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Saturday, May 31, 2014

## Trash Collection, Landfill Contract Complications



The City of San Angelo's Trash Collection and Landfill Operation Request for Proposal [specified](#) the following Activity Schedule, which seemed tight if the city seriously wanted to consider anyone but the current provider, Trashaway-Republic:

February 11 -- RFP OP-01-14 Available

February 25 -- Pre-Proposal Conference

March 5 -- Deadline for Questions on RFP  
March 14 -- Proposals Due to City  
March 17-20 -- Review Questions/Clarifications to Proposers  
March 27-28 -- Proposer Interviews (**this did not occur**)  
April 15 -- Council Authorization to Negotiate (**came early on April 1**)  
April 16-29 -- Negotiations  
May 6 -- Council Agenda Item (**this has not occurred and is not on June 3 City Council Agenda**)  
  
August 1 -- Lessee/Operator Commences Services

City staff skipped proposer interviews and City Council approved negotiating with Trashaway-Republic two weeks early on April 1. Revelations of Trashaway-Republic's unauthorized billing of certain fees to commercial customers came around April 15. Since then everything's been quiet.

The bid criteria state:

The prospective **primary participant certifies** to the best of its knowledge and belief that **it and its principals**:

- (a) Are not presently debarred, suspended, proposed for disbarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for **commission of fraud** or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are **not presently indicted for** or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification

I imagine insiders are attempting to navigate treacherous waters. The City of San Angelo bears liability for the unauthorized charges as it received a portion of the monies and it never audited commercial customer bills for contract compliance.

How does one give a long term contract to a company that collected **unwarranted fees** for years? This will be an interesting story to watch.