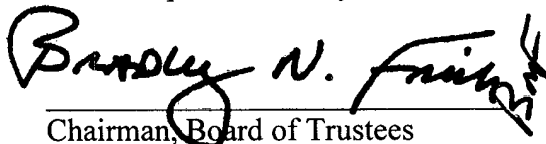
**BE IT RESOLVED** by the Board of Trustees of the Solid Waste Authority of Central Ohio that:

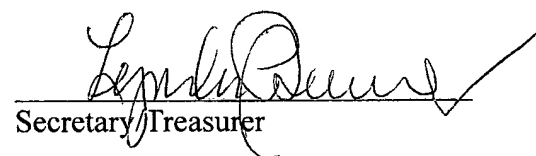
1. The Executive Director is authorized to increase the contract amount under SWACO's Agreement with Squire, Sanders & Dempsey LLP by an additional \$70,000 to a total amount of \$210,000.
2. This resolution shall be in full force and effect from and immediately upon its adoption.

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Date Adopted: February 1, 2011

Vote:  
For: 8 Against: 0 Abs: 0

  
Chairman, Board of Trustees

  
Secretary/Treasurer

  
Approved as to form, Chief Counsel



## RESOLUTION NO. 024-11

Authorizing the Executive Director to provide a letter of support and to enter into a Memorandum of Understanding with the Franklin County Commissioners for the purpose of applying for a US EPA Environmental Workforce Development and Job Training Grant.

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### Planning and Programs Committee

SWACO has a large quantity of raw landfill gas that is available at the Franklin County Sanitary Landfill resulting from the degradation of solid waste in the landfill. This landfill gas can be collected and processed in order to manufacture compressed natural gas (CNG). This innovative technology can result in substantial vehicle fuel to be used by fleet vehicles for various transportation purposes.

The US EPA has made \$4 million available for entities to deliver environmental workforce development and job training programs that focus on environmental training and other areas of environmental focus. The US EPA intends to award a total of 13 grants, each with a maximum award amount of \$300,000.

As a cooperative effort to create jobs in the region, SWACO will partner with Franklin County, the Southwestern City School District (SWCS), and Columbus State Community College (CSCC) on the grant proposal. Franklin County will be the grant applicant and provide administration of the grant and SWACO, SWCS, and CSCC will be integral components in preparing a successful grant application.

The focus of the grant is to develop an emerging technology curriculum at CSCC that can provide students a skilled learning opportunity once they have completed the SWCS Technology Program. This curriculum will focus primarily on the repair and maintenance of CNG engines in various vehicle types. With SWACO's ability to produce large amounts of CNG at the landfill, this grant will focus on the ability to maintain the operation of large transportation fleets resulting from the conversion of vehicles to CNG. In an effort to build an alternative fuel infrastructure around the landfills production of CNG, vehicle and engine maintenance will become an integral part of SWACO's alternative fuel vision.

The formal grant application is due to the US EPA on or before March 18, 2011. Passage of this resolution will permit the Executive Director to provide a letter of support to Franklin County for inclusion with this grant application and also permit the Executive Director to execute a Memorandum of Understanding with Franklin County to detail the requirements of both parties related to the grant program.

No financial assistance will be provided by SWACO in response to this grant application.

Requested by: Albert Iosue, Director of Planning & Programs

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Resolution 024-11

Authorizing the Executive Director to provide a letter of support and to enter into a Memorandum of Understanding with the Franklin County Commissioners for the purpose of applying for a US EPA Environmental Workforce Development and Job Training Grant.

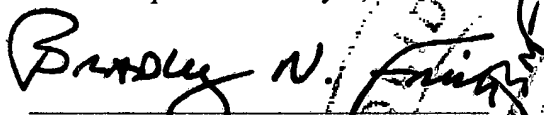
Page 2 of 2


**BE IT RESOLVED** by the Board of Trustees of the Solid Waste Authority of Central Ohio that:


1. The Executive Director is authorized to provide a letter of support and to enter into a Memorandum of Understanding with the Franklin County Commissioners for the purpose of applying for a US EPA Environmental Workforce Development and Job Training Grant.
2. This resolution shall be in full force and effect from and immediately upon its adoption.

Date Adopted: February 1, 2011

Vote:  
For: 8 Against: 0 Abs: 0

  
\_\_\_\_\_  
Chairman, Board of Trustees

  
\_\_\_\_\_  
Secretary/Treasurer

  
\_\_\_\_\_  
Approved as to form, Chief Counsel