

Supplementary Report on Negotiating Agreements with Producer Responsibility Organizations for the Blue Box Program

Date: May 24, 2022

To: Infrastructure and Environment Committee

From: General Manager, Solid Waste Management Services

Wards: All

REASON FOR CONFIDENTIAL INFORMATION

The confidential attachment to this report is about a plan to be applied to negotiations to be carried on by the City of Toronto.

SUMMARY

This is a supplementary report to item IE30.8 titled *Entering into Agreements with Producer Responsibility Organizations for the Blue Box Program* that will be considered by the Infrastructure and Environment Committee at its May 25, 2022 meeting. This report provides additional information on Circular Material Ontario's Master Service Agreement, Statements of Work for Residence and Facility Collection, Depot Collection, Public Space Collection, and Promotion and Education, and Pricing Explanatory Note that was made public on May 11, 2022.

RECOMMENDATIONS

The General Manager of Solid Waste Management Services recommends that:

1. City Council authorize the General Manager, Solid Waste Management Services to negotiate and enter into any service agreements or amending agreements with any Producer Responsibility Organization(s) registered with the Resource Productivity Recovery Authority, and/or their designate, for the City of Toronto to be contracted to provide recycling collection and management services, based on terms and conditions outlined in Confidential Attachment 1 to the report (May 24, 2022) from the General Manager, Solid Waste Management Services, for the management of blue box

materials until the end of the transition phase pursuant to the Resource Recovery and Circular Economy Act, 2016 or any regulations thereunder, on terms acceptable to the General Manager, Solid Waste Management Services; Deputy City Manager, Infrastructure and Development Services or designate; and Chief Financial Officer and each in a form satisfactory to the City Solicitor.

2. City Council direct that Confidential Attachment 1 to this report remain confidential in its entirety in accordance with the provisions of the *City of Toronto Act, 2006*, as it involves a position, plan, procedure, criteria or instruction to be applied to any negotiation carried on or to be carried on by or on behalf of the City.

FINANCIAL IMPACT

There are no financial implications resulting from this report.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information.

COMMENTS

Master Service Agreement for Contracted Recycling Service Providers

On May 11, 2022, the Producer Responsibility Organization, Circular Materials Ontario, publicly posted agreements¹ consisting of a Master Service Agreement, along with supporting Statements of Work and a Pricing Explanatory Note. The Master Service Agreement outlines the contractual terms that Circular Materials Ontario is offering to municipalities who wish to continue to collect blue box materials on behalf of Circular Materials Ontario.

The Pricing Explanatory Note provides the methodology to calculate how a municipality will be paid for its services under the Master Service Agreement and Statements of Work.

Circular Materials Ontario has requested municipalities to review and provide comments on the agreements by June 15, 2022.

Preliminary Review of the Contracts and Terms

Staff have undertaken a preliminary review of the above noted materials and held a meeting with Circular Materials Ontario on May 19, 2022, to seek clarification on certain terms and provisions in the agreements. From this work staff have prepared additional negotiating positions that are discussed in Confidential Attachment 1.

1 [Transitioning of Blue Box Collection Services | Circular Materials](#)

CONTACT

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SIGNATURE

Matt Keliher
General Manager
Solid Waste Management Services

ATTACHMENTS

Confidential Attachment 1 - Supplementary Information Provided on May 24, 2022