



Essex-Windsor Solid Waste Authority Regular Board Meeting Agenda

Meeting Date: Wednesday, July 10, 2024
Time: 4:00PM
Location and: Essex County Civic Centre
Council Chambers, 2nd Floor
360 Fairview Avenue West
Essex, Ontario N8M 1Y6

Meeting will be held in person for Board Members and staff. Media representatives and interested members of the general public are invited to attend in person.

LIST OF BUSINESS PAGE NUMBERS

1. Call to Order

2. Motion to Move In-Camera

Moved by:

Seconded by:

THAT the Board move into a closed meeting pursuant to Section 239 (2) (e), (f) and (k), of the Municipal Act, 2001, as amended for the following reason:

- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
- (k) position, plan, procedure, criteria, or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

3. Declaration of Pecuniary Interest

4. Approval of the Minutes

A. May 7, 2024 Regular Meeting Minutes

1-7

5. Business Arising from the Minutes

6. Correspondence

- A. Town of Kingsville Resolution 101-05062024 Regarding Regional Organic Waste Collection and Processing Program 8-9
- B. Letter from eTracks – Collection Site Award of Excellence 10-11

7. Waste Diversion

- A. EWSWA Material Recovery Facilities (MRFs) Lease Update 12-18
- B. Tender Award for the Demolition and Removal of Material Recovery Facility Processing Equipment 19-21
- C. Blue Box Transition Update 22-31
- D. County of Essex Council Decision Regarding the Addition of Rural Curbside Collection of Source Separated Organics for the Green Bin Program in the County of Essex 32-51
- E. Four-Season 2022/2023 Residential Waste Audit Results 52-58
- F. RFP Result and Next Steps for a Source Separated Organics Transfer Station at the Essex-Windsor Regional Landfill 59-61

8. Waste Disposal

- A. Tender for the Construction of the Regional Landfill Cell 5 North - Award of Contract 62-67

9. Finance & Administration

- A. 2024/2025 EWSWA Insurance 68-71

10. New Business

11. Other Items

12. By-Laws

- A. **By-Law 8-2024** 72
Being a By-Law to Authorize the General Manager of the Essex-Windsor Solid Waste Authority, in consultation with the Technical Staff Committee and Legal Services, to negotiate and execute, in the best interest of the region, the legal agreement(s) needed for the lease of the Container MRF and the provision of recyclable materials processing services with HGC Management Inc.
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- B. **By-Law 9-2024** 73
Being a By-Law to Authorize the Execution of an Agreement between the Essex-Windsor Solid Waste Authority and HGC Management Inc. for the Demolition and Removal of Processing Equipment in the Fibre Material Recovery Facility.
- C. **By-Law 10-2024** 74
Being a By-Law to Authorize the Execution of an Agreement with Miller Waste Systems Inc. for the Curbside Collection of Source Separated Organics in both Urban and Rural Settlement Areas in all seven municipalities in the County of Essex.
- D. **By-Law 11-2024** 75
Being a By-Law to Authorize the Execution of an Agreement between the Essex-Windsor Solid Waste Authority and Sterling Ridge Infrastructure Inc. for the Regional Landfill Cell 5 North Construction.
- E. **By-Law 12-2024** 76
Being a By-Law to Confirm the Proceedings of the Meeting of the Board of the Essex-Windsor Solid Waste Authority for July 10, 2024.

13. Next Meeting Dates

Wednesday, August 14, 2024 – Note: This meeting will start at 3:00PM
Wednesday, September 11, 2024
Wednesday, October 9, 2024
Tuesday, November 5, 2024
Tuesday, December 3, 2024

14. Adjournment



Essex-Windsor Solid Waste Authority Regular Board Meeting MINUTES

Meeting Date: Tuesday, May 7, 2024

Time: 4:00 PM

Location: Essex County Civic Centre
Council Chambers, 2nd Floor
360 Fairview Avenue West
Essex, Ontario N8M 1Y6

Attendance

Board Members:

Gary Kaschak –Chair	City of Windsor
Kieran McKenzie	City of Windsor
Jim Morrison	City of Windsor
Gary McNamara – Vice Chair	County of Essex
Hilda MacDonald	County of Essex
Rob Shepley	County of Essex

EWSWA Staff:

Michelle Bishop	General Manager
Steffan Brisebois	Manager of Finance & Administration
Cathy Copot-Nepszy	Manager of Waste Diversion
Tom Marentette	Manager of Waste Disposal
Madison Mantha	Project Lead
Teresa Policella	Executive Assistant

City of Windsor Staff:

Anne-Marie Albidone	Manager of Environmental Services
Shawna Boakes	Executive Director of Operations
Natasha Gabbana	Senior Manager, Asset Planning
Mark Spizzirri	Manager of Performance Management and Business Case Development

County of Essex Staff:

Heidi McLeod	Manager – Accounting – Administration/Deputy Treasurer
Melissa Ryan	Director of Financial Services/Treasurer
David Sundin	Solicitor/Interim Director, Legislative and Community Services

Absent:

Mark McKenzie	City of Windsor
Fred Francis	City of Windsor

Michael Akpata
Drew Dilkins
Tony Ardovini
Jim Leather

County of Essex
City of Windsor (Ex-Officio)
Deputy Treasurer Financial Planning
Manager of Environmental Services

1. Call to Order

The Chair called the meeting to order at 4:01PM.

2. Declaration of Pecuniary Interest

The Chair called for any declarations of pecuniary interest and none were noted. He further expressed that should a conflict of a pecuniary nature or other arise at any time during the course of the meeting that it would be noted at that time.

3. Approval of the Minutes

Moved by Kieran McKenzie
Seconded by Rob Shepley

THAT the minutes from the Essex-Windsor Solid Waste Authority Regular Meeting, dated April 10, 2024, be approved and adopted.

**32-2024
Carried**

4. Business Arising from the Minutes

No items were raised for discussion

5. Correspondence

A. Call2Recycle – 2023 Leader in Sustainability Award

The Manager of Waste Diversion was pleased to share that the Authority was recognized by Call2Recycle Canada, Inc. for collecting and diverting 20 tonnes of batteries from the landfill in 2023.

Moved by Hilda MacDonald
Seconded by Gary McNamara

THAT the Board receive as information.

**33-2024
Carried**

6. Waste Diversion

A. 2023 Residential Waste Diversion Report

The Manager of Waste Diversion provided a summary of the report. The overall waste diversion rate for 2023 increased to 32.4%. This figure represents residential tonnes diverted from the Landfill. She noted new waste diversion programs such as the FoodCycler, wood pallet recycling and shingle/road-base reuse created a favourable increase in the waste diversion rate.

Mr. McKenzie commented that the increase in the diversion rate is good but still low compared to other communities.

The Manager of Waste Diversion stated that the new organics program will increase the diversion rate.

Mr. McNamara asked if there is a concern that there will be a regression in the number as we transition to producers.

Mr. Morrison asked if curbside waste audits will still be conducted.

The Manager of Waste Diversion stated that in 2022, the Authority engaged a waste auditor to conduct curbside audits to determine the behaviour between recycling and garbage. A report will be brought forward to the Board which will also include the consultant's report. We will use that data going forward to measure participation.

Moved by Gary McNamara

Seconded by Rob Shepley

THAT the Board receive the report as information.

**34-2024
Carried**

7. Finance & Administration

A. Request for Tenders for Rental and Use of Vacant Land

The General Manager stated the request was for the Board to approve an agreement between the Authority and Christopher Malott Farming Enterprises Inc. (CFME) for a five-year term. CFME's submission of \$425 per acre was the highest of three submissions received by the Authority. She noted that this is the third time CFME has bid on these properties. Mr. Malott has been an excellent tenant adhering to all terms and conditions of the lease and a good partner with the Authority. The rental revenue will increase by \$149 per acre per year.

The County of Essex will also be party to the lease agreement as they are the owners of the subject lands.

The General Manager asked if there were any questions. No questions were asked.

Moved by Kieran McKenzie
Seconded by Jim Morrison

1. **THAT** the Board accept Administration's recommendation to enter into an agreement with Christopher Malott Farming Enterprises Inc. for a five-year term commencing on November 1, 2024 and ending on October 31, 2029 at a rate of \$425 per acre, with three (3) optional one-year extensions, if mutually agreed upon by all parties, under the same terms and conditions as set out in the Contract.
2. **THAT** since the County of Essex is the owner of subject lands, that a report be brought before Essex County Council recommending that the County of Essex be a party to the lease between the Authority and Christopher Malott Farming Enterprises Inc.

**35-2024
Carried**

B. 2024 EWSWA Asset Management Plan

The Manager of Finance provided a summary of the 2024 EWSWA Asset Management Plan (AMP). The Authority's AMP will form part of the City of Windsor (City) and County of Essex's (County) 2024 AMP. Ontario regulation guided Administration on how to create the AMP for 2024. He noted that 86% of the Authority's assets are categorized as being in Good to Very Good condition.

He noted that in 2024, the Authority is only required to present the current Community and Technical levels of service but will be required to include proposed levels of service in 2025.

The Manager of Finance referred to the risk matrix table on page 26 of the agenda package. He noted that some Authority assets fall under the high-risk areas due to their age and overall dollar value.

There are no financial implications to the 2024 budget.

The Chair asked if there were any questions.

Kieran McKenzie asked if the cost of the contractor to provide building condition assessments are included in the 2024 budget.

The Manager of Finance stated that it will form part of the 2025 budget.

Moved by Kieran McKenzie
Seconded by Hilda MacDonald

THAT the Board approve the 2024 Essex-Windsor Solid Waste Asset Management Plan.

**36-2024
Carried**

C. 2023 Financial Statements and Auditors' Report

The Manager of Finance provided a summary of the Authority's financial statements. KPMG has issued an "unmodified" audit opinion meaning the financial statements present fairly.

He explained the Authority was required to adopt the new Asset Retirement Obligation standards effective January 1, 2023 which replaced the Post Closure Liability Standards. He referred to the table on page 38 of the agenda package which outlined the restated 2022 figures as a result of the new standards.

He further provided a summary of the final operating deficit compared to budgeted figures for 2023.

The Chair asked if there were any questions. No questions were asked.

Moved by Kieran McKenzie
Seconded by Gary McNamara

THAT the Board approve this report, the 2023 financial statements and the associated auditors' report.

**37-2024
Carried**

D. January to March 2024 – Three Month Operations Financial Review

The Manager of Finance provided a summary of the three-month operations financial review. He noted that there were no significant changes in tonnage levels for both Municipal and Industrial/Commercial/Institutional landfilled material. The only significant variance to report has been the positive change in the average commodity prices for recyclable material resulting in a revenue surplus.

The Chair asked if there were any questions. No questions were asked.

Moved by Jim Morrison
Seconded by Rob Shepley

THAT the Board receive this report as information.

**38-2024
Carried**

8. New Business

No items were raised for discussion.

9. Other Items

No items were raised for discussion.

10. By-Laws

A. By-Law 6-2024

Moved by Gary McNamara

Seconded by Kieran McKenzie

THAT By-Law 6-2024, being a By-Law to Authorize the Execution of an Agreement between the Essex-Windsor Solid Authority, the Corporation of the County of Essex and Christopher Malott Farming Enterprises Inc. for the Rental and Use of Vacant Land.

**39-2024
Carried**

B. By-Law 7-2024

Moved by Rob Shepley

Seconded by Hilda MacDonald

THAT By-Law 7-2024, being a By-law to Confirm the Proceedings of the Board of the Essex-Windsor Solid Waste Authority be given three readings and be adopted this 7th day of May, 2024.

**40-2024
Carried**

11. Next Meeting Dates

Tuesday, June 4, 2024

Wednesday, July 10, 2024

Wednesday August 14, 2024 – Note: This meeting will start at 3:00PM

Wednesday, September 11, 2024

Wednesday, October 9, 2024

Tuesday, November 5, 2024

Tuesday, December 3, 2024

12. Adjournment

Moved by Jim Morrison

Seconded by Rob Shepley

THAT the Board stand adjourned at 4:34PM.

**41-2024
Carried**

All of which is respectfully submitted.

Gary Kaschak
Chair

Michelle Bishop
General Manager



2021 Division Road North
Kingsville, Ontario N9Y 2Y9
Phone: (519) 733-2305
www.kingsville.ca
clerks@kingsville.ca

May 9, 2023

County of Essex
c/o Sandra Zwiars, CAO
360 Fairview Avenue West, Suite 320
Essex, ON N8M 1Y6

Essex-Windsor Solid Waste Authority
c/o Michelle Bishop, General Manager
360 Fairview Avenue West, Suite 211
Essex, ON N8M 3G4

Via Email: szwiars@countyofessex.ca

Via Email: mbishop@ewswa.org

Dear Ms. Zwiars and Ms. Bishop:

Re: Town of Kingsville Resolution 101-05062024 Regarding Regional Organic Waste Collection and Processing Program

Please be advised that at its Regular Meeting held Monday, May 6, 2024, the Council of the Town of Kingsville gave consideration to Councillor Gaffan’s motion requesting that County Council agree to fund the cost of the regional organic waste collection and processing program. The following Resolution was passed:

101-05062024

Moved By Councillor Gaffan

Seconded By Councillor Patterson

Whereas on March 16, 2022, Essex County Council determined that all lower-tier municipalities shall participate in the regional organic waste collection and processing program;

And whereas County Council has established the level of service associated with such program;

And whereas it is estimated that this service will result in a 4.3% property tax increase for the Town of Kingsville in the first year of the program;

It is moved that Kingsville Council **DIRECTS** Deputy Mayor DeYong or Mayor Rogers to make a Motion at County Council asking that the County Council agree to fund the cost of the regional organic waste collection and processing program through the County of Essex property tax levy. If changes are required to by-laws and agreements to achieve this result, it is requested that the County of Essex amend these by-laws and agreements as required, such as with EWSWA, City of Windsor, and others.

CARRIED.

Please consider this correspondence as the Town of Kingsville’s official notification that Deputy Mayor DeYong or Mayor Rogers will read aloud the motion contained herein at the earliest possible Regular Meeting of County Council in accordance with the County’s Procedural By-law.

Should you have any questions with respect to this correspondence, please do not hesitate to reach out to me.



2021 Division Road North
Kingsville, Ontario N9Y 2Y9
Phone: (519) 733-2305
www.kingsville.ca
clerks@kingsville.ca

Sincerely,

Angela Toole

Angela Toole, Acting Manager of Municipal Governance and Clerk
atoole@kingsville.ca
519-733-2305 ext. 223

cc. John Norton, CAO, Town of Kingsville



April 26, 2024

Essex Windsor Waste Authority (2005507)

Dear Cathy Copot-Nepszy,

We're thrilled to announce that Essex Windsor Waste Authority has won a 2023 eTracks Collection Site Award of Excellence.

This award recognizes your exceptional communication with eTracks staff, timely responses to our requests, and for contributing to a cleaner Ontario by ensuring your tires are collected for recycling.

We also commend your commitment to compliance with the general requirements for collection sites as outlined in Tire Regulation (O.Reg 225/18) under Ontario's Resource Recovery and Circular Economy Act (RRCEA).

Congratulations and thank you for your outstanding commitment!

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Bourke", is written over a light blue horizontal line.

Adam Bourke
Chief Operating Officer (COO)
eTracks Tire Management System



CERTIFICATE OF EXCELLENCE

This certificate is presented to

ESSEX WINDSOR SOLID WASTE AUTHORITY

In recognition of your commitment to compliance and excellence in
understanding the Individual Producer Responsibility Model

Awarded in 2023

A handwritten signature in black ink, appearing to read "Adam Bourke".

Adam Bourke, COO





Essex-Windsor Solid Waste Authority Administrative Report

June 27, 2024

To: The Chair and Board of the Essex-Windsor Solid Waste Authority

From: Catharine Copot-Nepszy, Manager of Waste Diversion

Meeting Date: Wednesday, July 10, 2024

Subject: EWSWA Material Recovery Facilities (MRFs) Lease Update

Purpose

The purpose of this report is to update the Board on the status of the Materials Recovery Facilities (MRFs) lease following the Transition of the Blue Box Program on August 28, 2024.

Further, to request that the Board delegate authority to the General Manager of the Essex-Windsor Solid Waste Authority, in consultation with the Technical Staff Committee and Legal Services, to negotiate and execute, in the best interest of the region, the legal agreement(s) needed for the lease of the Container MRF and the provision of recyclable materials processing services with HGC Management Inc. (HGC).

Background

At the September 13, 2023 Board meeting, Administration presented a report to advise the Board of its procurement efforts to lease one or both of its MRFs following the Transition of the Blue Box Program to Extended Producer Responsibility (EPR). At the meeting, the Board was advised that one proposal was received through a Request for Proposals (RFP) process. The report stated that although the proponent met all the requirements (including technical score), the RFP award could not be finalized as it was contingent on the proponent securing a post-collection services contract with a Producer Responsibility Organization (PRO). As a reminder, this procurement process authorized

Administration to initiate legal negotiations with the successful proponent for these services.

Administration also noted in the report that it would make best efforts to use these MRFs that are situated on an encumbered site such that they would not become stranded assets and would generate revenue from these assets where feasible. Moreover, suggestions from multiple consultants to repurpose the MRF(s) for future waste diversion programming (e.g., 2025 Green Bin Program) and/or lease during Transition for the purposes of processing Blue Box materials to a service provider were also shared.

At the April 10, 2024 Board meeting, after thorough consultation and review, the Board approved Administration's recommendation to repurpose the Fibre MRF into a Source Separated Organics (SSO) Transfer Station for the upcoming Green Bin program beginning in 2025.

Additionally, the Board approved Administration's recommendation to continue to service Non-Eligible Sources (NES) during the Blue Box Transition period of August 28, 2024 to December 31, 2025. This would be achieved through service agreements with both Green for Life Environmental Inc. (GFL) and the City of Windsor (City) in order to be most cost effective and efficient in delivering the NES program. Further, the Board was advised that while GFL would be responsible for the material they collected, the NES portion collected by the City would require a contract for post-collection services (e.g., processing and marketing). Due to the new Extended Producer Responsibility (EPR) legislation, producers do not have obligations to service NES, thereby leaving the Authority with limited options to process NES materials collected by the City.

Discussion

As a result of the direction provided by the Board to service NES during Transition, the Authority has been finalizing its NES list to define the needs of this new program including routing, scheduling, and processing needs. An important aspect of this program is understanding the quantity of material (tonnage) that the City will be collecting as this will require a post-collection services contract.

In parallel, over the last year HGC, who was the only submission for the 2023 MRF Lease RFP, has been attempting to secure contracts with PROs to provide post-collection services for the Blue Box program in a very challenging and new PRO directed market. As HGC was not able to secure a contract with the main PRO in Ontario, Circular Materials, it was successful in aligning with other PROs (e.g., Ryse Solutions Ontario Inc., H2 Compliance North America) who also were seeking post-collection services. Further, once the Authority finalized its NES program

tonnage estimates for post-collection services, it requested a cost estimate from HGC for processing services to compare pricing in this new Blue Box market.

On June 7, 2024, HGC submitted a proposal to the Authority to secure the lease of the Container MRF once Transition began on August 28, 2024. Since the 2023 proposal, HGC has provided an updated lease price as a result of the tonnage secured, as well as some modifications to the proposed MRF Lease Contract. Administration has reviewed their lease price and terms to ensure that it is a cost effective and risk averse solution to use the Container MRF during Transition and potentially during full EPR, which comes into effect on January 1, 2026. As a result of HGC's latest proposal, discussions between the parties on the lease and processing of NES materials for the Authority have been ongoing.

As the MRF Lease RFP also included a separate contract to process the Authority's Blue Box materials (e.g., NES, Special Events), HGC also provided a price to process these materials as part of their most recent proposal.

Post-Collection Scenarios for NES Materials

As a result of the above, Administration has arrived on the following two Scenarios to evaluate HGC's proposal:

Scenario A. Contract with HGC for the lease of the Container MRF and processing of NES materials

As HGC is currently the contractor processing materials in the Authority's MRFs, they would continue to receive and process materials in only the Container MRF in this scenario.

Scenario B. Decommission the Container MRF into a receiving facility, consolidate and ship materials for processing to a remote MRF

In this Scenario, the Authority would end its current processing contract in both its MRFs with HGC and would then modify the Container MRF into a receiving facility. This receiving facility is where Authority staff would receive NES materials collected curbside, then inspect and consolidate materials until enough materials were banked to eventually transfer (loosely) into a third-party trailer. A contractor would then haul materials to a remote processor (to be established by the Authority through a spot market/contract). Decommissioning of equipment would be scheduled so as not to disrupt these new receiving operations and this would be awarded through the recent tender for the Demolition and Removal of MRF Processing Equipment (RFT-2024-05-15).

Quantitative Impacts

The Authority has considered financial impacts to objectively evaluate each Scenario. Cost impacts have been considered for each Scenario with respect to:

Container MRF Building and Equipment

1. Value of existing processing equipment
2. State of the MRF and cost of ongoing repairs and maintenance
3. Property taxes
4. Insurance Costs

With respect to each of the above four factors, Scenario A is more favourable when compared to Scenario B as it results in savings or avoided costs.

Administrative and Other Costs

1. Administrative costs: In Scenario A, minimal administrative monitoring and duties would be needed to oversee the contract. On the flipside, administrative costs would increase significantly in Scenario B as the program would need to be operated and managed by the Authority.
2. Scale Cost Recovery: In Scenario A, HGC will pay for use of the Authority's assets (e.g., scales), which will offset lifecycle and regular maintenance costs; whereas in Scenario B, the Authority will cover all outbound scale costs.
3. Processing Costs: In Scenario A, HGC has offered processing costs that are significantly less than other processors that would be required in Scenario B who are currently charging \$200/MT for all Blue Box materials (both container and fibre materials).
4. Receiving/Transfer/Haul Costs: In Scenario B, in addition to the higher processing costs noted above, the Authority would also incur additional costs with operating a receiving/transfer facility for NES materials, including the cost to haul materials to a remote processor, which would be contracted to a third-party. These costs are avoided in Scenario A.

Qualitative Impacts

Given the uniqueness of Blue Box Transition and the Authority's situation with its MRFs, other qualitative factors must be considered alongside cost. Other qualitative impacts that should be considered when evaluating Scenario A versus Scenario B have been identified as the following:

1. Sustainable solution during Transition and potentially during full EPR
2. Minimize carbon footprint (e.g., reduce hauling/handling where feasible)

3. Be accountable to legislative requirements
4. A reliable and reputable processor

After a review of these 'other' impacts noted above, Scenario A proves to be the more favourable solution during Transition and potentially in full EPR.

1. Sustainable Solution: In Scenario A, as currently there are no plans for the Authority to repurpose the Container MRF for another five years (e.g., site expansion), leasing the MRF to HGC to process NES materials allows the Authority to continue to have a secure, contracted post-collection outlet if there is a need to continue to service NES during full EPR. Many discussions with municipal partners and consultants have confirmed that there will be a need during full EPR to continue to service NES and that there are also discussions that the Ministry may close this legislative gap to service NES through EPR. It is important to note that with Scenario B, there may be limited options, if any, as of January 1, 2026 to process NES materials. Scenario A provides the Authority with the flexibility to maintain or expand the program, for example with neighbouring municipalities, and allows the Authority to utilize its assets in a cost-effective way until more is known about the post-Transition (full EPR) landscape.
2. Minimize carbon footprint: By leasing the MRF to HGC, the Authority avoids the double-handling of material once it arrives to consolidate and load it onto a trailer and avoids shipping it to a remote processor. Rather in Scenario A, HGC will receive and process delivered materials onsite.
3. Accountability to legislative requirements: The solution for processing NES materials needs to ensure that legislative requirements are met. Scenario A allows the Authority to better monitor the processor and reduces complexity by not hauling materials to a remote processor, dealing with their feedback on contamination levels remotely, and/or managing waste haulers, etc.
4. Reliable processor: HGC has been operating the Authority's MRFs under contract with the Authority since 2020 and has been successful in: meeting the requirements of the RFP, maintaining a reliable, local workforce in a very trying labour market, not receiving liquidated damages, and working collaboratively to resource and resolve issues as they arise. HGC's head office has been very supportive of its many remote contracts such as Essex-Windsor and offers resources and expertise as a result of its many years of experience and contracts in municipal waste management. Further, if Scenario B was exercised, the Authority would potentially be disadvantaged against processors as negotiating pricing for this service would be challenging (e.g., limited markets). Moreover, finding another processor for contingency measures in the case of a shutdown or reaching capacity would be challenging and is not guaranteed. With all things considered, Scenario A would remove any of the unknowns or limitations that are associated with

Scenario B as it would be HGC's responsibility to process and market materials.

Lease Price with Royalty and Additional Revenue Incentive

As HGC's base tonnage available to them to process at the start of their potential lease is still developing, HGC has proposed to pay the Authority a rate per square foot as a lease fee plus a number of other building costs.

Additionally, HGC has agreed to pay the Authority a Royalty once it exceeds its base monthly inbound tonnage of 600 metric tonnes (MT), it will pay the Authority a Royalty fee per MT for any tonnage over the 600 MT per month that it processes onsite.

Furthermore, HGC has offered a revenue allocation to the Authority for old corrugated cardboard that the Authority delivers for processing. This would be calculated using an index for Ontario recycling markets that would change monthly as a result of market adjustments.

Demolition and Removal of Processing Equipment in the Container MRF

As Administration would like to remove the risk of cost escalation to demolish this equipment many years down the road once the lease term is complete, it has been working with HGC to negotiate this back into the lease. As of recent, HGC has agreed to include the demolition and removal of processing equipment with the lease of the Container MRF at the end of term.

As per the rationale provided above, Administration's recommendation is to pursue the finalization of these contracts with HGC Management Inc. for both the: lease of the Container MRF and the provision of recyclable materials processing services from Non-Eligible Sources (NES), special events, etc.

Financial Implications

Administration is currently engaged in ongoing negotiations with HGC, however, the identified initial cost impacts with HGC Management Inc.'s current proposal for the lease of the Container MRF and processing of the Authority's Blue Box materials during Transition estimate that Scenario A: Contract with HGC- Lease the Container MRF and process materials would result in an overall savings to the Authority annually.

Conclusion

In consideration of the information provided it is Administration's recommendation to continue to negotiate and finalize an agreement with HGC.

With the Transition date of August 28, 2024 quickly approaching, it is important to note that the Authority is under a severely constricted timeline to have the agreements in place in time for the upcoming Transition. Accordingly, any agreement(s) negotiated between the Authority and HGC may require expedited execution to ensure the region's residents' best interests are protected.

Therefore, Administration is further recommending that the Board delegate authority to the General Manager, in consultation with the Technical Staff Committee and Legal Services, to negotiate and execute any legal documents required.

It should further be noted that since the lands on which the Container MRF is located are legally owned by the City of Windsor, Authority and City Administration will be required to ensure that all legal requirements are satisfied. Meaning that the City may be required to be named on the lease agreement or a separate agreement may be required between the Authority and the City.

Recommendations

THAT the Board delegate authority to the General Manager of the Essex-Windsor Solid Waste Authority, in consultation with the Technical Staff Committee and Legal Services, to negotiate and execute, in the best interest of the region, the legal agreement(s) needed for the lease of the Container MRF and the provision of recyclable materials processing services with HGC Management Inc. as described within this report.

Submitted By



Catharine Copot-Nepszy, Manager of Waste Diversion



Essex-Windsor Solid Waste Authority Administrative Report

June 26, 2024

To: The Chair and Board of the Essex-Windsor Solid Waste Authority

From: Catharine Copot-Nepszy, Manager of Waste Diversion

Meeting Date: Wednesday, July 10, 2024

Subject: Tender Award for the Demolition and Removal of Material Recovery Facility Processing Equipment

Purpose

The purpose of this report is to recommend that the Authority Board award the Request for Tender (RFT) for the demolition and removal of processing equipment in the Fibre Material Recovery Facility (MRF) to HGC Management Inc. (HGC) at a cost of \$100,000 exclusive of HST.

Background

At the April 10, 2024, Board Meeting the Board approved Administration's recommendation to repurpose the Fibre MRF located at its Windsor site into a Transfer Station to receive residentially collected source separated organics in order to support the new 2025 Green Bin Program.

The report outlined the accelerated timeline and steps required to design and construct the Transfer Station while continuing to operate the MRF until the Blue Box program transitions to Extended Producer Responsibility on August 28, 2024. Administration identified that a contractor would need to be secured to remove the MRF processing equipment immediately following the transition date.

Discussion

On May 15, 2024, in accordance with the Authority's Procurement Policy, an RFT was issued for the demolition and removal of processing equipment in one or both MRFs. A mandatory site visit was included in the RFT and was attended by 8 companies.

The tender closed on Monday, June 17, 2024 and four bids were submitted: Gagnon Demolition Inc., HGC Management Inc., Jones Group Ltd., and QM Environmental. All 4 submissions were reviewed and deemed compliant with the requirements of the RFT.

The lowest bid received for the demolition and removal of the processing equipment in the Fibre MRF was submitted by HGC Management Inc. (HGC) at a cost of \$100,000. The term of this Contract is expected to commence no later than September 16, 2024 and must end by December 15, 2024, unless otherwise authorized by the Authority.

While bids were also received to demolish the processing equipment within the Container MRF, the Authority is not recommending the decommissioning of this MRF at this time, as it is evaluating a proposal for the further use of this MRF.

It is important to note that many of the bidders were experienced in the demolition of buildings, footings, etc. HGC noted in its reference submission that it is well-versed in the removal and repurposing of MRF processing equipment in Ontario. The Authority is currently engaged in a contract with HGC to supply the labour to process Blue Box material collected in Essex-Windsor in Authority-owned MRFs. Their submission included details of their plan to salvage many valuable components of the processing equipment in the Fibre MRF for other municipal Blue Box programs that they are servicing during Transition and potentially beyond.

Financial Implications

As detailed in the April 10th report, the cost to decommission the Fibre MRF will form part of the total project cost to construct the Windsor Source Separated Organics (SSO) Transfer Station. The 2024 Operational Plan and Budget included an estimate of the cost of the project. The proposed funding for the total project will be included in the 2025 Operational Plan and Budget and will include the updated projection figure for 2024 now that project estimates have been revised by the Authority's engineering consultant Stantec Consulting Inc.

The 2025 Budget will request the approval of both a draw and a loan from the Equipment Replacement Reserve with the loan to be repaid over the useful life of the facility.

Recommendation

THAT the Board award the Request for Tender for the demolition and removal of the processing equipment in the Fibre Material Recovery Facility to HGC Management Inc. at a cost of \$100,000 exclusive of HST.

Submitted By



Cathy Copot-Nepszy, Manager of Waste Diversion



Essex-Windsor Solid Waste Authority

Administrative Report

June 27, 2024

To: The Chair and Board of the Essex-Windsor Solid Waste Authority

From: Catharine Copot-Nepszy, Manager of Waste Diversion

Meeting Date: Wednesday, July 10, 2024

Subject: Blue Box Transition Update

Purpose

The purpose of this report is to provide an update to the Board regarding the Blue Box program as Essex-Windsor approaches its Transition date of August 28, 2024.

Background

As shared at previous Board Meetings, per the Ministry of the Environment, Conservation and Parks (MECP), the Essex-Windsor region will Transition the Blue Box program to an Extended Producer Responsibility (EPR) model on August 28, 2024. It will continue through the Transition phase until December 31, 2025, as full EPR begins January 1, 2026 in accordance with the new legislation. Further, that Circular Materials (CM), the majority Producer Responsibility Organization (PRO) who is overseeing the common collection system in Ontario, will be responsible for the curbside collection of Blue Box materials in the Essex-Windsor region as the Authority has opted-out of being a direct service provider to CM during the Transition period.

Administration has received confirmation that Circular Materials has awarded Green For Life Environmental Inc. (GFL) the contract to provide residential curbside collection for the Essex Catchment area which includes the City of Windsor and all municipalities in the County of Essex.

Discussion

While the Authority, has been told by Circular Materials that it is the producer's responsibility to seamlessly Transition the Blue Box program, Authority Administration has worked diligently over the past two years to prepare the Essex-Windsor program and its residents/customers for Transition. The following are key components of the Blue Box program that Administration has been working on: Non-eligible Source (NES) services, Blue Box inventory levels, understanding Circular Material's approach to uninterrupted customer service for Eligible Sources, Promotion and Education (P&E) ahead of Transition, as well as finalizing Opt-out agreements with Circular Materials for P&E and Depot Services.

Non-Eligible Sources (NES)

As the Board may recall, the transition to EPR does not include NES such as municipal buildings, business improvement areas, post-secondary institutions and other industrial, commercial and institutional (IC&I) facilities, etc. Many of these facilities currently receive collection under the Authority's Recycling program and as such, Authority Administration and City of Windsor (City) Administration have been developing a program to service NES after August 27, 2024.

At the April 10th Board meeting, Administration shared with the Board that it would be issuing a NES Registration campaign to finalize its NES list, as GFL will not allow addresses to be added once an Agreement is executed for this program. The Authority held a NES registration that ran for 6 weeks and attracted over 1,300 registrants. The report to the Board included an estimate of approximately 1,060 NES stops based on information the Authority had prior to the registration exercise. Once registration closed, staff reviewed the list to ensure that all registrants were currently receiving service from the Authority's program. Then staff confirmed that these NES were all on residential routes, as this is required by GFL for them to service a NES. Finally, collection frequency and schedules were reviewed to ensure this NES program was as efficient and cost effective as possible. A reminder that Circular Materials has informed municipalities that it will no longer service NES after December 31, 2025.

After these resource intensive reviews were complete, the final list of NES that will receive biweekly collection by GFL and weekly collection by the City was sent to each party asking them to review and confirm that they will indeed service all NES. GFL has since responded that they agree to service the NES provided and as such the Authority is working to finalize an agreement for this contract with GFL. Similarly, the Authority is working closely with the City to finalize routing and an agreement for the NES that they will be servicing. The goal is to finalize all Agreements and stop counts for NES in the coming weeks. Please note that in the case where the City is servicing NES they do not have a processing outlet

confirmed for materials collected, so the Authority and the City are currently working to secure post-collection services for these materials.

Once the NES Agreements and collection schedules are finalized, the Authority will inform NES of their Blue Box collection services after August 27, 2024. For example, information on collection day/frequency, who is their collector, set-out requirements, acceptable materials, where to get customer service support (e.g., damage to property/bin/cart), and where they can buy a new bin are some of the program items that will be communicated to NES.

Blue Box Inventory

Until Transition begins, it is the Authority's obligation to make available appropriate program containers such as carts and bins to its residents. This has been and continues to be achieved through the Authority's collectors, municipal partner (the City), and the sale of products at a cost recovery price through local Home Hardware stores.

In 2023, as Authority Administration was aware that it was not going to service the Blue Box program beyond Transition, it developed a plan to deplete its inventory. This was included in the 2024 Operational and Planning Budget. This plan was created to ensure that it would not be left with excess amounts of inventory beyond Transition. The Authority is tracking its inventory monthly to compare how actual inventory is comparing to forecasted levels. It is also working closely with local Home Hardware stores to communicate the changes to this waste diversion program.

Clarification on Customer Service for Eligible Sources

Over the last two years, the Authority has requested clarification from Circular Materials on many items around customer service to better support its residents. In early June, the Authority finally received this clarification from Circular Materials. It will share the following confirmed details through its established communication strategies (e.g., Municipal Working Group, website, communication group) appropriately before Transition:

1. Replacement/new homeowner containers (bins/carts): GFL will be responsible for providing these to residents through their contract with Circular Materials and residents are to contact GFL directly.
2. New builds: Municipalities are to contact Reverse Logistics Group (RLG), who is contracted by Circular Materials to handle this aspect of the Blue Box program. Municipalities are to contact RLG as soon as they know of a new build and also to confirm when that the address is indeed ready for service.

3. Collection point changes (e.g., due to construction): Municipalities are to directly contact RLG prior to a change in collection point so that service can be altered.
4. Eligible Source Collection: Circular Materials has confirmed that it is the responsibility of GFL to “meet the frequency and quality of collection issues that were in place immediately prior to your transition date and throughout the transition period” for Eligible Sources (e.g., single family homes, multi-residential units, schools, long-term care homes).
5. Recycling of old containers for Blue Box programs: Circular Materials has confirmed that “broken blue boxes and recycling carts are not a targeted material” and that the “appropriate resources and infrastructure are not in place to support the inclusion of these materials in the residential blue box program”. Rather, communities “may establish local solutions to meet resident needs”. As a result, the Authority is reviewing whether it can sustain its current program for graveyard items as it does not have a firm end-market to divert these items.
6. Customer Service: As noted earlier, all customer service inquiries are to go directly to Circular Materials as they had shared in the 2024 municipal calendars. The Authority’s website and other customer service hotlines will direct all customers to Circular Materials to ensure the most efficient and effective customer service is achieved during Transition. Once the customer goes to the Circular Materials website they will be asked to identify what municipality they live in and then program information related to their jurisdiction including customer service information will be made available to the resident.

Agreements with Circular Materials

While Essex-Windsor has opted-out of being a direct service provider for the collection and post-collection (e.g., processing) of Blue Box materials during Transition, there are other components for which the Authority has contractually engaged with Circular Materials. Like many municipalities, the Authority has finalized an agreement for P&E with Circular Materials in order to better service its residents. Through working closely with the Authority, Circular Materials will use the local municipal annual calendar and Recycle Coach app as a communication means to push out Blue Box program messaging to Essex-Windsor residents. In exchange for this service, the Authority and its municipalities will receive a small compensation to offset these service costs during Transition.

As legislation obligates the Authority to give Circular Materials access to residential Blue Box materials that are delivered to its Depots, the Authority and Circular Materials have worked to formalize a Depot Agreement. This Agreement allows Circular Materials to both safely and effectively access these materials without disrupting the Authority's Depots and complying to its policies. It also includes P&E communication that Circular Materials will make available for customers who visit the Depot (e.g., hours on website, Depot signage). This Agreement also offers some compensation to the Authority who will be overseeing the Depots that it will be using to capture residentially delivered Blue Box materials.

Acceptable Materials

As shared January 2023 at an EWSWA Board meeting, there are small changes to the acceptable materials list. This is a result of the new Ontario Regulation (O.Reg. 391/21) as producers are not obligated to collect some of the current program materials. Specifically, PROs are not obligated to collect: paint aerosol and cans, soft or hardcover books and motor oil that are collected through the Authority's current program. As a refresher, a list of acceptable materials during Transition has been included an attachment to this report.

While Circular Materials has noted that it is not necessary to prepare residents for Transition, the Authority has been sharing this information with local residents through its Tactic 1: Transition Prep campaign. It has taken this approach to inform residents ahead of Transition as past initiatives found that residents are more responsive to change when the proper time and information are given.

CM will also be implementing a non-compliance sticker program like the Authority's current OOPS sticker program in both the County and the City. A sample OOPS sticker is shared at the end of this report. Circular Materials has also stated that they will not be proactively communicating the change from a door hanger to a sticker in the City. Rather if any residents have any concerns they are to contact Circular Materials directly.

P&E Campaign

An update on the P&E Plan that was shared with the Board at the April 10, 2024 meeting:

Tactic 1: Transition Prep – This Tactic shares material changes and an important reminder that program set-out must be done by 6:00 a.m. as GFL is not obligated to follow the same routing (e.g., household schedule) as current collectors. It also shares how important it is for residents to subscribe to the Recycle Coach app so that they can get updates on their collection during Transition.

Tactic 2: Transition Pre-Transition – This will begin in late July and go through to September to inform residents on who to contact for customer service issues as this will move to GFL and Circular Materials as of August 28, 2024. It will also push residents to subscribe to Recycle Coach so that they can get collection program updates during Transition.

Tactic 3: NES Registration is now complete as noted above.

Tactic 4: NES Pre-Transition – This will begin once GFL and the City have signed agreements to service NES during Transition. This tactic will inform NES of their Blue Box program as noted earlier in this report.

It is important to note that the annual EnviroTips newsletter that is mailed to 175,000 plus addresses in Essex-Windsor will speak to some of the tactics to offer another way to support residents to Transition. This augments all other efforts that are being used such as: social media, website, print ad allocation, promotion at events, etc.

Financial Implications

The estimated budgetary figures pertaining to the Transition of the Blue Box Program and the continuation of the servicing of NES were included in the 2024 Operational Plan and Budget.

Authority and City Administration continue to finalize the costs to service the collection and processing of NES and execute agreements now that the number of NES stops has been determined.

As noted in this report, Authority Administration is also in the process of finalizing the outstanding agreements with Circular Materials and the financial implications of those agreements.

The final figures will be presented to the Board as part of the 2025 Operational Plan and Budget that includes the 2024 Projection estimates.

Recommendation

THAT the Board receive this report as information.

Submitted By



Catharine Copot-Nepszy, Manager of Waste Diversion

Figure 1. Acceptable Materials during Transition-Blue Box Program

Effective August 28, 2024



The containers below are ACCEPTED in your Blue Box / Cart!

 <p>Empty Aerosol Cans <i>remove & discard lids</i></p>	 <p>Aluminum Cans</p>	 <p>Aluminum Trays, Plates & Foil</p>	 <p>Metal Cans & Lids <i>remove & recycle metal lids</i></p>	 <p>Cartons <i>discard any plastic caps</i></p>
 <p>Plastic Jugs <i>remove & discard caps</i></p>	 <p>Plastic Tubs & Lids <i>tub lids CAN be recycled</i></p>	 <p>All Plastic Bottles <i>remove & discard caps</i></p>	 <p>Clamshells & Trays (Plastic)</p>	 <p>Buckets / Pails <i>remove & discard lids, remove any metal handles</i></p>
 <p>Plastic Cups</p>	 <p>Plastic Egg Cartons</p>	 <p>Glass Bottles & Jars <i>remove & recycle metal lids</i></p>	 <p>Spiral Wound <i>chip & frozen juice cans, discard plastic lids</i></p>	

Figure 2. Acceptable Materials during Transition-Red Box Program



Don't put your recyclables in plastic bags!
All paper products below **must** be **EMPTY** (No Lids / No Food / No Liquids).

 <p>White Office Paper <i>can be placed in a paper bag</i></p>	 <p>Newspapers <i>remove any plastic bags/inserts</i></p>	 <p>Magazines & Junkmail <i>remove any plastic bags/inserts</i></p>
 <p>Boxboard <i>remove any plastic liners/bags</i></p>	 <p>Cardboard <i>breakdown boxes no larger than 30" x 30" x 30"</i></p>	 <p>Paper Containers & Cups</p>
 <p>Pizza Boxes <i>please eat or remove pizza</i></p>	 <p>Paper Packaging</p>	 <p>Shredded Paper & White Office Paper <i>place in a paper bag and label</i></p>

Figure 3. Shares the new OOPS Sticker that Circular Materials designed for their contractor to use during Transition.

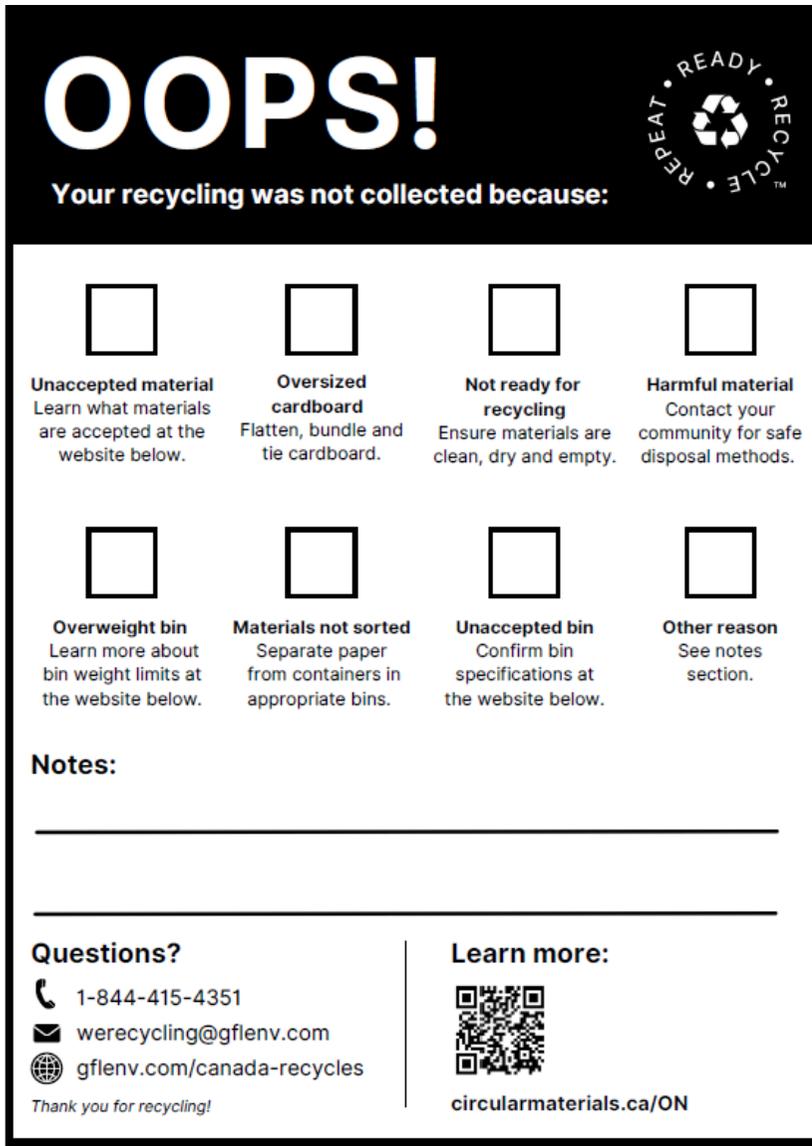


Figure 4. Example of a Circular Materials Transition resource.

Why the transition is important



- Historically, Ontario's blue box programs were operated by municipalities who shared the costs with producers. Now, under the Blue Box Regulation, Ontario is transitioning to a new model where producers are fully responsible for operating and funding the entire blue box program.
- In 2026, Ontario can expect a convenient, consistent, and effective recycling system in place that will improve recycling rates. This includes a consistent list of recyclable materials across the province.
- This new system operated by Circular Materials represents the evolution from product stewardship to a more circular economy where materials are collected, recycled and used again as recycled content in new packaging and products.

What does extended producer responsibility (EPR) mean?

EPR is a framework in which producers – the businesses that supply paper and packaging to residents – are responsible for managing the end-of-life management of these materials. EPR enables innovation, operational efficiencies, increased standard levels, and access to materials. It is recognized as one of the most effective mechanisms to improve recycling rates.

How we are enhancing Ontario's recycling system

- 
Strategic partnerships and collaborative initiatives to drive innovation
- 
Optimizing recycling operations and infrastructure
- 
Promotion and education that drives recycling rates
- 
Ensuring a continuous loop where materials are used again in new packaging and products

 circularmaterials.ca  @CircMaterials  Circular Materials



Essex-Windsor Solid Waste Authority Administrative Report

June 27, 2024

To: The Chair and Board of the Essex-Windsor Solid Waste Authority

From: Michelle Bishop, General Manager
Catharine Copot-Nepszy, Manager of Waste Diversion

Meeting Date: Wednesday, July 10, 2024

Subject: County of Essex Council Decision Regarding the Addition of Rural Curbside Collection of Source Separated Organics for the Green Bin Program in the County of Essex

Purpose

The purpose of this report is to provide the Board with an update regarding the decision from County of Essex Council for the provision of curbside collection of Source Separated Organics (SSO) from rural households for the Green Bin Program in each of the seven Essex County municipalities beginning in 2025 alongside urban households.

Further, that the Authority Board authorize the Chair and General Manager to execute the Contract with Miller Waste Systems Inc. (Miller Waste) for the curbside collection of SSO in rural settlement areas for a seven (7) year period with the anticipated commencement date of fall 2025. Where, the Authority reserves the right to extend the contract for two additional one-year extensions or portions of a year subject to the following process: any such extension shall be under the same terms and conditions excluding price which will be mutually agreed upon.

Background

At the April 10, 2024 meeting, the Authority Board approved the following:

1. *THAT the Authority Board award the Request for Proposal RFP 2024-02-07 for the curbside collection of source separated organics for the Green Bin Program in the County of Essex to the preferred proponent Miller Waste Systems Inc.*
2. *THAT the Authority Board authorize the Chair and General Manager to execute the Contract with Miller Waste Systems Inc. for the curbside collection of source separated organics in urban settlement areas for a seven (7) year period with the anticipated commencement date of fall 2025. Where, the Authority reserves the right to extend the contract for two additional one-year extensions or portions of a year subject to the following process: any such extension shall be under the same terms and conditions excluding price which will be mutually agreed upon.*
3. *THAT the Authority Board authorize the General Manager to attend Essex County Council to request that the County provide a resolution by May 31, 2024 regarding the collection and processing of organic waste for households in rural settlement areas in all County Municipalities, AND*
4. *THAT the General Manager report back to the Authority Board on the Essex County Council's resolution to expand the collection and processing of organic waste to include households in rural settlement areas.*

Discussion

Collection of SSO from Rural Households

As a result of the April 10, 2024 approved resolutions, the Authority's General Manager and Manager of Waste Diversion attended Essex County Council on June 5, 2024 to provide a report regarding the resolutions passed by the Authority Board along with information regarding the collection of SSO from both urban and rural households. A copy of the report has been attached for information.

Following extensive discussion, the following resolution was passed:

160-2024

Moved By Gary McNamara

Seconded By Joe Bachetti

That Essex County Council provide a resolution to the Essex-Windsor Solid Waste Authority to approve the collection and processing of organic waste for households in rural settlement areas in all County Municipalities.

In Favour (8): Michael Akpata, Joe Bachetti, Chris Gibb, Hilda MacDonald, Gary McNamara, Crystal Meloche, Michael Prue, and Larry Verbeke

Opposed (6): Sherry Bondy, Kimberly DeYong, Dennis Rogers, Rob Shepley, Kirk Walstedt, and John Kerr

Funding of the Regional Food and Organics Waste Program in County Municipalities

At the Essex County Council meeting on May 15, 2024, a notice of motion was filed by the Town of Kingsville requesting Council support to fund the Green Bin program via the County of Essex property tax levy. Additionally, the motion called for County Administration to prepare an administrative report detailing and assessing the ramifications of this decision.

In response to the Town of Kingsville's Notice of Motion, County Administration prepared a report that included three options for Council's consideration for funding the Green Bin Program:

1. A user fee-based funding model.
2. A County levy-based funding model using weighted assessment.
3. A hybrid model that combines the County levy-based funding model with a user fee methodology.

Following the Regional Food and Organic Waste Program funding model discussion, the following resolution was carried:

159-2024

Moved By Dennis Rogers

Seconded By Michael Prue

That Essex County Council receive the Regional Food and Organics Waste Program Funding Model Discussion report for information;

That Essex County Council approve the proposed hybrid model that combines the county levy-based funding model with a user fee methodology for the expenses associated with the Regional Food and Organics Waste (Green Bin) Program; and

That Essex County Council direct Administration to prepare a report that identifies their preferred funding model with the rationale and forward it to the EWSWA Board for their consideration.

In Favour (13): Michael Akpata, Joe Bachetti, Sherry Bondy, Kimberly DeYong, Chris Gibb, Hilda MacDonald, Gary McNamara, Crystal Meloche, Michael Prue, Dennis Rogers, Rob Shepley, Larry Verbeke, and Kirk Walstedt

Opposed (1): John Kerr

The current Authority funding model is comprised of both a fixed cost fee and a tipping fee. The per tonne tipping fees assessed for the disposal of traditional refuse (garbage) and leaf and yard waste are a function of the amount of material received for disposal. Each municipality is invoiced only for the material generated in their municipality. The Total Waste Management Fee, which includes a portion of the costs related to the Regional Landfill debenture and cell development costs, Town of Essex host compensation, and administrative costs are assessed to the City of Windsor and local municipalities based on population.

This funding model charges fees directly to the municipality based on its municipal wide usage, incentivizing waste reduction and ensuring that costs are borne by those who generate the waste. As proposed, the shift to a County levy model for the Green Bin Program, represents a significant change in the established funding strategy.

It should be noted that Section 5(g) of the agreement between the County of Essex and the City of Windsor pertaining to the creation of the Authority states the following:

The operations of the Authority will be funded by a means to be recommended from time to time by the Authority, based upon an operational plan and accompanying budget which has received approval from both City and County Councils.

Next Steps

As a result of the decision to include both urban and rural households in the program, a revised recommendation is required and must be approved from the Authority Board to include those households in the collection contract with Miller Waste.

As noted in the funding model resolution above, a report from County Administration will be presented to the Authority Board at a future meeting for

consideration. Once that report is received, Authority Administration will provide additional information if required.

Financial Implications

The price provided for the collection of SSO in urban settlement areas was \$2.02/stop per week while the price provided for collection of SSO in rural settlement areas was \$3.30/stop per week. However, it was indicated by Miller Waste that potentially a discount to the Authority could be negotiated if both urban and rural settlement areas were awarded at the commencement of the contract.

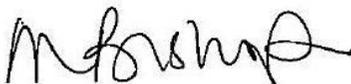
As included in the report to Essex County Council, discussions have taken place with Miller Waste regarding the potential for a discount if rural households were included in the scope of work. It was communicated that by procuring and utilizing fleet assets over the entire term of the contract, as well as optimizing routing and design, savings could be realized by all parties. Moreover, if the recommendations included in this report were approved, Authority Administration will work to finalize the financial terms and execute the contract.

There are no direct or immediate financial implications associated with this report as it relates to the 2024 Operational Plan and Budget. Any financial implications arising from the implementation of the program will be communicated to the Board throughout the program rollout and will be presented for approval as part of the annual budget process in the appropriate year.

Recommendation

1. THAT the Authority Board receive this report as information.
2. THAT the Authority Board authorize the Chair and General Manager to execute the Contract with Miller Waste Systems Inc. for the curbside collection of source separated organics in both urban and rural settlement areas in all seven municipalities in the County of Essex.

Submitted By



Michelle Bishop, General Manager



Cathy Copot-Nepszy, Manager of Waste Diversion

Attachments:

- EWSWA Administrative Report to County of Essex Council re: Resolution Request from the Essex-Windsor Solid Waste Authority Regarding the Inclusion of Rural Households in the Regional Green Bin Program
- Resolution of County of Essex Council – Regional Food and Organic Waste



Administrative Report

Office of the General Manager

Essex-Windsor Solid Waste Authority

To: Warden Hilda MacDonald and Members of County Council

From: Michelle Bishop, CPA
General Manager, Essex-Windsor Solid Waste Authority

Date: **June 5, 2024**

Subject: **Resolution Request from the Essex-Windsor Solid Waste Authority Regarding the Inclusion of Rural Households in the Regional Green Bin Program**

Purpose

The purpose of this report is to provide Essex County Council with information regarding resolutions approved by the Board of the Essex-Windsor Solid Waste Authority (the "**Authority**") pertaining to the results of the Request for Proposal (the "**RFP**") for the provision of curbside collection of Source Separated Organics ("**SSO**") for the Green Bin Program in each of the seven local municipalities of the County (the "**County Municipalities**").

The further purpose of this report is to provide information for County Council to render a decision regarding the inclusion of rural households in the Green Bin Program for all County Municipalities.

Background

As previously reported, a number of resolutions related to solid waste management in the region were made throughout 2022 by the Authority Board, County Council, and City Council in order to bring the region into compliance with Ontario's Food and Organic Waste Policy Statement (the "**Policy**").

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Resolution Request from the EWSWA Regarding the Inclusion of Rural Households in the Regional Green Bin Program

More specifically, there were resolutions pertaining to the implementation of a Regional Food and Organic Waste Management Plan.

In March 2022 the Authority was provided with the following resolution from County Council:

And further that County Council advise [the Authority] prior to March 31, 2022, that all [County Municipalities] will participate in a regional solution for the collection and processing of organic waste material from urban settlement areas, at a minimum, as part of the short-term processing contract commencing January 1, 2025 or immediately upon the expiration of a municipality's existing waste collection contract, whichever is later.

This meant that depending on the individual waste collection contract expiration dates, municipalities may have different program commencement dates.

Acting on those resolutions, on August 10, 2022, the Authority Board awarded the RFP for the provision of processing of SSO waste to Seacliff Energy Corp. for a five (5) year term commencing in 2025. with the option to renew for three (3) additional one-year extensions.

The next step in the process was to procure for the collection of SSO from each household.

While the resolution from the County stated that all County Municipalities would participate in a regional solution for the collection and processing of SSO waste from urban settlement areas, at a minimum, in July 2023, the Authority Board and County Council received a report from the Authority's consultant EXP titled "Logistics and Transfer of Municipal Source Separated Organics: Review and Strategic Plan" (the "**EXP Report**"). The EXP Report provided the following recommendations:

Implementing an SSO collection program across the Essex-Windsor Region in both rural and urban areas would provide a number of additional benefits, including:

(a) Program consistency across service areas, which will reduce the likelihood of conflicting and confusing messaging;

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Resolution Request from the EWSWA Regarding the Inclusion of Rural Households in the Regional Green Bin Program

(b) Reducing the complexity of program logistics when implementing the new SSO collection / EOW garbage collection, thereby minimizing organizational and planning-related risks;

(c) Allowing for a less complicated bidding process, which may encourage more accurate and competitive pricing through a less onerous tender process;

(d) Maintaining a consistent and equitable level of service to all participating municipalities and their residents;

(e) Reducing the potential for acrimony by residents that may feel they are not receiving an equitable level of service;

(f) Placing the County and its residents in an advanced state of readiness should the province implement its proposed provincial landfill ban on SSO in 2030; and

(g) Avoiding potential confusion and contractual changes that may arise if the rural areas are brought into the program at a later date in response to pressures imposed by the planned provincial SSO landfill ban.

As a result of the recommendations in the EXP Report, the Authority initiated the procurement for the collection of SSO waste in County Municipalities for servicing each of the following: single family homes in urban settlement areas, single family homes in rural settlement area, and other provisional items in both of these settlement areas.

At the April 10, 2024 meeting, the Authority Board approved the following:

- 1. THAT the Authority Board award the Request for Proposal RFP 2024-02-07 for the curbside collection of source separated organics for the Green Bin Program in the County of Essex to the preferred proponent Miller Waste Systems Inc.*
- 2. THAT the Authority Board authorize the Chair and General Manager to execute the Contract with Miller Waste Systems Inc. for the curbside collection of source separated organics in urban settlement areas for a seven (7) year period with the anticipated commencement date of fall 2025. Where, the Authority reserves the right to extend the contract for two additional one-year extensions or portions of a year subject to the following process: any such extension shall be under the same terms and conditions excluding price which will be mutually agreed upon.*

Michelle Bishop, General Manager

Essex-Windsor Solid Waste Authority, 360 Fairview Avenue West, Suite 211, Essex, Ontario, N8M 3G4

Phone: 519-776-6441, ext. 1225; Email: mbishop@ewswa.org

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Resolution Request from the EWSWA Regarding the Inclusion of Rural Households in the Regional Green Bin Program

3. *THAT the Authority Board authorize the General Manager to attend Essex County Council to request that the County provide a resolution by May 31, 2024 regarding the collection and processing of organic waste for households in rural settlement areas in all County Municipalities, AND*
4. *THAT the General Manager report back to the Authority Board on the Essex County Council's resolution to expand the collection and processing of organic waste to include households in rural settlement areas.*

Discussion

RFP Award and Information Regarding the Successful Proponent

The RFP process and submission evaluation encompassed a multi-staged approach that included both a technical and financial evaluation and scoring by an Evaluation Committee that was guided by the County's Procurement Officer. After thorough review, consensus was met by the Evaluation Committee and the highest combined score was obtained by Miller Waste Systems Inc. ("**Miller Waste**"), who therefore declared the Preferred Proponent per the terms of the RFP.

Miller Waste is a family-owned business that was established in 1961. They are an Ontario-based leader in total resource management solutions, specifically Canadian organics and compost space.

Miller Waste has a growing fleet of over 1,200 collection vehicles and more than 2,200 team members with branches across Ontario, Manitoba, New Brunswick and Nova Scotia. In Ontario, they employ 2,000 staff and operate 1,000 vehicles. They have 31 municipal contracts in Ontario and 18 of these are for SSO long-term (6-10 years) contracts, similar to the Contract they are entering into with the Authority for. Some comparable contracts that Miller Waste has held are with the: City of Ottawa, County of Simcoe, Niagara region, Regional Municipality of Halton, and the Regional Municipality of Waterloo.

Miller Waste is known to integrate into communities it serves by hiring local, supporting community projects, working with local partners and suppliers, and understanding the unique local needs.

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Resolution Request from the EWSWA Regarding the Inclusion of Rural Households in the Regional Green Bin Program

The Regional Green Bin program will create new jobs in the Essex-Windsor Region as Miller Waste is anticipated to hire local staff, which will include curbside collection drivers, route supervisors, heavy equipment mechanic labourers, and administrative staff, who will be employed over the life of the contract.

Some technical highlights that Miller Waste's proposal demonstrated were:

- High degree of experience in the residential curbside waste collection services industry that services Ontario municipalities through multi-year contracts with a similar size and scope to that of the Authority.
- An excellent start-up plan that included but was not limited to providing key milestones, critical path and timing of activities, and demonstrating superior understanding and knowledge regarding the launch of a new SSO program and the unique challenges the County municipalities face.
- Provided a robust approach and plans towards ensuring a smooth program operation in regards to routing methodology, communications protocols and quality control measures.
- Displayed superior capability to ensure effective and reliable results, through their contingency plans, experience, and policies (maintenance, recruitment, communication, quality assurance, etc.).

Per Household Price Submission – Urban vs. Rural

The new Green Bin Program for the region is a significant undertaking for any proponent and requires a substantial capital investment. Several factors that had to be considered by proponents bidding on the RFP in preparing their financial proposal included:

- Cost and availability of specialized collection vehicles.
- Cost to secure a facility to store, secure, maintain, and fuel vehicles.
- Ability to attract, train and retain staff.
- Route design and tracking.
- Unknown participation levels.
- Resident education (set out times, cart placement, contamination levels, etc.).
- Inflationary uncertainties (fuel, insurance, interest rates, etc.).

The RFP was structured to allow for a number of provisional collections to be added during the term of the contract, provided a minimum of one year's notice was provided to the contractor. This included collection from primary

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and secondary schools, multi-residential facilities, and rural settlement areas. This was particularly important in order to mitigate risk to the Authority and County in the event of any changes by a County Municipality to current residential garbage collection, or a County Municipality's population and/or density reaching requisite levels, or new legislation or regulatory requirements being enacted by the Province.

The price provided for collection of SSO in urban settlement areas was \$2.02/stop per week while the price provided for collection of SSO in rural settlement areas was \$3.30/stop per week. However, it was indicated by the Preferred Proponent that potentially a discount to the Authority could be negotiated if both urban and rural settlement areas were awarded at the commencement of the contract.

Discussions have taken place with Miller Waste regarding the potential for a discount, it has been communicated that by procuring and utilizing fleet assets over the entire term of the contract, as well as optimizing routing and design, savings could be realized by all parties. Alternatively, if the Authority advises Miller Waste at some point later in the term of the contract of the need to add rural households they would need to acquire assets, staff and redesign established routes with little opportunity for payback.

Administration has also identified that additional potential savings could be achieved by procuring collection carts for both urban and rural households at the same time. Carts used for the Green Bin Program will require design, manufacture, shipment, assembly and distribution to each household. Bulk purchase of the carts is expected to yield a significant discount compared to the price the Authority is currently paying for recycling carts of a similar size.

The Authority is also procuring for the engineering, design and construction of transfer facilities to consolidate the material for shipment to the processing facility. The design will include the capacity to manage material from the entire region to avoid the need for future construction or modifications to the transfer system.

As the Authority oversees the promotion and education ("**P&E**") program for waste diversion, it would design the P&E program for the Green Bin Program. Messaging to all County Municipalities would be greatly simplified if this program were rolled out to every residential address in the entire County at the same time, regardless of whether there was a rural versus urban designation. Conversely, in the case where only urban settlement

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areas were included in the Green Bin Program, the Authority would need to create two different mail-outs to households in each area (rural and urban) or it would repetitively preface that the Green Bin Program would only apply to urban settlement areas. The latter approach could lead to residents not being satisfied that they are getting a lower level of service than their urban counterparts. If mail-outs were separated (urban and rural) it could also pose a risk of getting the right information to each area as Canada Post boundaries for urban versus rural may not be accurate.

Further, radio promotion would also be a challenge as it would need to always clarify that it was for urban settlement area residents and not those living in rural areas. This would also add a layer of complexity for residents if they do not know whether their household is captured in the urban or rural settlement area.

At Regional Municipal Working Group meetings, Authority and County Administration have identified that if all households are not included in the Green Bin Program and a County Municipality wishes to adjust traditional garbage frequency it may result in different levels of service for urban and rural residents. Municipalities would need to procure and administer 2 different service levels (urban=biweekly and rural=weekly).

Also, as municipal growth occurs, the Authority and the seven County Municipalities would need to be actively redefining the urban settlement areas as growth happens.

If rural households are excluded, more resources would be needed by both the Authority and County Municipalities to accurately reach and support the residents that they service.

Jurisdictional Review

Authority Administration contacted the following municipalities to request information regarding the provision of service to urban vs. rural households:

Region/Municipality	Estimate No. of Households	Urban or Both	Year Commenced
County of Simcoe	145,403	Both	2008
County of Wellington	34,234	Both	2020

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Region/Municipality	Estimate No. of Households	Urban or Both	Year Commenced
Regional Municipality of Durham	219,715	Both	2006
Regional Municipality of Halton	186,011	Both	2008
City of Hamilton	185,564	Both	2006
City of Guelph	31,619	Both	2011
City of Greater Sudbury	62,200	Both	2009
Regional Municipality of Niagara	173,763	Both	2004/8
City of London	128,867	Both	2023
Regional Municipality of Waterloo	157,815	Both	2002+
Regional Municipality of York	331,500	Both	2004+

Authority Administration requested supplemental information from the above municipalities regarding the decision factors that were considered in determining the level of service. Several similar responses were received and included the following:

- Municipalities wanted to provide the same level of service despite location to keep all residents equal regardless of their location.
- The rationale was to provide consistent services for residents, so messaging is common where they live, work, and play which in turn encourages diversion everywhere.
- Contractually, it was also practical as they utilize split trucks for organics and waste.

Of the municipalities listed above, most provided the service to both urban and rural households at the commencement of the program. Of the few that stated rural households were added at a later date, the following was noted:

- The municipality changed to an anaerobic composting process and began accepting a broader range of organic materials that better aligned with the needs of both rural and urban communities.

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- The benefit to Green Bin programs is that it is the “same garbage, better container”, which was endorsed by the Ministry of Natural Resources, confirming that the Green Bin cart latch systems were more robust in keeping unwanted wildlife out and less litter in rural areas.
- The assumption that rural households would compost on their property or through animal farms was determined to be false based on a waste study that confirmed organics were indeed making it into the garbage stream in rural households.

Financial Implications

Miller Waste submitted pricing as follows:

Service Type	Price per stop per year per service type	Estimated number of stops per RFP	Estimated Total Costs in Year 1
Urban Settlements Areas Only	\$105.04 per year (\$2.02 per week)	57,000	\$5,987,280.00
Rural Settlement Areas Only	\$171.60 per year (\$3.30 per week)	11,700	\$2,007,720.00

The prices set out are subjected to an annual price adjustment based on a 90% annual change in the Consumer Price Index and a 10% change in the twelve-month average Windsor Diesel Prices published on the Ontario Ministry of Energy’s website.

Estimated stop counts were provided to proponents to provide a general magnitude of work. Collection will only be provided at properties with an occupied residence, meaning that vacant properties, properties under construction and properties without a residence will not be included in the stop count.

The final stop count will be provided to Miller Waste (90) days prior to the commencement date and will be re-calculated as of January 1 in each year

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following the commencement date. The stop count is subject to annual fluctuations. Factors that could contribute to the increase or decrease of the stop count are as follows: whether new building permits are issued, if residential units are demolished or become uninhabitable or by adjustments made to property assessment as published by the Municipal Property Assessment Corporation from time to time.

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Using the estimates provided in the RFP document the following table provides an estimate of cost by municipality and the total County:

County Municipalities	Urban Settlement Areas Only			Rural Settlement Areas Only			Both Urban and Rural
	Approx. Number of Urban Households	Price per Household (per week)	Est. Annual Cost Per Municipality (52 weeks)	Approx. Number of Rural Households	Price per Household (per week)	Est. Annual Cost Per Municipality (52 weeks)	Total Est. Annual Cost Per Municipality
Amherstburg	7,500	\$2.02	\$787,800	1,200	\$3.30	\$205,920	\$993,720
Essex	5,800	\$2.02	\$609,232	2,500	\$3.30	\$429,000	\$1,038,232
Kingsville	6,300	\$2.02	\$661,752	2,100	\$3.30	\$360,360	\$1,022,112
Lakeshore	12,300	\$2.02	\$1,291,992	2,700	\$3.30	\$463,320	\$1,755,312
LaSalle	10,300	\$2.02	\$1,081,912	900	\$3.30	\$154,440	\$1,236,352
Leamington	7,100	\$2.02	\$745,784	1,800	\$3.30	\$308,880	\$1,054,664
Tecumseh	7,700	\$2.02	\$808,808	500	\$3.30	\$85,800	\$894,608
Totals	57,000		\$5,987,280	11,700		\$2,007,720	\$7,995,000

Note: The table above does not include any potential discount offered by Miller Waste for the inclusion of rural households at program commencement.

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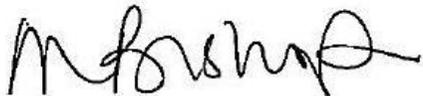
Conclusion

In consideration of service level discussions at Municipal Working Group meetings with representatives from each municipality, the benefits outlined in the EXP document as well as the additional benefits and cost savings described in this document it is recommended that the implementation of the SSO collection program across the Essex-Windsor Region should be considered for both rural and urban areas.

Recommendation

1. THAT Essex County Council provide a resolution to the Essex-Windsor Solid Waste Authority regarding the collection and processing of organic waste for households in rural settlement areas in all County Municipalities.

Respectfully Submitted



Michelle Bishop, CPA
General Manager



Cathy Copot-Nepszy
Manager of Waste Diversion

June 17, 2024

Memo

To: Melissa Ryan mryan@countyofessex.ca
Michelle Bishop mbishop@ewswa.org
Cc: Steffan Brisebois sbrisebois@ewswa.org
Teresa Policella tpolicella@ewswa.org
Sandra Zwiers szwiers@countyofessex.ca
David Sundin dsundin@countyofessex.ca

Re: Resolution of Council – Regional Food and Organic Waste Program

Essex County Council, at its Wednesday, June 5, 2024 meeting, adopted the following resolutions pertaining to the Regional Food and Organic Waste Program.

Under Agenda item **10.1.2 Source Separated Organics Collection in the County of Essex** the following resolutions were carried:

158-2024

Moved By Dennis Rogers
Seconded By Crystal Meloche

That Essex County Council receive the report Source Separated Organics Collection in the County of Essex. (Voted electronically)

In Favour (13): Michael Akpata, Joe Bachetti, Sherry Bondy, Kimberly DeYong, Chris Gibb, Hilda MacDonald, Crystal Meloche, Michael Prue, Dennis Rogers, Rob Shepley, Larry Verbeke, Kirk Walstedt, and John Kerr
Opposed (1): Gary McNamara

Carried

160-2024

Moved By Gary McNamara
Seconded By Joe Bachetti

That Essex County Council provide a resolution to the Essex-Windsor Solid Waste Authority to approve the collection and processing of organic waste for households in rural settlement areas in all County Municipalities. (Voted electronically)

Resolution of Council – Regional Food and Organic Waste Program

June 17, 2024

In Favour (8): Michael Akpata, Joe Bachetti, Chris Gibb, Hilda MacDonald, Gary McNamara, Crystal Meloche, Michael Prue, and Larry Verbeke
Opposed (6): Sherry Bondy, Kimberly DeYong, Dennis Rogers, Rob Shepley, Kirk Walstedt, and John Kerr

Carried

Under Agenda item **13.1.Regional Food and Organic Waste Program Funding Model Discussion** the following resolution was carried:

159-2024

Moved By Dennis Rogers

Seconded By Michael Prue

That Essex County Council receive the Regional Food and Organics Waste Program Funding Model Discussion report for information;

That Essex County Council approve the proposed hybrid model that combines the county levy-based funding model with a user fee methodology for the expenses associated with the Regional Food and Organics Waste (Green Bin) Program; and

That Essex County Council direct Administration to prepare a report that identifies their preferred funding model with the rationale and forward it to the ESWWA Board for their consideration.

(Voted electronically)

In Favour (13): Michael Akpata, Joe Bachetti, Sherry Bondy, Kimberly DeYong, Chris Gibb, Hilda MacDonald, Gary McNamara, Crystal Meloche, Michael Prue, Dennis Rogers, Rob Shepley, Larry Verbeke, and Kirk Walstedt
Opposed (1): John Kerr

Carried

Please do not hesitate to contact me if you have any questions or concerns.

Regards,



Crystal Sylvestre
Coordinator, Legislative and Community Services

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Essex-Windsor Solid Waste Authority Administrative Report

June 26, 2024

To: The Chair and Board of the Essex-Windsor Solid Waste Authority

From: Catharine Copot-Nepszy, Manager of Waste Diversion

Meeting Date: Wednesday, July 10, 2024

Subject: **Overview of Four-Season 2022/2023 Residential Waste Audit**

Purpose

The purpose of this report is to provide the Authority Board with an overview of the four-season residential waste composition results from the 2022/2023 curbside waste audit.

Background

In 2021, Stewardship Ontario collaborated with select municipalities across Ontario through the Continuous Improvement Fund (CIF) collaborative, who were interested in performing a curbside residential waste audit to evaluate Blue/Red Box programming prior to the transition to Extended Producer Responsibility (EPR). This audit would form a baseline measurement for the provincial Blue/Red Box diversion program heading into EPR. Costs of this audit were subsidized through this initiative. The audits were conducted by a third-party waste auditor, the AET Group Inc. (AET) which was contracted by CIF.

Since the Authority's last formal curbside audit was completed in 2012, the Authority was looking to perform a curbside waste audit in 2022. As a significant portion of the audit was subsidized (as noted above), the Authority agreed that it was timely to participate and enjoy significant cost savings as a result of this synergy.

The goal of this audit was to study 100 sample households in Essex County and Windsor over a two-week waste cycle to understand the waste behaviours of Essex-Windsor residents across various streams: Blue/Red Box and Garbage. Further, to better understand waste diversion behaviours, the Authority contracted AET to segregate Garbage stream materials into supplementary categories such as food/organic waste, hazardous and special waste, textiles, etc. As a two-week audit cycle was studied this meant that Garbage was audited twice (due to the weekly collection program); whereas Blue/Red Box set-out was audited once (due to the biweekly collection program). Each two-week audit cycle was completed for all four seasons to see if behaviours change across the following four seasons: Fall 2022, Winter 2023, Spring 2023, and Summer 2023.

It was critical to ensure collection contractors for each stream did not service households being audited ahead of the auditor, so there was extensive communication between AET, the Authority, the municipality and collection contractors during each of the four audit seasons.

Discussion

The following results from the residential audit results were presented by AET. These results will form a baseline for the Authority's upcoming Blue/Red Box Transition on August 28, 2024 and the 2025 Green Bin Program, as well as provide direction to the Authority's programs. Of the 100 households across Essex-Windsor that were audited across a two-week period for each of the four seasons the following was found:

A. Curbside Waste Program- Participation

The Overall Participation Rate for each waste stream studied was as follows: Garbage (80.61%), Red box (Fibre) (64.95%), and Blue box (Container) (65.37%).

Fall had the highest average participation rate (74%) across all waste streams, whereas Summer had the lowest average participation rate (63.88%) across all waste streams; and the average participation rate for all seasons was 68.33% in all streams.

B. Overall Waste Set-out in Garbage and Blue/Red Box Programs

Waste Generation is the amount of each material set-out at the curb in either the Garbage, Red Box or Blue Box streams. By combining data from all three waste streams and all four seasons, it was found that on average households generate (set-out) 12.87 kg/HH/week and 671.08 kg/HH/year of waste at the curbside.

Stream	Quantity Generated (kg)/HH/Week	Quantity Generated (kg)/HH/Year
Garbage	10.33	538.50
Red Box (Fibre)	1.51	78.91
Blue Box (Containers)	1.03	53.67
Overall	12.87	671.08

Table 1.0 Discusses the total amount of waste set-out at the curb by residents for all waste streams: Garbage, Blue box and Red box programs.

Note that Garbage includes any items set-out in the Garbage stream such as food and organic waste, leaf and yard waste, hazardous and special waste, textiles, non-recyclable plastics, miscellaneous metal, electronics, non-divertible material, Blue/Red Box items, etc.

On average HHs set-out the following per week:

- 0.96 full Garbage container/week,
- 0.84 Red Box container/week, and
- 0.67 Blue Box container/week

C. Garbage Stream Composition

Top materials set-out by residents in their Garbage streams are shown below. Note that Food/organic waste (48.25%) was the most common material found in the Garbage stream. Approximately 18% of materials found in the Garbage stream don't belong as they are Diversion Program Materials (there are curbside collection programs or Depot programs to divert these materials).

- Food/organic waste=48.25%
- Other waste (cat litter, wood, construction waste, etc.) =20.87%
- Diversion Program Materials= 18.12%
 - Red box=6.76%
 - Blue box=5.46%
 - Yard waste=2.82%
 - Reusable textiles=1.58 %
 - Other Metal=0.94%
 - Household Hazardous Waste (HHW)=0.38%
 - Electronics (ITT/AV Equipment) =0.18%

Other items such as: diapers/sanitary (4.92%), non-recyclable plastics (flexible film) (4.02%), and pet waste (excluding cat litter) (2.50%) were set-out by residents in the Garbage stream.

Figure 1. Depicts the composition of materials in the Garbage stream by household per week.

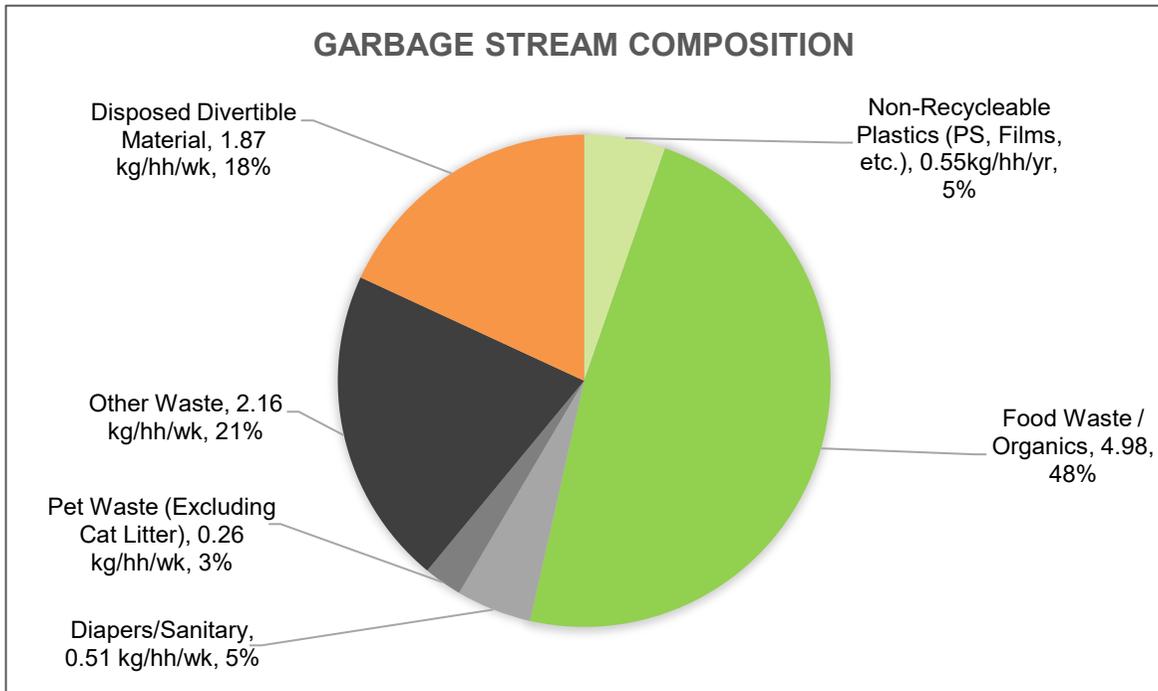
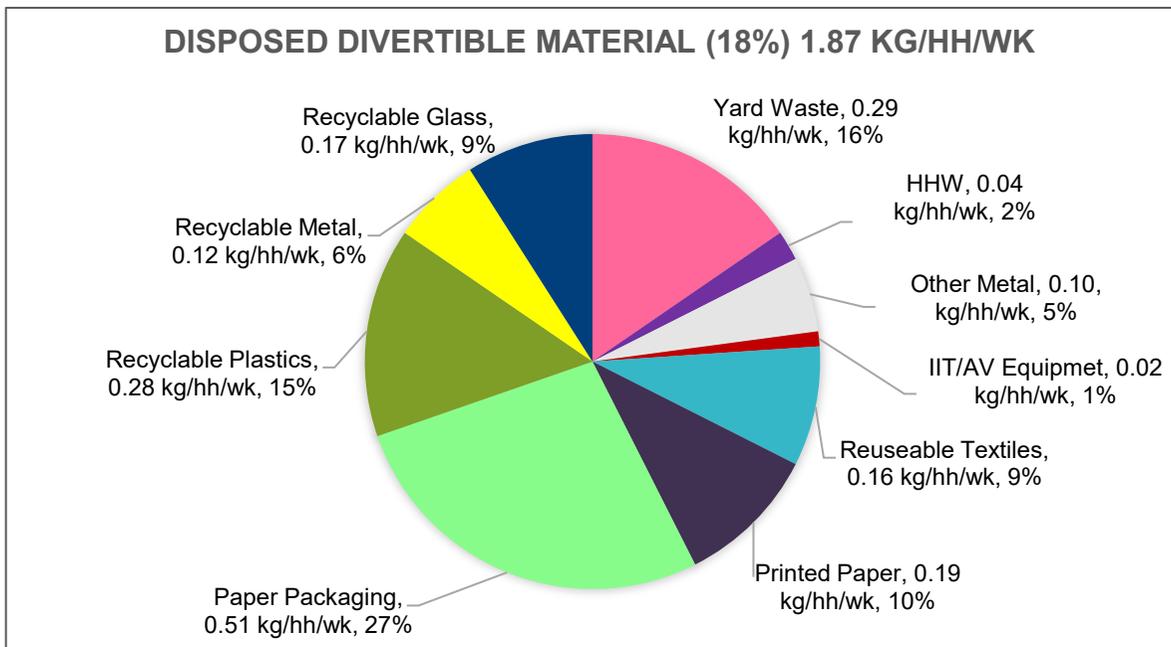


Figure 2. Shares details on the composition of the Disposed Divertible Material located in the Garbage stream.



D. Red Box (Fibre) Stream Composition

96.27% of materials set-out by residents in the Red Box program were Acceptable Materials in the current Red Box program. Cross-contamination from the Blue Box program was exceptionally low. Contaminants were also low and mainly included residual food/organic waste from residents not emptying their food out of packaging before they recycle.

E. Blue Box (Containers) Stream Composition

82.93% of materials set-out by residents in the Blue Box program were Acceptable Materials in that program, whereas Non-Acceptable Materials was at 17.08%. It is important to highlight that Red Box materials weigh significantly more than light-weighted Blue Box materials. Therefore, while the results share that there is almost a 7% cross-contamination of fibre in this program, Red Box material weights may strongly influence this number as compared to Blue Box material weights. Key contaminants found in the audit were: other waste (3.58%), non-recyclable plastics (2.68%), and residual food/organic waste (2.47%).

F. Blue/Red Box Diversion Rate

Diversion Rate (DR) is the amount of Blue/Red Box material diverted through the Blue/Red Box program compared to the overall amount of material generated at the curb from all three streams (Blue/Red Box and Garbage).

The audit found that single-family households diverted 2.40 kg/HH/wk of Blue/Red Box materials from the landfill and generated an average waste total of 12.87 kg/HH/wk at the curbside which calculates to a 18.61% diversion rate. It is important to understand what the highest average achievable diversion rate is in order to put the actual average diversion rate of 18.61% in context. The highest achievable diversion rate is calculated by assessing the total divertible material generated in all streams compared to the total material generated. Therefore, the highest achievable average diversion rate for single-family households that were audited was 28.47% which shows that there is a 9.81% opportunity to divert more Blue/Red Box materials.

Next steps:

The waste audit consultant, AET Group Inc. offered many recommendations as a result of this audit. Administration has reviewed these and arrived at a set of next steps that will target to increase waste diversion.

1. EPR- The Authority will continue to build awareness and knowledge among its residents on the opportunities and importance of source separation of

waste by the residents through the proper use of local diversion programs. As the Blue/Red Box program is transitioning to producers, it will be key for producers to continue to build awareness and knowledge once they administer this program. Once, Blue/Red Box program capture rate targets are enforced by the Resource Productivity and Recovery Authority, it will encourage them to continue to invest in waste diversion program and policies.

2. Depots- In the short-term, the Authority will continue to connect residents to its three Depots, which will allow them to properly divert recyclable materials from their Garbage stream. In the long-term, when the Authority considers expanding or revamping its Depots and programs, where the design will consider making diversion the easy and more efficient choice for its customers.
3. EnviroTips- This summer, the Authority is looking to share audit results with its residents to increase their awareness on waste generation and diversion opportunities. This will be done through the annual EnviroTips newsletter that will be delivered to homes in Essex-Windsor. Information such as:
 - How are we doing- Waste Generation Scorecard;
 - 'High 5' on minimizing contamination and capturing the 'Fab Five';
 - Opportunities to increase diversion and capture of key resources;
 - Gold Star Brand beyond the Blue Box program;
 - Connect residents to the Authority's Depots and programs; and
 - The 2025 Green Bin Program which will positively impact waste diversion.
4. Policy/Program- The Authority will continue to work with municipalities to prioritize the diversion of valuable resources, through policies and programs that prioritize diversion over disposal (e.g., biweekly garbage once the weekly Green Bin Program is implemented).
5. Rebrand- The Authority is also working with a marketing consultant to develop a framework and direction that will refresh the Authority's brand as it enhances its services in the coming year. This exercise will evaluate methods used in the current program and enhance opportunities for new approaches to continue to grow engagement in the community. Some quick strategies include, but not limited to: incentivize participation through reward programs (e.g., Gold Star in the Green Bin Program), conduct workshops or webinars to address waste management challenges, expand digital promotions and community engagement (e.g., contests, surveys), as well as, increase following through: Recycle Coach App, social media and the Authority's new website.

6. Food/organic waste: The Authority will continue to connect residents with alternative options for Food/organic waste diversion, such as home composters or community composting, FoodCycler, etc.
7. Follow-up Audit- Finally, a follow-up curbside waste audit will need to be scheduled once the Green Bin Program has been launched and EPR has occurred (January 1, 2026). This will allow the Authority to compare these results to this baseline audit to understand the impact of policy/program changes.

Financial Implications

Existing Authority resources (e.g., staff, facility, communication) were allocated to assist with this initiative. The portion of the AET that the Authority incurred was included in the 2023 Operational Plan and Budget, so there are no additional financial implications to report at this time.

Recommendation

THAT the Board receive this report as information.

Submitted By



Catharine Copot-Nepszy, Manager of Waste Diversion

Attachment: AET Four Season 2022/2023 Waste Composition Summary Report (separate cover)



Essex-Windsor Solid Waste Authority

Administrative Report

July 3, 2024

To: The Chair and Board of the Essex-Windsor Solid Waste Authority

From: Michelle Bishop, General Manager

Meeting Date: Wednesday, July 10, 2024

Subject: RFP Result and Next Steps for a Source Separated Organics Transfer Station at the Essex-Windsor Regional Landfill

Purpose

The purpose of this report is to provide the Board with the results of the Request for Proposal ("RFP") for the provision of engineering services for the design and approvals for a source separated organics (SSO) transfer station and Municipal Hazardous and Special Waste (MHSW) depot upgrades at the Essex-Windsor Regional Landfill and to advise on next steps for the project.

Background

The Authority owns and operates the Essex-Windsor Regional Landfill located at 7700 County Road 18 in Essex, Ontario (the Landfill or Site). The Authority also operates a MHSW and Recycling Depot at this Site to divert these materials.

With the upcoming Regional SSO Program, the Authority requires a 10,000 tonne per year SSO transfer station at the Site to receive, consolidate, load, and haul SSO off-site for processing to Seaciff Energy Corp. SSO at this Site would be received primarily from the Towns of Amherstburg, Essex, and Lasalle and may receive SSO from the City of Windsor or remaining County municipalities as contingency measures. In addition, the Authority is seeking to upgrade the MHSW

Depot by including a covered area that extends off the west side of this new SSO Transfer Station, which abuts the existing MHSW area.

Discussion

On April 11, 2024, in accordance with the Authority's Procurement Policy, RFP 2024-04-11 for Engineering Services for Design and Approvals for an SSO Transfer Station and MHSW Depot Upgrades at the Essex-Windsor Regional Landfill was issued. An optional site meeting was conducted and was attended by two Proponents.

The RFP closed on May 16, 2024 and two proposals were submitted by Dillon Consulting Limited and AECOM. Both submissions were reviewed and deemed compliant with the requirements of the RFP and proceeded to the technical evaluation stage. Proposals were individually reviewed and evaluated by the evaluation committee, which comprised four (4) Authority staff members and the process was facilitated by the Procurement Officer from the County of Essex. Both Proponents achieved the minimum technical score and proceeded to the financial evaluation stage of the process.

During the financial evaluation, it was identified that the financial proposals submitted in response to the RFP were significantly higher than anticipated. Some suspected reasons for these higher costs include a compressed timeline to complete the work, unknowns related to additional studies, and the type and scope of the facility.

Due to the significant costs associated with this project, Administration is recommending to place the project on hold by cancelling RFP 2024-04-11 and to re-evaluate next steps. In accordance with the terms and conditions of the RFP process, the Authority may cancel or amend the RFP process without liability at any time.

Next steps will include revisiting the timeline for implementation and the type of facility necessary to fulfill the requirements of the new Regional SSO Program, such as a temporary modular style facility that would support long-term needs for the Regional SSO Program as well as the Landfill Site by providing more operational flexibility. This type of temporary modular style facility has been successfully operating at municipal facilities in Ontario and are suitable for landfills as, for example, the facility can occupy space planned for a future cell, thus utilizing space that otherwise would be vacant until the planned development of the cell.

Administration has confirmed delaying this project is feasible and have the following contingency measures in place to ensure uninterrupted services are

achieved:

- The Windsor SSO Transfer Station will have design capacity to accommodate the SSO tonnages received from the Town of Amherstburg, the Town of Essex, and Town of Lasalle at the onset of the program and in the interim until an SSO Transfer Station is built at the Landfill as SSO tonnages are expected to increase gradually as the program matures; and
- Miller Waste is amenable to deliver SSO collected from the Towns to the Windsor SSO Transfer Station in the interim.

Administration will consider and review other potential options for the SSO Transfer Station at the Landfill, determine timelines, and report back to the Board.

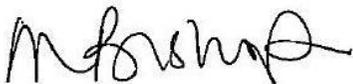
Financial Implications

There are no direct or immediate financial implications associated with this report at this time. Any financial implications will be communicated to the Board as part of the next steps and presented for approval as part of the annual budget process in the appropriate year.

Recommendation

1. THAT the Board approve the recommendation to cancel the Request for Proposals RFP 2024-04-11 for engineering services for design and approvals for an SSO transfer station and MHSW depot upgrades at the Essex-Windsor Regional Landfill.
2. THAT the Board DIRECT Administration to report back on next steps for the SSO Transfer Station at the Essex-Windsor Regional Landfill.

Submitted By



Michelle Bishop, General Manager



Essex-Windsor Solid Waste Authority

Administrative Report

July 4, 2024

To: The Chair and Board of the Essex-Windsor Solid Waste Authority

From: Tom Marentette, Manager of Waste Disposal

Meeting Date: Wednesday, July 10, 2024

Subject: **Tender for the Construction of the Regional Landfill Cell 5 North – Award of Contract**

Purpose

To recommend that the Request for Tender (the “**RFT**”) for the Regional Landfill (the “**Landfill**”) Cell 5 North Construction, Contract 9-2024 be awarded to Sterling Ridge Infrastructure Inc. at a cost with an upset limit of \$12,035,300 plus HST. The upset limit to the Authority when including the non-refundable portion of HST (1.76%) equals \$12,247,200.

Background

The Landfill is designed to have five (5) Cells with each Cell comprising of (2) constructible Cells denoted as being North or South. New Cells are constructed when additional waste capacity is needed. The Landfill, following the construction of Cell 5 North will have two (2) remaining Cells (Cell 4 South and Cell 5 South) left to construct until the Landfill reaches its design capacity (estimated closure date is approximately 2040).

The remaining air space (the volume available for landfilling) in Cell 3 South and Cell 4 North (the cells which are currently accepting waste) are anticipated to reach capacity by winter 2026. The construction of Cell 5 North will expand the Landfill’s waste capacity by an estimated 5-6 years (at current waste volumes).

Discussion

Tendering Process

The Authority contracted WSP (the Authority's Engineering Consultant) to administer the competitive procurement for the public tendering of the Construction of Cell 5 North. A competitive public tender is required per the Authority's Procurement when costs exceed \$100,000.

The closing date for the receipt of tenders for the Construction of Cell 5 North at the Essex-Windsor Regional Landfill was 12:00 PM, May 30, 2024. The tender was advertised on the EWSWA, Biddingo, MERX, Bids and Tenders and Windsor Construction Association websites as well as the Windsor Star. In attendance at the tender opening were: EWSWA Board Member Rob Shepley, Waste Disposal Manager, Tom Marentette, Manager of Finance and Administration, Steffan Brisebois, Executive Assistant, Teresa Policella and WSP Engineering Consultant representative Radwan Tamr.

Contractors were asked to submit a bid for each task which comprised of both mandatory and provisional items. The provisional items were tasks that may or may not be completed as part of the scope of work and are discretionary based solely on the Authority's operational needs. In total, sixty-four (64) unique tasks were identified by WSP with eighteen (18) of the tasks being considered provisional. The Authority has decided that only ten (10) of the provisional items are required, with the Authority already having completed, being able to complete, or being able to delay the other eight (8) provisional items.

A total of 4 contractors submitted bids for the construction of Cell 5 North. A breakdown of the bids, with all of the mandatory items (the "**Mandatory Tasks**"), and the ten (10) provisional items (the "**Final Provisional Tasks**") is outlined in the table on page 4 of this Report.

Scope of Work Highlights

Mandatory Work

Construction of Cell 5 North: The Contractor will be responsible for the construction of Cell 5 North which involves the following work but is not limited to mobilizing and demobilizing equipment, performing mass earth excavation (for future waste disposal) which includes the hauling and placing of the material on-site, the supply and installation of the leachate collection system piping, the expansion of the perimeter litter fencing and finally the placing of final capping material over completed areas of the Landfill.

Relocation of access roads: Included as part of the mandatory work is the relocation of access roads for both current and future active landfilling areas. The access road design improves the existing road infrastructure by allowing for one-way traffic to and from the active tip face (the area where waste is deposited). This design will improve safety and traffic flow for customers using the Landfill. WSP with the support of the Authority Administration designed the road system to expand as future Cells are constructed. This design will eliminate the need to remove and reconstruct temporary access roads thereby reducing future costs of Cell construction.

Expansion of the Gas Collection Wellfield System: During the design phase of the Cell 5 Construction, discussions were held with technical staff from Comcor Inc. (the Authority's long-term flare maintenance provider) to assist in identifying opportunities to expand the gas collection system. Included as part of the mandatory work (in conjunction with the roadway improvements) are the costs to expand some of the critical gas collection infrastructure. This gas collection improvement is essential for future gas well expansion. This work is required by the Ministry of the Environment, Conservation and Parks (MECP) and the Authority's Environmental Compliance Approval (ECA).

Provisional Work

Included Provisional Tasks: As part of the RFT, several provisional items were included that allowed the Authority to competitively procure tasks that may or may not be completed as part of the scope of work and are discretionary based solely on the Authority's operational needs. As noted in this report, WSP included eighteen (18) provision tasks which form the sum of the provisional scope of work. Of the eighteen (18) provisional tasks, ten (10) provisional tasks have been included as part of the recommended scope of work. Some of the provisional work includes but is not limited to the over-excavation of Cell 5 North to allow for the removal of unsuitable material, the removal of existing clay berms, and the hauling and placing of earth material.

Excluded Provisional Tasks: The remaining eight (8) provisional tasks that were not included as part of the scope of work were either due to Administration identifying opportunities to leverage internal staff to complete the work or due to changes in the Authority's operational needs.

The results of the tender submissions for the Mandatory Tasks and the Final Provisional Tasks were as follows:

Contractor	Sterling Ridge Infrastructures Inc.	Nevan Construction	QM LP	Rudak Excavating Inc
Sum of the Mandatory Tasks	\$10,152,625	\$10,789,750	\$12,073,686	\$14,258,728
Sum of the Final Provisional Tasks	\$1,882,675	\$1,608,400	\$2,279,385	\$2,916,272
Total Price	\$12,035,300	\$12,398,150	\$14,353,071	\$17,175,000

**Table is in CAD Dollars, it excludes HST and the non-deductible portion of HST*

About Sterling Ridge Infrastructure Inc.

As part of the competitive procurement process, Bidders were asked to submit previous and relatable work experience. Sterling Ridge Infrastructure Inc. (formerly SLR) submitted work experience which included work completed for the Authority relating to the construction of Cell 3 North in 2012, Cell 4 North in 2015 and Cell 3 South in 2018. Having completed the last 3 cells, Sterling Ridge Infrastructure Inc. has a considerable amount of experience building landfill cells.

None of the other bidders submitted anything demonstrating that they had experience in completing landfill work, and none of the other bidders had handled work similar to the work required in completing the project covered by this RFT.

The contractor indicated that the projected completion time will be no more than 160 working days which equates to an approximate completion date of January/February 2025.

Financial Implications

The approved 2024 Operational Plan and Budget included a capital expenditure of \$8,000,000 for the cost to construct Cell 5 North and \$500,000 for the cost to install and expand the gas collection wellfields at the Landfill. Administration formed the 2024 Budget using the 2018 total cost to construct Cell 3 South (the most recent cell that was constructed) and inflated the cost using the Canadian Consumer Price Index (CPI) as WSP’s estimates were not finalized.

The 2024 Budget includes a contribution from the Future Cell Development Reserve of \$3,186,540 with the remaining \$4,813,460 being loaned from the Rate Stabilization Reserve and paid back over the life of the Cell. The loan repayment is funded through the Authority’s operating budget.

The loan repayment schedule to the Rate Stabilization Reserve is formed based on the Authority's 15-year forecast. The 2024 Budget includes a loan repayment from operations of \$649,810 with a forecasted annual increase of approximately 5.48% year over year until 2040 (the anticipated Landfill closure date). As indicated, the loan repayment schedule was formed based on the 15-year forecast where Administration estimated the cost to construct future Cells at \$8M each (three (3) Landfill Cell construction costs formed the 2024 15-year forecast). Having now received a tender price which exceeded the estimated \$8M, the annual loan repayment schedule is anticipated to increase as a result of the increase in cost. The loan repayment schedule will form part of the 2025 Operating Plan and Budget which will be presented at the November 5, 2024 Board meeting.

Administration is recommending that the upset limit for the cost to construction Cell 5 North be limited to \$12,035,300 (plus HST) due to the following:

- Included in the contractor's bid was a defined contingency allowance of \$1,000,000; and
- That the quantities provided within the RFT's bid form were estimates which may or may not accurately reflect the actual quantities at the start of the project. The Contractor will be responsible for estimating the revised quantities at the onset of the project. The Authority Administration anticipates that some quantities will be less than what was presented in the RFT as Authority staff have utilized internal resources to aid in the pre-development tasks.

It is anticipated that there will be no financial impact on the 2024 Budget due to the projected completion date ending in calendar 2025. As indicated in this report, the financial impact to the Authority associated with the increase in costs will be reflected in the 2025 Operating Plan and Budget and within the Authority's 15-year forecast. Administration will include recommended funding strategies as part of the 2025 Operation Plan and Budget at the November 5, 2024 Board meeting.

Recommendation

1. That the Authority Board award the Request for Tender Contract 9-2024 for the Regional Landfill Cell 5 North Construction to Sterling Ridge Infrastructure Inc. with an upset limit in the amount of \$12,035,300 (plus HST) and that the Chair and General Manager be authorized to enter into an agreement in accordance with the tender documents.

Submitted By



Tom Marentette, Manager of Waste Disposal



Essex-Windsor Solid Waste Authority Administrative Report

July 4, 2024

To: The Chair and Board of the Essex-Windsor Solid Waste Authority
From: Steffan Brisebois, Manager of Finance and Administration
Meeting Date: Wednesday, July 10, 2024
Subject: 2024/2025 EWSWA Insurance

Purpose

The purpose of this report is to update the Board on the Authority's comprehensive insurance program renewal for the period of July 1, 2024 to June 30, 2025.

Background

The Authority's insurance broker is Aon Reed Stenhouse Inc. (AON). In recent years, AON has been challenged to secure and negotiate coverage on behalf of the Authority. This is primarily due to insurers deeming the recycling industry as a whole to be of greater risk due to claims across the province. The Authority's last claim relating to its recycling operations dated back to 2005.

Discussion

In 2024, AON was again challenged to secure coverage for the entire replacement costs for the Authority's property and assets. Ultimately, AON was able to secure insurance for 100% of the replacement cost of all Authority assets by splitting the policy. Below is a table outlining the coverage details. If the Authority were to have a claim relating to the property and equipment policy, 4 companies would pay their portion of the total cost less the deductible.

Insurer	Expiring Policy	Renewal
Zurich	50%	50%
Stewart Specialty Risk Underwriting Ltd. (Through Northbridge General Insurance)	25%	25%
Echelon	20%	20%
Aviva	5%	5%
Total	100%	100%

Premiums

The following table summarizes the various coverages and related premiums. As shown in the table below the 2024/2025 premiums have decreased by \$41,248 from the prior year. This equates to a decrease of approximately 7% year over year.

Class	2024/25 Premium	2023/24 Premium	Premium Increase / (Decrease)
Property & Equipment	\$319,814	\$307,465	\$12,349
Contractor's Equip.	\$26,718	\$30,312	(\$3,594)
Environmental (2 Year total; \$73,733 plus PST)	\$36,867	\$35,125	\$1,742
Owned Automobile	\$26,950	\$25,365	\$1,585
General Liability	\$34,068	\$56,702	(\$22,634)
Umbrella Liability	\$29,250	\$52,645	(\$23,395)
Errors & Omissions	\$18,000	\$18,000	\$0
Boiler & Machinery	\$3,528	\$3,424	\$104
Directors & Officers	\$6,900	\$6,900	\$0
Crime	\$3,800	\$10,140	(\$6,340)
Cyber (Breach Response)	\$6,300	\$4,192	\$2,108
Total Premium	\$ 512,195	\$ 550,270	(\$ 38,075)
PST (8%) on All but Auto	\$ 38,820	\$ 41,992	(\$ 3,173)
Total	\$ 551,015	\$ 592,262	(\$ 41,248)

The Authority has a very different risk profile than a municipality, in particular, the risk associated with the operation of a fibre recycling facility is significantly higher than most other municipal operations. Additionally, due to sustained inflationary pressure on property values and the cost of repairing or replacing buildings and equipment the Authority observed a 4% valuation increase on its Property and Equipment premiums.

The Authority observed the largest savings (both in the General and Umbrella Liability) primarily due to AON entering into negotiations with an alternative underwriter Lloyds through Linx Underwriting Solutions Inc (Linx). Linx was able to provide the Authority with the same level of coverage but at a 42% rate reduction when compared to its competitors. Linx is a wholly owned subsidiary of AON Canada Inc. and is recommended by AON to be the Authority’s underwriter for the General and Umbrella Liability.

Deductibles

The following table summarizes the deductible amounts for the various classifications:

Class	2024 / 2025 Deductible	2023 / 2024 Deductible
Property & Equipment	\$100,000 - \$250,000	\$100,000 - \$250,000
Contractor’s Equipment	\$2,500 - \$50,000	\$2,500 - \$50,000
Environmental	\$25,000	\$25,000
Owned Automobile	\$5,000 - \$10,000	\$5,000 - \$10,000
General Liability & Legal	\$5,000	\$5,000
Umbrella Liability	\$10,000	\$10,000
Directors & Officers	\$15,000	\$15,000
Errors & Omissions	\$5,000	\$5,000
Boiler & Machinery	\$10,000	\$10,000
Cyber (Breach Response)	\$1,000	\$1,000

The deductible for the contractor’s equipment policy varies depending on the value of the equipment. For example, if there was a claim on a piece of equipment with a value of less than \$25,000 the deductible would be \$2,500, however, if the claim was on a piece of equipment such as the compactor at the Regional Landfill with an approximate value of \$1,450,000, the deductible would be \$50,000.

No changes to the deductible amounts transpired in the 2024/2025 insurance renewal period.

Additional Information

Administration has advised AON of the upcoming windup of the Blue Box program and the upcoming organics program rollout however the premiums are reflected as of July 1, 2024. Administration does not anticipate any operational changes as of July 1, 2024.

The AON team have advised Administration that as the Authority’s program changes over the term, coverages can be amended which in turn may result in changes to the Authority’s premiums.

Financial Implications

The 2024 budget document includes an expenditure of \$640,400 for insurance-related costs with approximately \$320,200 incurred as of the term expiration date of June 30, 2024. The portion of the renewal for 2024 will be \$275,500 for a total projection of \$595,700 resulting in a favourable variance of \$44,700 for 2024.

In 2020 the Authority Board established an Insurance Reserve in the amount of \$250,000. The reserve would be used to fund and mitigate the potential financial risk to the Authority in the event of a claim. This reserve is reviewed annually as part of the budget process to ensure adequate funds are available. The reserve would need to be replenished in the event of a claim.

Recommendation

THAT the Board receive this report as information.

Submitted By



Steffan Brisebois, Manager of Finance and Administration

Essex-Windsor Solid Waste Authority

By-Law Number 8-2024

Being a By-Law to Authorize the General Manager of the Essex-Windsor Solid Waste Authority, in consultation with the Technical Staff Committee and Legal Services, to negotiate and execute, in the best interest of the region, the legal agreement(s) needed for the lease of the Container MRF and the provision of recyclable materials processing services with HGC Management Inc.

Whereas the Essex-Windsor Solid Waste Authority has authorized the General Manager of the Essex-Windsor Solid Waste Authority, in consultation with the Technical Staff Committee and Legal Services, to negotiate and execute, in the best interest of the region, the legal agreement (s) needed for the lease of the Container MRF and the provision of recyclable materials processing services with HGC Management Inc.

Now Therefore the Essex-Windsor Solid Waste Authority enacts as follows:

1. THAT EWSWA hereby approves a contract with HGC Management Inc. upon and subject to the terms, covenants and conditions contained in the Agreement.

THIS By-Law shall take effect upon the final passing thereof.

ESSEX-WINDSOR SOLID WASTE AUTHORITY

Gary Kaschak
EWSWA Board Chair

Michelle Bishop
General Manager

**Read a First, Second and Third Time, Enacted and Passed
this 10th Day of July, 2024.**

Essex-Windsor Solid Waste Authority

By-Law Number 9-2024

Being a By-Law to Authorize the Execution of an Agreement between the Essex-Windsor Solid Waste Authority and HGC Management Inc. for the Demolition and Removal of Processing Equipment in the Fibre Material Recovery Facility

Whereas the Essex-Windsor Solid Waste Authority has approved entering into an Agreement with HGC Management Inc., for the demolition and removal of processing equipment in the Fibre Material Recovery Facility at a cost of \$100,000 exclusive of HST.

Now Therefore the Essex-Windsor Solid Waste Authority enacts as follows:

1. THAT EWSWA hereby approves a contract with HGC Management Inc. upon and subject to the terms, covenants and conditions contained in the Agreement.

THIS By-Law shall take effect upon the final passing thereof.

ESSEX-WINDSOR SOLID WASTE AUTHORITY

Gary Kaschak
EWSWA Board Chair

Michelle Bishop
General Manager

**Read a First, Second and Third Time, Enacted and Passed
this 10th Day of July, 2024.**

Essex-Windsor Solid Waste Authority

By-Law Number 10-2024

Being a By-Law to Authorize the Execution of an Agreement with Miller Waste Systems Inc. for the Curbside Collection of Source Separated Organics in both Urban and Rural Settlement Areas in all seven municipalities in the County of Essex

Whereas the Essex-Windsor Solid Waste Authority has approved entering into an Agreement with Miller Waste Systems Inc.

Now Therefore the Essex-Windsor Solid Waste Authority enacts as follows:

1. THAT EWSWA hereby approves a contract with Miller Waste Systems Inc. for the curbside collection of source separated organics in both urban and rural settlement areas in all seven municipalities in the County of Essex upon and subject to the terms, covenants and conditions contained in the Agreement.

THIS By-Law shall take effect upon the final passing thereof.

ESSEX-WINDSOR SOLID WASTE AUTHORITY

Gary Kaschak
EWSWA Board Chair

Michelle Bishop
General Manager

**Read a First, Second and Third Time, Enacted and Passed
this 10th Day of July, 2024.**

Essex-Windsor Solid Waste Authority

By-Law Number 11-2024

Being a By-Law to Authorize the Execution of an Agreement between the Essex-Windsor Solid Waste Authority and Sterling Ridge Infrastructure Inc. for the Regional Landfill Cell 5 North Construction

Whereas the Essex-Windsor Solid Waste Authority has approved entering into an Agreement with Sterling Ridge Infrastructure Inc. for the Regional Landfill Cell 5 North Construction with an upset limit in the amount of \$12,035,000 (plus HST).

Now Therefore the Essex-Windsor Solid Waste Authority enacts as follows:

1. THAT EWSWA hereby approves a contract with Sterling Ridge Infrastructure Inc. upon and subject to the terms, covenants and conditions contained in the Agreement.

THIS By-Law shall take effect upon the final passing thereof.

ESSEX-WINDSOR SOLID WASTE AUTHORITY

Gary Kaschak
EWSWA Board Chair

Michelle Bishop
General Manager

**Read a First, Second and Third Time, Enacted and Passed
this 10th Day of April, 2024.**

Essex-Windsor Solid Waste Authority

By-Law Number 12-2024

Being a By-law to Confirm the Proceedings of the Meeting of the Board of the Essex-Windsor Solid Waste Authority

WHEREAS by Agreement dated 18 May 1994, made between the Corporation of the County of Essex and the Corporation of the City of Windsor, the Essex-Windsor Solid Waste Authority (The Authority) was created as a joint board of management pursuant to Sections 207.5 and 209.19 of the *Municipal Act, RSO 1990, Chapter M.45* and;

WHEREAS Subsection 5.(3) of the Municipal Act, RSO 2001, Chapter 25, provides that the powers of a municipality shall be exercised by By-Law and;

WHEREAS Section 1 of the Municipal Act RSO 1990, Chapter M 46 defines a municipality as including a board, commission or other local authority exercising any power with respect to municipal affairs or purposes and;

WHEREAS it is deemed expedient that the proceedings of the Authority at this meeting be confirmed and adopted by By-Law

NOW THEREFORE the members of the Authority enact as follows:

- 1) The action of the members of the Authority in respect to each recommendation contained in the Report/Reports of the Committees and each motion and resolution passed and other action taken by the members of the Authority at this meeting is hereby adopted and confirmed as if all such proceedings were expressly set out in this by-law.
- 2) The Chair and the proper officials of the Authority are hereby authorized and directed to do all things necessary to give effect to the action of the members of the Authority referred to in the preceding section hereof.
- 3) The Chair and the General Manager of the Authority are authorized and directed to execute all documents necessary in that behalf.

ESSEX-WINDSOR SOLID WASTE AUTHORITY

Gary Kaschak
EWSWA Board Chair

Michelle Bishop
General Manager

**Read a First, Second and Third Time, Enacted and Passed This
10th Day of July, 2024**