

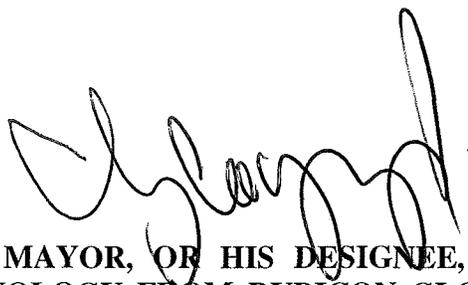


16-R-4456

A RESOLUTION BY COUNCILMEMBER IVORY LEE YOUNG JR. AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT A DONATION OF SERVICES AND TECHNOLOGY FROM RUBICON GLOBAL, LLC, FOR THE PURPOSE OF PARTICIPATING IN SPECIAL PROCUREMENT FC-9229, CONSULTING SERVICES FOR MUNICIPAL WASTE PILOT PROGRAM, FOR SERVICES VALUED AT FOUR HUNDRED FORTY-THREE THOUSAND EIGHT HUNDRED EIGHTY DOLLARS AND ZERO CENTS (\$443,880.00); TO AUTHORIZE THE DESIGNATION OF A SPECIAL PROCUREMENT FOR CONSULTING SERVICES PURSUANT TO CITY CODE SECTION 2-1191.1; TO AUTHORIZE THE MAYOR OR HIS DESIGNEE TO ENTER INTO ANY APPROPRIATE AGREEMENT(S) FOR PARTICIPATION IN THE WASTE DATA PILOT PROJECT; AND FOR OTHER PURPOSES.

| Certified by Presiding Officer  | Certified by Clerk |
|---|--------------------|
|   |                    |
| <p style="text-align: center;">Mayor's Action<br/><i>See Authentication Page Attachment</i></p> |                    |

**A RESOLUTION  
BY FINANCE/EXECUTIVE COMMITTEE**



**A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ACCEPT A DONATION OF SERVICES AND TECHNOLOGY FROM RUBICON GLOBAL, LLC, FOR THE PURPOSE OF PARTICIPATING IN SPECIAL PROCUREMENT FC-9229, CONSULTING SERVICES FOR MUNICIPAL WASTE PILOT PROGRAM, FOR SERVICES VALUED AT FOUR HUNDRED FORTY THREE THOUSAND EIGHT HUNDRED EIGHTY DOLLARS AND ZERO CENTS (\$443,880.00); TO AUTHORIZE THE DESIGNATION OF A SPECIAL PROCUREMENT FOR CONSULTING SERVICES PURSUANT TO CITY CODE SECTION 2-1191.1; TO AUTHORIZE THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO ANY APPROPRIATE AGREEMENT(S) FOR PARTICIPATION IN THE WASTE DATA PILOT PROJECT; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta (“the City”) has demonstrated its commitment to becoming a top-tier city for sustainability through adopting ambitious zero-waste and recycling goals; and

**WHEREAS**, Rubicon Global, LLC (“Rubicon”) is an asset-light, technology-enabled platform that is revolutionizing the waste and recycling industry; and

**WHEREAS**, Rubicon has proposed the establishment of a six (6)-month Waste Data Pilot Project (“Pilot Project”) between the City and Rubicon to allow the City to test a suite of technological resources designed to improve residential waste and recycling systems; and

**WHEREAS**, through participation in the Pilot Project with Rubicon, the City will gain access to a suite of services that will create operational efficiency, improve customer service, and increase code enforcement capabilities in City waste and recycling operations; and

**WHEREAS**, the Pilot Project will provide valuable planning data to the City that will inform policy decisions with regard to recycling education efforts, optimizing driver routes, and minimizing vehicle emissions from the City’s solid waste fleet; and

**WHEREAS**, the City, on behalf of the Department of Public Works, desires to accept the services offered by Rubicon through the Pilot Project valued at up to Four Hundred FortyThree Thousand Eight Hundred Eighty Dollars and Zero Cents (\$443,880.00); and

**WHEREAS**, the Director of the Mayor’s Office of Sustainability requested a special procurement authorization to procure the above-referenced services from Rubicon; and

**WHEREAS**, pursuant to Section 2-1191.1 of the City Code of Ordinances, the Chief Procurement Officer may procure supplies, services or construction items through special procurement contracts under certain conditions; and

**WHEREAS**, pursuant to Section 2-1191.1 of the City Code of Ordinances, the Chief Procurement Officer has evaluated the Director of Sustainability’s request for special procurement authorization and determined that appropriate circumstances exist to authorize the requested special procurement; and

**WHEREAS**, the Commissioner of Public Works, the Director of the Mayor's Office of Sustainability, and the Chief Procurement Officer recommend authorizing the execution of any appropriate agreement(s) with Rubicon, accept donated services and technology in an amount not to exceed Four Hundred Forty-Three Thousand Eight Hundred Eighty Dollars and Zero Cents (\$443,880.00), pursuant to Code Section 2-1191.1; and

**WHEREAS**, the City has not agreed to any monetary engagement after the initial pilot; and

**WHEREAS**, it is desirable and in the best interest of the City to participate in this Pilot Project and accept the services offered.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES**, that the Mayor, or his designee, is authorized to accept the hardware, software, and services donated to the City from Rubicon through the Pilot Project valued at up to Four Hundred Forty Three Thousand Eight Hundred Eighty Dollars and Zero Cents (\$443,880.00); and

**BE IT FURTHER RESOLVED**, the Mayor, or his designee, is authorized to enter into a special procurement with Rubicon for consulting services; and

**BE IT FURTHER RESOLVED**, that the Mayor, or his designee, is authorized to enter into appropriate agreement(s), including but not limited to a Memorandum of Understanding, for participation in the Pilot Project; and

**BE IT FINALLY RESOLVED**, that this acceptance of hardware, software, and services and any appropriate agreement(s) will not become binding on the City, and the City will incur no obligation or liability under it, until it has been approved by the City Attorney as to form, executed by the Mayor, attested to by the Municipal Clerk, and delivered Rubicon.



## CITY OF ATLANTA

Kasim Reed  
Mayor

SUITE 1900  
55 TRINITY AVENUE, SW  
ATLANTA, GA 30303  
(404) 330-6204 Fax: (404) 658-7705  
Internet Home Page: [www.atlantaga.gov](http://www.atlantaga.gov)

DEPARTMENT OF PROCUREMENT  
Adam L. Smith, Esq., CPPO, CPPB, CPPM, CPP  
CIPC, CISCC, CIGPM, CPPC  
Chief Procurement Officer  
[asmith@atlantaga.gov](mailto:asmith@atlantaga.gov)

September 20, 2016

### PROCUREMENT CODE SECTION 2-1191.1 SPECIAL PROCUREMENT DESIGNATION FC-9229, Consulting Services for Municipal Waste Pilot Program

Pursuant to City of Atlanta Code of Ordinances Section 2-1191.1, the Chief Procurement Officer may initiate a procurement above the small purchase amount specified in Section 2-1190 where he/she determines that an unusual or unique situation exists that make the application of all requirements of competitive sealed bidding or competitive sealed proposals contrary to the public interest and such procurement does not technically qualify as a sole source procurement under Code Section 2-1191. Any special procurement under this Section shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the procurement and for the selection of the particular contractor shall be included by the chief procurement officer in the contract file.

This special procurement request is made to procure consulting services on behalf of the Mayor's Office of Sustainability ("OOS").

Having conducted an investigation of the available sources regarding the materials, goods and/or services stipulated herein pursuant to § 2-1191.1 of the City of Atlanta Code of Ordinances, Special Procurement, my findings are the following:

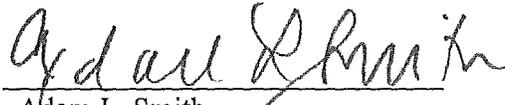
1. it has been determined that because of the specialized service and time constraints, that application of all requirements for competitive sealed bidding would not apply. It has also been determined that such procurement does not technically qualify as a sole source;
2. Rubicon Global LLC. ("Rubicon") is an Atlanta-based full-service waste and recycling company focused on sustainability. It works with commercial customers to find inefficiencies and cost-savings in their waste stream and to develop new and innovative ways to reduce, reuse and recycle waste. Rubicon has developed a mobile application to provide on-demand trash pickup;
3. The City of Atlanta is requesting to procure the services of Rubicon to pilot a municipal waste program based on their model in the commercial sector. Rubicon will track the City's waste stream using a mobile application and provide an assessment of how we can be more efficient in our waste management and reduce the amount of waste we landfill;



**FC-9229, Rubicon Global Pilot Project**  
**September 20, 2016**  
**Page 2**

4. competitive efforts for identifying a qualified consultant were not sought after for this initiative. Factors that single out Rubicon as unique in the market place are:
  - They are the only organization that has created a tech-enabled, cloud-based platform to optimize the waste and recycling industry with the express purpose of using data to promote diversion over landfilling. At a macro sense, this distinguishes their company from all others in the marketplace;
  - There are numerous tech functionalities that Rubicon has created that no other company provides;
  - Rubicon's proprietary "shake" technology, which measures vibrations from containers being dumped into the truck to generate a real-time service confirmation, is not offered by any other waste management company;
  - Rubicon has partnered with Trucost, a leader in the sustainability assurance space, to verify their approach and data around calculating waste diversion, and GHG emissions and savings from waste and recycling activities. This partnership provides stakeholders with confidence that their data associated with recycling, composting or anaerobic digestion activities is accurately measured. This in turn provides stakeholders the opportunity to reduce its total carbon footprint and accurately report on such progress;
  - Rubicon is unique in the waste management field of having a zero waste goal, unlike others in the market that have a profit motive based on tipping fees and generating more waste for landfills;
5. the services performed under this pilot program are valued at \$443,880 and are being offered at zero cost to the City. Additionally the City has not agreed to any monetary engagement after the initial pilot; and
6. the term for this designation shall be six (6)-months from the date of a subsequent contract; from October 1, 2016 through May 31, 2017.

I, Adam L. Smith, by the authority vested in me pursuant to § 2-1191.1 of the City of Atlanta Code of Ordinances, do hereby approve, direct and authorize the special procurement for consulting services to be provided by Rubicon Global, LLC.

  
 Adam L. Smith

ALS/kdd

H 20

First Reading

FINAL COUNCIL ACTION

12.19.a

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred To \_\_\_\_\_

2<sup>nd</sup>  1<sup>st</sup> & 2<sup>nd</sup>  
**Readings**  
 Consent  V Vote  RC V

A RESOLUTION  
BY FINANCE/EXECUTIVE COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ACCEPT A DONATION OF SERVICES AND TECHNOLOGY FROM RUBICON GLOBAL, LLC, FOR THE PURPOSE OF PARTICIPATING IN SPECIAL PROCUREMENT FC-9229, CONSULTING SERVICES FOR MUNICIPAL WASTE PILOT PROGRAM, FOR SERVICES VALUED AT FOUR HUNDRED FORTY THREE THOUSAND EIGHT HUNDRED EIGHTY DOLLARS AND ZERO CENTS (\$443,880.00); TO AUTHORIZE THE DESIGNATION OF A SPECIAL PROCUREMENT FOR CONSULTING SERVICES PURSUANT TO CITY CODE SECTION 2-1191.1; TO AUTHORIZE THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO ANY APPROPRIATE AGREEMENT(S) FOR PARTICIPATION IN THE WASTE DATA PILOT PROJECT; AND FOR OTHER PURPOSES.

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1<sup>ST</sup> ADOPT 2<sup>ND</sup> READ & REFER
- PERSONAL PAPER REFER

Date Referred: 10/3/2016  
Referred To: Fin/Exec + CU  
Date Referred:  
Referred To:  
Date Referred:  
Referred To:

|   |   |
|---|---|
| Committee   | Committee   |
| Date  | Date  |
| Chair   | Chair   |
| Action<br>Fav, Adv, Hold (see rev. side)<br>Other | Action<br>Fav, Adv, Hold (see rev. side)<br>Other |
| Members   | Members   |
| Refer To  | Refer To  |
| Committee   | Committee   |
| Date  | Date  |
| Chair   | Chair   |
| Action<br>Fav, Adv, Hold (see rev. side)<br>Other | Action<br>Fav, Adv, Hold (see rev. side)<br>Other |
| Members   | Members   |
| Refer To  | Refer To  |

CERTIFIED

MAYOR'S ACTION

Attachment: 20 FC 9229 (16-R-4456 : Accepting a Donation of Services and Technology From Rubicon