Memorandum

From: Rich Rainer, Town Administrator
To: Portsmouth Town Council

Subj: SOLID WASTE AND RECYCLING SERVICES AGREEMENT BETWEEN RHODE ISLAND RESOURCE RECOVERY CORPORATION AND THE TOWN OF PORTSMOUTH


2. As of 6:00 AM, Monday, July 1, 2019, any municipality which delivers solid waste to the Corporation for disposal without having submitted a signed FY 2020-2021 Agreement will be charged the over the cap disposal fee of $80/ton. The tons of solid waste delivered during that time will count against the municipal solid waste cap.

3. The following summarizes the substantive changes made to the Agreement:
   - The current $47 per ton fee for municipal solid waste (MSW) disposal has been locked in for both FY 2020 and FY 2021.
   - The over the cap fee has increased from $67/ton to $80/ton as approved by RIRRC’s Board of Commissioners.
   - A 30-day municipal notice period is now required prior to revision of any the Agreement’s attachments (excluding the fee schedule, which is locked in for the term of the agreement).
   - The requirement for municipalities to apply to the Corporation for permission to use a transfer station to transship recyclables has been expanded to also include transshipment of solid waste.
   - The amount of time the Corporation must notify municipalities of rejected mixed recycling loads has been reduced from 48 to 24 hours.
   - The tip fee rebate program has been revised to include a one percent increase in the qualifying percentages for FY21 and notification that the rebate will not be supported beyond this contract term.
   - The reference that the Corporation may refuse to provide municipalities with disposal and recycling services and that municipalities may refuse to bring its MSW and recyclables to corporate facilities pending failure of the parties to perform under the obligations within the contract has been deleted.
   - Language that previously implied that the municipality had a right to terminate the agreement pending reassignment by the Corporation has also been stricken as have the mutual indemnification statements.
   - Municipal recycling and solid waste diversion plans are now incorporated into the Agreement as an addendum required by law.

4. I recommend approval of the contract.

Very respectfully,
Rich Rainer