

| MRWMD Franchise Comparison Matrix | | Contract Term & Extensions | Definition of Services | Equipment | Performance Standards |
|-----------------------------------|--|--|--|---|---|
| State of the Industry | Examples include: City of Livermore City of Palo Alto South Bayside WMA | Term: 7 - 10 Years Extension: 3 - 5 Years at franchising agency sole option | Clear description of services, including quantifiable performance standard and method for verifying performance for each material type (Solid Waste, Recycling, Organics, Bulky Waste, E-Waste, HHW, etc.) to each service sector (Single-Family, Multi-Family, Commercial, Roll-off). | Requires use of new collection vehicles at start of contract or specifies average fleet age and maximum vehicle age. Requires conformance to all current and pending emissions regulations and/or use of alternative fuel vehicles. Requires use of new collection containers and/or specifies maintenance, cleanliness, and serviceability of equipment during term. Allows franchising agency the option to take possession of collection containers at end of contract. | Either: Two Phase Performance Management Approach - monitoring high level performance indicators on an ongoing basis and only monitoring and assessing liquidated damages on detailed performance standards if high-level indicators cause concern. OR: Ongoing monitoring of detailed performance standards through review of monthly/quarterly reports, audits, and/or annual performance review. Assessment of liquidated damages/administrative charges for substandard performance. |
| Carmel-by-the-Sea | Included in Franchise: Specific: No Improvement Opportunity: Significant | Article 2 No Significant | Article 17-20 Yes Minor | Article 11, 21, & 22 Yes Significant | No No Significant |
| County - Unincorporated | Included in Franchise: Specific: Yes Improvement Opportunity: Minor | Article 2 Yes Minor | Article 5-11 Yes Minor | Article 16 Yes Minor | Article 24 Yes No |
| Del Rey Oaks | Included in Franchise: Specific: Yes Improvement Opportunity: Minor | Exhibit A Yes Minor | Exhibit A Yes Minor | Article 9 No Significant | Article 11 No Significant |
| Marina | Included in Franchise: Specific: Yes Improvement Opportunity: Minor | Article 1 Yes Minor | Article 11 No Significant | Article 3 No Significant | Article 11 No Significant |
| Monterey | Included in Franchise: Specific: No Improvement Opportunity: Significant | Page 2 (#3) No Significant | Article 1.1 No Significant | Article 1.12 & 1.13 No Significant | Article 1.26 No Significant |
| Pacific Grove | Included in Franchise: Specific: Yes Improvement Opportunity: Minor | Article 1 Yes Minor | Article 8 & 9 Yes Significant | Article 8 No Significant | Article 11 Yes Minor |
| Pebble Beach CSD | Included in Franchise: Specific: Yes Improvement Opportunity: Minor | Article 1 Yes Minor | Article 3 & 4 Yes Minor | Article 3 No Significant | N/A No Significant |
| Sand City | Included in Franchise: Specific: No Improvement Opportunity: Significant | Section 2 & 3 No Significant | Section 1 No Significant | Section 11 No Significant | Section 14 No Significant |
| Seaside | Included in Franchise: Specific: Yes Improvement Opportunity: Minor | Article 1 Yes Minor | Article II No Significant | Article 3 No Significant | Article 11 No Significant |

| MIRWMD Franchise Comparison Matrix | | Compensation | Billing | Profit Structure | Rate Setting |
|------------------------------------|--|--|---|--|--|
| State of the Industry | Examples include: City of Livermore City of Palo Alto South BaySide WMA | Contractor proposal includes detailed cost of service information. Rates set based on proposed cost of service. Rates increased annually through a multi-index inflation adjustment process (i.e., apply separate inflationary indices to each cost category - labor, fuel, depreciation, maintenance, etc.). Franchising agency retains right to perform detailed cost-of-service based rate review and adjustment a specified number of times during agreement or schedules detailed cost reviews periodically during agreement. | Contractor performs all billing (except if customers are billed through tax rolls). Contractor performs annual billing audits of all commercial and one-third of residential customers. Franchising agency retains right to perform independent audit. Billing records available to franchising agency in electronic format at any time. All low vacation holds up to twice per year. Contractor to provide for electronic payment via website and in-person payment at local office. | Contractor profit calculated using an operating ratio (proposed by contractor) which is applied to annual operating costs net of all pass-thru expenses. | Contractor annually submits request for rate adjustment including supporting calculations based on contract compensation terms. Franchising agency reviews request to verify contractor calculations, recommends adjustments, and establishes maximum allowable rates. Some contracts include either annual or periodic revenue reconciliations to adjust for effects of changes in number of accounts, significant customer migration, or other economic factors impacting subscription levels. |
| | Carmel-by-the-Sea | Included in Franchise: No Specific: N/A Improvement Opportunity: Significant Included in Franchise: Article 13 Specific: Yes Improvement Opportunity: Significant Included in Franchise: Article 6 Specific: Yes Improvement Opportunity: Significant Included in Franchise: Article 6.06 | Article 15 No Significant Article 12 & 13 Yes Significant Article 5 Yes Minor Article 7 No Significant Article III & IV No Significant Article 6 & 7 No Significant Article 5 & 7 Yes Minor Section 19 No Significant Article 7 No Significant | No N/A Significant No N/A Significant Article 6 No Significant No Article 6 Minor Article 6 Yes Significant Article 5 Yes Minor Article 6 Yes Minor Section 5 No Significant No N/A Significant | Article 6 Yes Minor Article 13 Yes No Article 6 Yes Minor Article 6 Yes Significant Article IV No Significant Article 5 Yes Minor Article 6 Yes Minor Section 5 No Significant Article 6 Yes Significant |
| County - Unincorporated | Included in Franchise: No Specific: N/A Improvement Opportunity: Significant Included in Franchise: Article 13 Specific: Yes Improvement Opportunity: Significant Included in Franchise: Article 6 Specific: Yes Improvement Opportunity: Significant Included in Franchise: Article 6.06 | Article 15 No Significant Article 12 & 13 Yes Significant Article 5 Yes Minor Article 7 No Significant Article III & IV No Significant Article 6 & 7 No Significant Article 5 & 7 Yes Minor Section 19 No Significant Article 7 No Significant | No N/A Significant No N/A Significant Article 6 No Significant No Article 6 Minor Article 6 Yes Significant Article 5 Yes Minor Article 6 Yes Minor Section 5 No Significant No N/A Significant | Article 6 Yes Minor Article 13 Yes No Article 6 Yes Minor Article 6 Yes Significant Article IV No Significant Article 5 Yes Minor Article 6 Yes Minor Section 5 No Significant Article 6 Yes Significant | |
| Del Rey Oaks | Included in Franchise: No Specific: N/A Improvement Opportunity: Significant Included in Franchise: Article 13 Specific: Yes Improvement Opportunity: Significant Included in Franchise: Article 6 Specific: Yes Improvement Opportunity: Significant Included in Franchise: Article 6.06 | Article 15 No Significant Article 12 & 13 Yes Significant Article 5 Yes Minor Article 7 No Significant Article III & IV No Significant Article 6 & 7 No Significant Article 5 & 7 Yes Minor Section 19 No Significant Article 7 No Significant | No N/A Significant No N/A Significant Article 6 No Significant No Article 6 Minor Article 6 Yes Significant Article 5 Yes Minor Article 6 Yes Minor Section 5 No Significant No N/A Significant | Article 6 Yes Minor Article 13 Yes No Article 6 Yes Minor Article 6 Yes Significant Article IV No Significant Article 5 Yes Minor Article 6 Yes Minor Section 5 No Significant Article 6 Yes Significant | |
| Marina | Included in Franchise: No Specific: N/A Improvement Opportunity: Significant Included in Franchise: Article 13 Specific: Yes Improvement Opportunity: Significant Included in Franchise: Article 6 Specific: Yes Improvement Opportunity: Significant Included in Franchise: Article 6.06 | Article 15 No Significant Article 12 & 13 Yes Significant Article 5 Yes Minor Article 7 No Significant Article III & IV No Significant Article 6 & 7 No Significant Article 5 & 7 Yes Minor Section 19 No Significant Article 7 No Significant | No N/A Significant No N/A Significant Article 6 No Significant No Article 6 Minor Article 6 Yes Significant Article 5 Yes Minor Article 6 Yes Minor Section 5 No Significant No N/A Significant | Article 6 Yes Minor Article 13 Yes No Article 6 Yes Minor Article 6 Yes Significant Article IV No Significant Article 5 Yes Minor Article 6 Yes Minor Section 5 No Significant Article 6 Yes Significant | |
| Monterey | Included in Franchise: No Specific: N/A Improvement Opportunity: Significant Included in Franchise: Article 13 Specific: Yes Improvement Opportunity: Significant Included in Franchise: Article 6 Specific: Yes Improvement Opportunity: Significant Included in Franchise: Article 6.06 | Article 15 No Significant Article 12 & 13 Yes Significant Article 5 Yes Minor Article 7 No Significant Article III & IV No Significant Article 6 & 7 No Significant Article 5 & 7 Yes Minor Section 19 No Significant Article 7 No Significant | No N/A Significant No N/A Significant Article 6 No Significant No Article 6 Minor Article 6 Yes Significant Article 5 Yes Minor Article 6 Yes Minor Section 5 No Significant No N/A Significant | Article 6 Yes Minor Article 13 Yes No Article 6 Yes Minor Article 6 Yes Significant Article IV No Significant Article 5 Yes Minor Article 6 Yes Minor Section 5 No Significant Article 6 Yes Significant | |
| Pacific Grove | Included in Franchise: No Specific: N/A Improvement Opportunity: Significant Included in Franchise: Article 13 Specific: Yes Improvement Opportunity: Significant Included in Franchise: Article 6 Specific: Yes Improvement Opportunity: Significant Included in Franchise: Article 6.06 | Article 15 No Significant Article 12 & 13 Yes Significant Article 5 Yes Minor Article 7 No Significant Article III & IV No Significant Article 6 & 7 No Significant Article 5 & 7 Yes Minor Section 19 No Significant Article 7 No Significant | No N/A Significant No N/A Significant Article 6 No Significant No Article 6 Minor Article 6 Yes Significant Article 5 Yes Minor Article 6 Yes Minor Section 5 No Significant No N/A Significant | Article 6 Yes Minor Article 13 Yes No Article 6 Yes Minor Article 6 Yes Significant Article IV No Significant Article 5 Yes Minor Article 6 Yes Minor Section 5 No Significant Article 6 Yes Significant | |
| Pebble Beach CSD | Included in Franchise: No Specific: N/A Improvement Opportunity: Significant Included in Franchise: Article 13 Specific: Yes Improvement Opportunity: Significant Included in Franchise: Article 6 Specific: Yes Improvement Opportunity: Significant Included in Franchise: Article 6.06 | Article 15 No Significant Article 12 & 13 Yes Significant Article 5 Yes Minor Article 7 No Significant Article III & IV No Significant Article 6 & 7 No Significant Article 5 & 7 Yes Minor Section 19 No Significant Article 7 No Significant | No N/A Significant No N/A Significant Article 6 No Significant No Article 6 Minor Article 6 Yes Significant Article 5 Yes Minor Article 6 Yes Minor Section 5 No Significant No N/A Significant | Article 6 Yes Minor Article 13 Yes No Article 6 Yes Minor Article 6 Yes Significant Article IV No Significant Article 5 Yes Minor Article 6 Yes Minor Section 5 No Significant Article 6 Yes Significant | |
| Sand City | Included in Franchise: No Specific: N/A Improvement Opportunity: Significant Included in Franchise: Article 13 Specific: Yes Improvement Opportunity: Significant Included in Franchise: Article 6 Specific: Yes Improvement Opportunity: Significant Included in Franchise: Article 6.06 | Article 15 No Significant Article 12 & 13 Yes Significant Article 5 Yes Minor Article 7 No Significant Article III & IV No Significant Article 6 & 7 No Significant Article 5 & 7 Yes Minor Section 19 No Significant Article 7 No Significant | No N/A Significant No N/A Significant Article 6 No Significant No Article 6 Minor Article 6 Yes Significant Article 5 Yes Minor Article 6 Yes Minor Section 5 No Significant No N/A Significant | Article 6 Yes Minor Article 13 Yes No Article 6 Yes Minor Article 6 Yes Significant Article IV No Significant Article 5 Yes Minor Article 6 Yes Minor Section 5 No Significant Article 6 Yes Significant | |
| Seaside | Included in Franchise: No Specific: N/A Improvement Opportunity: Significant Included in Franchise: Article 13 Specific: Yes Improvement Opportunity: Significant Included in Franchise: Article 6 Specific: Yes Improvement Opportunity: Significant Included in Franchise: Article 6.06 | Article 15 No Significant Article 12 & 13 Yes Significant Article 5 Yes Minor Article 7 No Significant Article III & IV No Significant Article 6 & 7 No Significant Article 5 & 7 Yes Minor Section 19 No Significant Article 7 No Significant | No N/A Significant No N/A Significant Article 6 No Significant No Article 6 Minor Article 6 Yes Significant Article 5 Yes Minor Article 6 Yes Minor Section 5 No Significant No N/A Significant | Article 6 Yes Minor Article 13 Yes No Article 6 Yes Minor Article 6 Yes Significant Article IV No Significant Article 5 Yes Minor Article 6 Yes Minor Section 5 No Significant Article 6 Yes Significant | |

| MIRWMD Franchise Comparison Matrix | | Insurance | Performance Surety | Indemnification | Dispute Resolution |
|------------------------------------|--|--|--|---|---|
| State of the Industry | Examples include: City of Livermore City of Palo Alto South BaySide WMA | Insurance includes: general liability, automobile, worker's compensation, and employee blanket fidelity bond. Insurance coverage and limits established by franchising agency risk management or existing policies/ordinances. Commonly \$10MM for liability and auto and \$1MM for worker's compensation. Insurance companies rating of A or better with size category VII or larger. Deductibles and self-insured retentions are the responsibility of contractor and must be declared. | Acceptable forms of surety include: Performance Bond payable to franchising agency; Letter of Credit payable to franchising agency, or Certificate of Deposit in the name of franchising agency with interest accruing to benefit of contractor. Surety amounts depend on the form of the surety but are commonly linked to gross rate revenues (e.g. 3 months of the annual gross rate revenues). | Indemnities may include: General Indemnification Hazardous Substance/CERCLA AB939 Proposition 218 | Three phased dispute resolution process: 1) Negotiations (up to 30 days unless extended by mutual option); 2) Mediation by mutually-agreed-upon party (up to 30 days unless extended by mutual option); and, 3) Litigation with venue in host County Superior Court. |
| Carmel-by-the-Sea | Included in Franchise: Specific: No Improvement Opportunity: Significant | Article 13 No Significant | No N/A Significant | Article 13 & 28 Yes Minor | Article 41 No Significant |
| County - Unincorporated | Included in Franchise: Specific: Yes Improvement Opportunity: No | Article 29 Yes No | Article 30 Yes No | Article 29 Yes Minor | Article 24 & 27 No Significant |
| Del Rey Oaks | Included in Franchise: Specific: Yes Improvement Opportunity: Minor | Article 8 Yes Minor | Article 8 Yes Minor | Article 8 & 4 No Significant | Article 12 No Significant |
| Marina | Included in Franchise: Specific: Yes Improvement Opportunity: Significant | Article 8 Yes Significant | Article 8 No Minor | Article 8 No Significant | Article 12 No Significant |
| Monterey | Included in Franchise: Specific: No Improvement Opportunity: Significant | Article VI No Significant | No N/A Significant | Article VI Yes Significant | No N/A Significant |
| Pacific Grove | Included in Franchise: Specific: Yes Improvement Opportunity: Minor | Article 14 Yes Minor | Article 17 Yes Minor | Article 14 No Significant | Article 11 No Significant |
| Pebble Beach CSD | Included in Franchise: Specific: Yes Improvement Opportunity: Minor | Article 8 Yes Minor | Article 8 Yes Minor | Article 1, 4, & 8 Yes Minor | Article 12 Yes Significant |
| Sand City | Included in Franchise: Specific: No Improvement Opportunity: Significant | Section 18 No Significant | No N/A Significant | Section 18 No Significant | Section 26 Yes Significant |
| Seaside | Included in Franchise: Specific: Yes Improvement Opportunity: Significant | Article 8 Yes Significant | Article 8 No Minor | Article 8 No Significant | No N/A Significant |

| MIRWMD Franchise Comparison Matrix | | Default | Termination Rights | Labor Considerations | Transition to Next Contractor |
|------------------------------------|--|--|--|--|---|
| State of the Industry | Examples include: City of Livermore City of Palo Alto South Bayside WMA | Events of Default include: Failure to maintain coverage, failure to comply with performance surety requirements, failure to provide assurance of performance, failure to pay or provide reports or records, failure to perform, seizure, attachment, or levy on contractor's equipment, fraud or deceit, criminal activity, insolvency or bankruptcy, violations of regulation, acts or omissions, aalse or misleading statements, subject of labor action, transfer or assignment without approval, failure to perform any obligation, or failure to provide proposal or implement new services or changes to services, as requested. | Franchising agency may terminate agreement for cause in the event of: Default which has not been remedied during cure period; Endangerment of public health and safety; Criminal activities related to performance of contract; Damage to or destruction of facilities preventing provision of services; and/or, Assignment without consent. | RFP requires proposers to consider existing collective bargaining agreements in place and to give preference to hiring existing employees who meet the qualification requirements of new contractor. Require proposers to document assumptions regarding labor wages and benefits costs in their proposals. | Requires cooperation with franchising agency and subsequent contractors to ensure orderly transition of services. Contractor to provide route maps, customer account and billing information, and other information that the franchising agency determines is reasonable and appropriate. |
| | | Included in Franchise: Article 33 Specific: No | Article 35 & 37 No | No | No |
| | | Improvement Opportunity: Significant | Significant | Significant | Significant |
| | | Included in Franchise: Article 27 Specific: Yes | Article 27 Yes | Article 18 Yes | Article 33 Yes |
| | | Improvement Opportunity: Minor | Minor | No | No |
| | | Included in Franchise: Article 9 Specific: No | Article 9 Yes | N/A | Article 10 No |
| | | Improvement Opportunity: Significant | Minor | Significant | Significant |
| | | Included in Franchise: Scattered throughout Specific: No | Yes | N/A | N/A |
| | | Improvement Opportunity: Significant | Significant | Significant | Significant |
| | | Included in Franchise: No Specific: N/A | Yes | No | No |
| Pacific Grove | Improvement Opportunity: Significant | Article 15 | Article 15 | No | Article 16 |
| | | No | Yes | N/A | No |
| Pebble Beach CSD | Improvement Opportunity: Significant | Article 9 | Article 9 | No | Article 10 |
| | | No | Yes | N/A | No |
| Sand City | Improvement Opportunity: Significant | Section 23 | Section 23 | No | No |
| | | No | No | N/A | N/A |
| Seaside | Improvement Opportunity: Significant | Scattered throughout | Article 9 | No | No |
| | | No | Yes | N/A | N/A |
| | Improvement Opportunity: Significant | Significant | Significant | Significant | Significant |

| MRWMD Franchise Comparison Matrix | | Flow Control | Fees & Audits |
|-----------------------------------|--|---|--|
| State of the Industry | Examples include: City of Livermore City of Palo Alto South Bayside WMA | Franchising agency "designates" certain facilities which it directs contractors to use for specified materials or sectors, frequently as a requirement of a third-party agreement (e.g. for disposal or recyclables processing). Contractor requests approval for use of contractor-proposed facilities (e.g. third-party compost site). Contractor may not use any facilities for performance under the agreement which have not been first designated approved by the franchising agency. | Fees may include: Franchise Fee; Administrative Fee; AB 939 Fee; Billing Fee (if performed by jurisdiction); Contract Monitoring and Enforcement Fee; Street Sweeping Fee; Performance Review Fee; Vehicle Impact Fee; and, Community Improvement Fee. Franchising agency may establish other fees during the term of the agreement. Such fees are considered "pass-through" costs. Fees are remitted monthly or quarterly to franchising agency. Fees are adjusted annually using inflationary index or at jurisdiction's direction. |
| Carmel-by-the-Sea | Included in Franchise: Specific: No Improvement Opportunity: Significant | Article 16 No Significant | Article 3 No Significant |
| County - Unincorporated | Included in Franchise: Specific: Yes Improvement Opportunity: No | Article 4 Yes No | Section 13.17 Yes No |
| Del Rey Oaks | Included in Franchise: Specific: No Improvement Opportunity: Significant | Article 4 No Significant | Article 7 No Significant |
| Marina | Included in Franchise: Specific: Yes Improvement Opportunity: Minor | Article 3 Yes Minor | Article 7 No Significant |
| Monterey | Included in Franchise: Specific: No Improvement Opportunity: Significant | Article 1.4 No Significant | Article III & V No Significant |
| Pacific Grove | Included in Franchise: Specific: Yes Improvement Opportunity: Minor | Article 8 Yes Minor | Article 4 No Significant |
| Pebble Beach CSD | Included in Franchise: Specific: No Improvement Opportunity: Significant | Article 3 No Significant | Article 7 & 10 No Significant |
| Sand City | Improvement Opportunity: Significant Included in Franchise: Specific: No Improvement Opportunity: Significant | Significant Section 17 No Significant | Significant Section 4 & 6 No Significant |
| Seaside | Included in Franchise: Specific: Yes Improvement Opportunity: Minor | Article 3 Yes Minor | Article 7 No Significant |

| | Single-Family/Residential | | | | | | | Pub. Ed./ Outreach |
|-------------------------|---------------------------|-------------|-------------|---------------------------|----------|---------------------------|--|-------------------------|
| | Recycling | Green Waste | Food Scraps | Bulky Items | Used Oil | E-Waste & U-Waste | Sharps, Pharma, & Other Targeted | |
| Carmel-by-the-Sea | X | X | | 4 per Year 1 cu. yd. | | | | Quarterly Newsletter |
| County - Unincorporated | X | X | | 1 per Year 5 cu. yd. | X | 1 per Year 0.5 cu. yd. | | Various Non-Personal |
| Del Rey Oaks | X | X | | 2 per Year 1 cu. yd. | | | | Quarterly Newsletter |
| Marina | X | X | | 1 per Year 1 cu. yd. | | | | Quarterly Newsletter |
| Monterey | X | X | | 4 per Year Large Items | | | | Various Non-Personal |
| Pacific Grove | X | X | X | 2 per Year 1 cu. yd. | | | | Quarterly Newsletter |
| Pebble Beach CSD | X | X | | 4 per Year 1 cu. yd. | | | | Quarterly Newsletter |
| Sand City | X | | | 1 per Year Large Items | | | | |
| Seaside | X | X | | 2 per Year 1 cu. yd. | | | | Quarterly Newsletter |

Monterey Regional Waste Management District

| | Multi-Family Residential | | | | Commercial | | | | City Services | | | |
|-------------------------|--------------------------|--------------|---------------------------|-------------------------|------------|-------------------------|-------------------------|-------------------------|-------------------------------|---------------------------|--------------------|------------------------------|
| | Recycling | Green Waste | Bulky/Items | Pub. Ed./ Outreach | Recycling | Organics | Bulky Items | Pub. Ed./ Outreach | City Facilities | Parks | Events & Venues | Public Litter Containers |
| Carmel-by-the-Sea | X | | 4 per Year 1 cu. yd. | Quarterly Newsletter | X | | Quarterly Newsletter | Quarterly Newsletter | As Requested 6 Locations | Twice Daily | 5 Specified Events | Twice Daily |
| County - Unincorporated | X | Subscription | 1 per Year 3 cu. yd. | Bi-Annual Visit | X | | Triennial Visit | | | | X | |
| Del Rey Oaks | X | | 2 per Year 1 cu. yd. | Quarterly Newsletter | X | | Quarterly Newsletter | Quarterly Newsletter | Semi-Weekly All Facilities | | As Requested | Semi-Weekly All Locations |
| Marina | X | | 1 per Year 1 cu. yd. | Quarterly Newsletter | X | | Quarterly Newsletter | Quarterly Newsletter | Semi-Weekly All Facilities | | | Semi-Weekly All Locations |
| Monterey | X | | 4 per Year Large Items | Various Non-Personal | X | | Various Non-Personal | Various Non-Personal | As Requested Specified | | | |
| Pacific Grove | X | X | | Quarterly Newsletter | X | | Quarterly Newsletter | Quarterly Newsletter | As Requested Specified | As Requested Specified | | Daily Mon - Sat |
| Pebble Beach CSD | X | | | Quarterly Newsletter | X | | Quarterly Newsletter | Quarterly Newsletter | As Requested Specified | X | | X |
| Sand City | | | | | | | | | As Requested Specified | X | | X |
| Seaside | X | | 2 per Year 1 cu. yd. | Quarterly Newsletter | X | 1 per Year 1 cu. yd. | Quarterly Newsletter | Quarterly Newsletter | As Requested Specified | | | |