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www.swanacal-leg.org

LEGISLATIVE ADVOCATES

PAUL J. YODER

JASON SCHMELZER

Shaw / Yoder / Antwih, Inc.

1415 L Street, Suite 1000

Sacramento, CA 95814

(916) 446-4656

FAX (916) 446-4318

paul@shawyoderantwih.com

jason@shawyoderantwih.com

CHAIR

MARK A. BOWERS

City of Sunnyvale

PO Box 3707

Sunnyvale, CA 94088

(408) 730-7421

mbowers@sunnyvale.ca.gov

VICE CHAIR

GLENN ACOSTA, P.E.

Sanitation Districts of Los Angeles County

1955 Workman Mill Road

Whittier, CA 90601

(562) 908-4288

gacosta@lacsdsd.org

TREASURER

ERIC ZETZ

City of Clovis

155 N. Sunnyside Avenue

Clovis, CA 93611

(559) 324-2612

ericz@ci.clovis.ca.us

SECRETARY

MARK J. URQUHART, P.E.

Solid Waste Consulting

2741 Fairover Drive

Placerville, CA 95667

(530) 626-4771

MarkJ.Urquhart.PE@gmail.com

March 24, 2016

The Honorable Roger Hernández
California State Assembly, 48th District
State Capitol, Room 5016
Sacramento, CA 95814

**RE: AB 1669 (Hernández) – Displaced employees: service contracts:
collection and transportation of solid waste – OPPOSE**

Dear Assemblymember Hernández,

The Solid Waste Association of North America (SWANA) is the world's largest association of solid waste professionals (over 8,000 members). SWANA's California chapters represent more than 900 members. SWANA is committed to advancing the practice of environmentally- and economically-sound management of municipal solid waste. SWANA's California Legislative Task Force (LTF) is responsible for representing the California Chapters on legislative and regulatory issues.

SWANA regretfully **OPPOSES AB 1669**, which would require local government agencies to give a bidding preference for contractors and subcontractors who agree to retain previous employees for a specified time period. The new contractors and subcontractors would be required to offer employment to those employees to continue to perform services most often in cases where the employees and company were shown to be less competitive than the new company through a bidding process.

This legislation would infringe on local control and flexibility. With limited resources, it is critical that local governments have authority over contracting and employment decisions to provide the most cost effective services. Preference for one contractor or subcontractor over another should not be pre-determined by a requirement that may be inappropriate based on unique contracting, staffing, and economic circumstances that local governments may face. Bidders have the option to retain previous employees and local governments already have the right to put such terms in procurement documents to meet local needs. But the central reason that local government undertakes bidding of services is frequently to assure that services are provided at the least cost to ratepayers.

AB 1669 will unnecessarily harm local governments' authority over their own contracting arrangements. For these reasons and more, SWANA regretfully **OPPOSES AB 1669**. Thank you for your consideration.

Sincerely,

Jason Schmelzer
SWANA Legislative Advocate