



# County of San Mateo

## Inter-Departmental Correspondence

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**Department:** COUNTY MANAGER: OFFICE OF SUSTAINABILITY

**File #:** 20-964

Board Meeting Date: 12/8/2020

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**Special Notice / Hearing:** None  
**Vote Required:** 4/5ths

**To:** Honorable Board of Supervisors

**From:** Carolyn Bloede, Director, Office of Sustainability

**Subject:** Agreement with Environmental Innovations, Inc. for food service ware education and outreach program development and implementation

**RECOMMENDATION:**

Recommendation to:

- A) Adopt a resolution authorizing an agreement with Environmental Innovations, Inc. to develop and implement an education and outreach program around food service ware in unincorporated San Mateo County and partner cities in the county for the term of December 9, 2020 to December 8, 2023, in an amount not to exceed \$794,000; and
- B) Authorize an Appropriations Transfer Request (ATR) appropriating \$250,000 from the Office of Sustainability Non-General Fund General Reserves to Services and Supplies to fund the food service ware education and outreach program.

**BACKGROUND:**

In March 2011, the Board adopted Ordinance No. 04542 prohibiting the use of polystyrene-based disposable food service ware by food vendors in the unincorporated areas of the county. On February 25<sup>th</sup>, 2020, this Board repealed and replaced Ordinance No. 04542 with Ordinance No. 04823, which is also known as the "Disposable Food Service Ware Ordinance," hereafter referred to as the "Ordinance." The Ordinance focuses on reducing single-use plastic and other food service ware waste, improving the health and safety of San Mateo County community members, and helping the county keep its waterways clean and safe.

The Ordinance went into effect in March 2020 in the unincorporated areas, with the mandatory provisions scheduled to become operative and subject to enforcement on March 2021. The Office of Sustainability (OOS) will be amending the Ordinance to push out the March 2021 start date by a year to March 2022, due to the impacts of COVID-19 on food facilities. The OOS will bring the amended Ordinance to this Board for consideration in early 2021.

The OOS is taking the lead in conducting education and enforcement efforts for the Ordinance at food facilities within unincorporated areas of the county, in close collaboration with the County's Environmental Health Services. In addition to the County's adoption of this Ordinance, a majority of cities in the county have expressed interest in exploring the Ordinance for their jurisdictions. As of early November 2020, four cities - South San Francisco, Burlingame, Atherton, and Half Moon Bay have adopted the County's Ordinance. The Ordinance includes a provision that allows the County to conduct both education and enforcement efforts within cities of the county that adopt the County's Ordinance as a model ordinance. The OOS anticipates that additional cities will join the countywide effort in the future.

### **DISCUSSION:**

OOS staff conducted a Request for Proposals (RFP) process to select a contractor to provide education and outreach efforts of the Ordinance within unincorporated areas of the county as well as within cities that adopt the Ordinance. Staff released the RFP on May 15<sup>th</sup>, 2020 and closed the solicitation on June 26<sup>th</sup>, 2020. Staff received a total of 11 proposals. The review committee ranked Environmental Innovations, Inc. as the applicant with the best overall proposal due to their qualifications, experience, unified and coherent vision for the program, and competitive pricing. A Notice of Intent was released and contract negotiations began on August 7<sup>th</sup>, 2020.

The education and outreach program will include the development and distribution of resources, including educational materials and trainings, direct technical assistance, and financial incentives such as rebates and prebates to impacted food facilities in unincorporated areas and cities that adopt the Ordinance to help them comply with the Ordinance. Technical and financial resources will also be allocated to assist food facilities that go beyond the Ordinance and voluntarily switch from disposable to reusable food service ware and to explore innovative services that safely promote reuse in the food service industry and may help food facilities save money. This agreement with Environmental Innovations, Inc. supports the educational and outreach needs of the unincorporated areas of the county and those cities should they so choose to make the request to the County.

The total contract amount assumes that all food facilities in the county (approximately 6,000) will be affected. The actual services provided will be based on the number of cities that adopt the Ordinance and the corresponding number of food facilities impacted.

County Counsel has reviewed and approved the agreement and resolutions as to form.

### **FISCAL IMPACT:**

There is no Net County Cost. This agreement will be funded entirely by revenue from the County's AB 939 fee, which is levied on all waste disposed of within the county and is designated specifically for waste reduction programs. The term of this agreement is from December 9<sup>th</sup>, 2020 through December 8<sup>th</sup>, 2023 for an amount not to exceed \$794,000. Approval of the Appropriations Transfer Request will appropriate funds in the amount of \$250,000 from the OOS Non-General Fund General Reserves to Services and Supplies for FY 2020-21. Additional funds will be included in future budgets.

### **ATTACHMENTS:**

- Contract - "Food Ware Program Contract-Environmental Innovations"
- Appropriation Transfer Request

- RFP Matrix