

**ACKNOWLEDGEMENT OF RECEIPT OF THE CITY OF DUBLIN CONSTRUCTION AND  
DEMOLITION DEBRIS ORDINANCE INFORMATION PACKET**

I do hereby acknowledge that I have received the City of Dublin Construction and Demolition (C&D) Debris Ordinance Information Packet containing the following materials:

- Approved exclusive C&D hauler/transporter for the City of Dublin (Page 2)
- C&D Ordinance Process & Instructions (Page 3)
- Additional Process for Phased Projects (Page 4)
- Material Conversion Rates for C&D (Page 5)
- Waste Management Plan (WMP) (Page 6)
- Waste Reduction and Recycling Form (WRRF) (Page 7)
- Performance Security Agreement (Page 8)
- Sample letter requesting Performance Security Return (Page 9)
- Sample Performance Bond (Page 10)
- Performance Security Transfer Form (Page 11)

Applicant Name: \_\_\_\_\_ Title: \_\_\_\_\_

Company: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Project  
Name: \_\_\_\_\_

Project  
Address: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

<p><b><u>Type of Project:</u></b></p> <p><input type="checkbox"/> - New Construction</p> <p><input type="checkbox"/> - Tenant Improvement</p> <p><input type="checkbox"/> - Demolition</p>
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<p><b><u>Project Area:</u></b></p> <p><input type="checkbox"/> - Commercial</p> <p><input type="checkbox"/> - Mixed Use</p> <p><input type="checkbox"/> - Residential</p>
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## **City of Dublin Approved Construction & Demolition Debris Hauler:**

### **Waste Recycling Required**

The City requires all construction and demolition (C&D) projects recycle at least 65% of the waste for remodels or tenant improvements and 75% of the waste for new construction generated on a job site, **excluding asphalt and concrete debris of which one hundred percent (100%) must be recycled**. The City's municipal code has specific procedures for complying with these requirements as contained in the instructions and forms listed below.

### **Approved Construction & Demolition Debris Haulers**

The City of Dublin has entered into an exclusive solid waste franchise agreement with Amador Valley Industries for the removal of all solid waste in the City.

Amador Valley Industries is the only approved hauler for the collection of C&D debris. Please contact Environmental Services at (925) 833-6630 for more information.

### **Contact information for Amador Valley Industries:**

Amador Valley Industries  
6175 Southfront Road  
Livermore, CA 94551  
925-479-9545

## CONSTRUCTION AND DEMOLITION DEBRIS ORDINANCE PROCESS

- 1) All projects in the City of Dublin requiring a demolition permit regardless of value, or a building permit with a total value greater than or equal to \$100,000, are required to submit a Waste Management Plan and Waste Reduction and Recycling Form at the time of the first plan check.
- 2) The WMP Compliance Official will review the submitted forms, and if the WRRF indicates that the 65% diversion rate can be achieved for remodels or tenant improvements and 75% for new construction, ***excluding asphalt and concrete debris of which one hundred percent (100%) must be diverted***, the WMP and WRRF will be marked “Approved”, a copy of the forms will be returned to you, and the Building & Safety Division will be notified that the WMP and WRRF have been approved.
- 3) If the WMP Compliance Official determines that the WRRF is incomplete or fails to indicate that at least sixty-five (65) percent of all C&D debris generated from a remodel or tenant improvement or seventy-five (75) percent from new construction by the Project will be reused or recycled, he or she will either 1) Return the WRRF marked “not approved,” including a statement of reasons, and notify the Building & Safety Division, which will immediately stop processing the plan check, or 2) Return the WRRF marked “Further Explanation Required.”
- 4) If you experience unique circumstances that you believe make it infeasible to comply with the diversion requirement, you may apply for an exemption at the time that you submit the WMP and WRRF. You should indicate on the WRRF the maximum rate of diversion you believe is feasible for each material and the specific circumstances that you believe make it infeasible to comply with the diversion requirement.
- 5) If the total value of the project is over \$1,000,000 or if the project is a new building you are required to sign a Performance Security Agreement and submit an appropriate Performance Security before a building or demolition permit can be issued. Acceptable Performance Securities include: Performance Bonds; Surety Bonds; Money Orders; Letters of Credit; Certificates of Deposit, and Cash. The Performance Security is calculated as (Square Footage) x (60/2000) x (\$35) + \$2,738.
- 6) Projects that do not post a bond shall submit all final documentation prior to the issuance of a certificate of occupancy. Within 30 days of the issuance of a Certificate of Occupancy, projects that post a bond are required to resubmit the WRRF with the actual waste and recycling amount column completed. This form must be accompanied by appropriate receipts from the vendor or facility which collected or received each material.
- 7) The WMP Compliance Official will then review the material and if he or she determines that the 65% diversion requirement (remodel or tenant improvement) or 75% diversion requirement (new development) has been met or that you have made a “good faith effort” in complying with the Ordinance, the Performance Security will be returned.
- 8) Repeated Noncompliance for projects that do not post a bond (remodels or tenant improvements with a valuation under a million dollars):
  - The first instance within a 36 month period where a contractor fails to divert sixty-five percent (65%) of the total construction and demolition debris generated by the project via reuse or recycling shall result in a verbal warning.
  - The second instance within a 36 month period where a contractor fails to divert sixty-five percent (65%) of the total construction and demolition debris generated by the project via reuse or recycling shall result in a written warning.
  - The third instance within a 36 month period where a contractor fails to divert sixty-five (65%) of the total construction and demolition debris generated by the project via reuse or recycling shall result in a performance security being required for future jobs with a valuation between \$100,000 and a million dollars.
- 9) Noncompliance for projects that post a bond (all new buildings and tenant improvements with a valuation over one million dollars):
  - If an exemption is not granted, then the City shall maintain the bond.

**ADDITIONAL PROCESS FOR RESIDENTIAL PROJECTS  
THAT ARE COMPLETED IN PHASES**

- 1) A WMP must be submitted at the first check of a residential master plan and a WRRF Form must be submitted at the first plan check of each phase of the project.
- 2) A separate Performance Security must be submitted for each phase of a large residential project based on the total square footage of the units in the phase.
- 3) A Performance Security must be submitted before the issuance of building permits for each phase.
- 4) A performance Security Transfer Form may be completed for applicants desiring to transfer a Performance Security from one phase to another. In order to transfer the Performance Security from one phase to the next, the WRRF must be completed and returned indicating that the 65% diversion requirement for tenant improvements and 75% diversion requirement for new development has been met for the recently completed phase.

## C&D Conversion Rates

<b>Material</b>	<b>Lbs./cy</b>	<b>Tons/cy</b>	<b>Cy/Ton</b>
Wood	300 lbs./cu.yd.	0.15 tons/cu.yd.	6.7 cu.yds/ton
Cardboard	100 lbs./cy.yd.	0.05 tons/cu.yd.	20 cu.yds/ton
Drywall	500 lbs./cy.yd.	0.25 tons/cu.yd.	4 cu.yds/ton
Concrete/Asphalt	1400 lbs./cy.yd.	0.7 tons/cu.yd.	1.4 cu.yds/ton
Mixed Waste	350 lbs./cy.yd.	0.175 tons/cu.yd.	5.7 cu.yds/ton

Source: Resource Efficient Building (1994), Metro Solid Waste Department, Portland, Oregon

Use the above conversion factors and receipts from previous projects to help you estimate the potential amount of recyclable materials and waste from your project. Your hauler or recycler may assist you in estimating these numbers.



# Waste Management Plan

**The required goal is to reuse or recycle at least 65 % of project waste for remodels or tenant improvements and 75% of project waste for new development.**

A Waste Management Plan (WMP) and a Waste Reduction and Recycling Form (WRRF) are to be submitted at the time of the first plan check for any project with a total construction value greater than or equal to \$100,000. For residential projects completed in phases, the WMP must be submitted at the first check of a residential master plan and a WRRF must be submitted at the first plan check of each phase of the project.

Please provide the following information:

Project Name: \_\_\_\_\_ Location: \_\_\_\_\_

Building Type (commercial, residential etc.): \_\_\_\_\_

Total Project Square Footage: \_\_\_\_\_

Total Project Value: \_\_\_\_\_

Type of Project:       New Construction       Demolition

Type of Construction (wood frame, concrete, steel, etc.): \_\_\_\_\_

Company Name: \_\_\_\_\_ Contact: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Recycler: \_\_\_\_\_ Contact: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_



# Waste Reduction and Recycling Form

<b>Office Use Only</b>	
Approved	<input type="checkbox"/>
Not approved	<input type="checkbox"/>
Staff Initials: _____	

Project Name: \_\_\_\_\_

<b>For Residential Projects Completed in Phases</b>	
Square Footage of All Units in the Phase: _____	Tract Name: _____
Tract Number(s): _____	Lot Number(s): _____

Complete and return at first Plan Check for Building/Demolition Permit				Complete and return with receipts within 30 days of project completion		
Material Type	Est. Waste Generation (tons/yards)	Est. Reused/ Recycled	Est. Landfilled	Actual Amount Reused/ Recycled	Actual Amount Landfilled	Handling Procedure/Destination
Asphalt/Concrete* <small>100% must be diverted</small>			None		None	
Wood						
Metals						
Drywall						
Cardboard						
Stucco						
Other (carpet, roofing, plastics)						
Mixed C&D Recyclables						
Trash						
<b>Total</b>						

Did you recycle your jobsite waste in the past?  Yes  No

If the estimated amount reused/recycled is not at least 65% (remodels or tenant improvement) or 75% (new construction) of the waste generated, please explain why: \_\_\_\_\_

If the actual amount reused/recycled is not greater than or equal to 65% (remodels or tenant improvement) or 75% (new construction), please explain why: \_\_\_\_\_

Other Comments: \_\_\_\_\_

Prepared by: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Note: Bold italic print area is to be completed for Subdivision Projects being built in phases

Project Name: \_\_\_\_\_  
Lot Number(s): \_\_\_\_\_  
Tract Number(s): \_\_\_\_\_  
Tract Name: \_\_\_\_\_

**PERFORMANCE SECURITY AGREEMENT FOR  
DIVERSION OF CONSTRUCTION & DEMOLITION DEBRIS**

**WHEREAS**, pursuant to Ordinance No. 5-00 and Ordinance No. 17-14, the City Council of the City of Dublin has mandated the diversion of sixty-five percent (65%) of construction and demolition debris generated by remodels or tenant improvement projects and seventy-five percent (75%) of construction and demolition debris generated by new construction projects within the City of Dublin; and

**WHEREAS**, the City of Dublin further mandated that any new building regardless of valuation and any project with a total project value greater than or equal to \$1,000,000 shall submit a Performance Security before the issuance of a Building or Demolition Permit for that project; and

**WHEREAS**, \_\_\_\_\_ (hereinafter designated as "Applicant") has filed an application for a \_\_\_\_\_ [Building or Demolition] Permit for the \_\_\_\_\_ ("Project") which has a total project value of \$ \_\_\_\_\_. ***The total project will be built in \_\_\_\_ phases. The current phase of this project for which this permit application is submitted has a total value of \$ \_\_\_\_\_.***

**WHEREAS**, Applicant has submitted a Performance Security of \$ \_\_\_\_\_ to the City of Dublin in the form of \_\_\_\_\_ (Performance Bond, Money Order, Letter of Credit, Certificate of Deposit, Cash, ***Performance Security Transfer***). ***This Performance Security is for Phase \_\_\_\_ of this project;*** and

**WHEREAS**, this agreement is entered into between the Applicant and City of Dublin to secure compliance with Ordinance no. 5-00 and Ordinance No. 17-14.

**NOW THEREFORE**, the City of Dublin shall retain the Performance Security until such time that Applicant submits to the Waste Management Plan Compliance Official (WMPCO) documentation that Applicant has met the diversion requirement for the Project, and the Waste Management Plan Compliance Official determines compliance with such requirement, in which case the City shall release the Performance Security. If the WMPCO determines the Applicant has not made a good faith effort to meet the diversion requirement for the Project or has partially met it, in accordance with Dublin Municipal Code 7.30.360 and 7.30.370, the Performance Security, or a portion of it as deemed appropriate by the WMPCO, shall be forfeited to the City to be used to promote recycling within the City.

The condition of this obligation is such that if above applicant, its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on its part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Dublin, its officers, agents and employees as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As a part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City of Dublin in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

**IN WITNESS WHEREOF**, this instrument is executed as an original, by the Applicant and the City of Dublin this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Applicant

City of Dublin

By: \_\_\_\_\_

By: \_\_\_\_\_



The Depositor of the Performance Security shall provide written notice to the Community Development Department in the event that there is a change in depositor's interest in the property, the project or the contact person for said project. Said notice shall be mailed first class, postage paid, certified mail to: City of Dublin, Community Development Department, 100 Civic Plaza, Dublin, CA 94568.

**SAMPLE LETTER FOR C&D PERFORMANCE SECURITY RETURN REQUEST**

[COMPANY LETTERHEAD]

Date

Waste Management Compliance Official  
City of Dublin  
100 Civic Plaza  
Dublin, CA 94568

Re: Request for Return of Performance Security Deposit  
Construction Waste Management Plan

Project Name: \_\_\_\_\_

Address: \_\_\_\_\_

Form of Security Deposit (Bond, Money Order; Letter of Credit; Certificate of Deposit):

\_\_\_\_\_

Bond Number (if applicable): \_\_\_\_\_

Dear Waste Management Compliance Official:

As required by the Construction & Demolition Debris Ordinance, we have recycled \_\_\_\_% of all construction debris on the above project. This is to request the return of our [monetary deposit or release of our Performance Security Bond] placed with the City of Dublin to assure our compliance with the City's construction debris recycling program.

Please find enclosed the completed Waste Reduction & Recycling form with the actual waste and recycling amount column filled in as required, along with the receipts from the [waste hauler, designated recycler and sub-contractors] who collected waste and recycling material from our project.

If you have any questions, please contact me at (\_\_\_\_) \_\_\_\_\_.

Sincerely,

(Name)

(Title)

(Company Name)

**SAMPLE PERFORMANCE BOND**

**WHEREAS**, the City Council of the City of Dublin, State of California, and \_\_\_\_\_, (hereinafter designated as "Principal") have entered into a "Performance Security Agreement" ("Agreement"), under which Principal is to comply with the requirements of City of Dublin Ordinance No. 5-00 & Ordinance No. 17-14 and the Waste Management Plan ("WMP") for the \_\_\_\_\_ project ("Project") located within the City of Dublin, State of California, which Agreement is hereunto annexed and made a part hereof; and

**WHEREAS**, said principal is required under the terms of said Agreement to furnish a bond for the faithful performance of the principal's obligations under Ordinance no. 5-00 & Ordinance No. 17-14 and the WMP for the Project.

**NOW THEREFORE**, we, the Principal and \_\_\_\_\_ a corporation duly authorized to do business in the State of California, as surety are held and firmly bound unto the City of Dublin ("City"), in the penal sum of \_\_\_\_\_ (\$\_\_\_\_\_), lawful money of the United States, for the payment of which sum well and truly made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly presents.

The condition of this obligation is such that if above bounded principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alteration thereof made as therein provided, on his or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless City, its officers, agents and employees as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect and may be forfeited as specified in said Agreement.

As part of the obligation secured hereby and in addition to the face amount specified thereof, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Agreement or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligation on this bond, and said surety does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or to the specifications.

IN WITNESS WHEREOF, this instrument is executed in triplicate, each one which shall be deemed an original, by the Principal and surety above named, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Principal \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

Finance Mgr. City of Dublin \_\_\_\_\_ Date \_\_\_\_\_

Bldg. Official, City of Dublin \_\_\_\_\_ Date \_\_\_\_\_



**Performance Security Transfer for Residential Projects**  
**Completed in Phases**

If you wish to carry over your performance security from one phase to the next, you must show that you have reached the 65% diversion goal (remodel or tenant improvement) or 75% diversion goal (new development) for the phase from which you would like the performance security transferred. After the completion of a phase, please submit this form, along with the completed Waste Reduction and Recycling Form (WRRF), and appropriate receipts from the vendor or facility which collected or received each material. In addition, please submit a new WRRF for the phase to which you would like the performance security transferred.

**Transfer From:**

- 1. Project Name: \_\_\_\_\_
- 2. Tract Name: \_\_\_\_\_
- 3. Tract Number(s): \_\_\_\_\_
- 4. Lot Number(s): \_\_\_\_\_
- 5. Security deposit submitted to the City for this phase (Square footage) x (60/2000) x (\$35) + \$2,738= a) \$ \_\_\_\_\_

**Transfer To:**

- 6. Project Name: \_\_\_\_\_
- 7. Tract Name: \_\_\_\_\_
- 8. Tract Number(s): \_\_\_\_\_
- 9. Lot Number(s): \_\_\_\_\_
- 10. Security deposit required (Square Footage) x (60/2000) x (\$35) + \$2,738 = b) \$ \_\_\_\_\_
- 11. If **a** is less than **b**, an additional security deposit is required in the amount of (b - a): c)\$ \_\_\_\_\_
- 12. If **a** is greater than **b**, you are entitled to a security deposit refund in the amount of (a - b): d)\$ \_\_\_\_\_

If you are entitled to a security deposit refund, please indicate how you would like the City to process the excess deposit.

- Please retain any excess security deposit for future phases.
- (cash performance securities only) Please refund the excess performance security.

Applicant (print): \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_

*Note: Approval of this transfer is contingent on compliance with the City's 65% (tenant improvement) or 75% (new development) waste diversion requirement. You will be informed of any determination of non-compliance within 30 days of the receipt of this transfer request.*

Office Use Only

Approved: Yes <input type="checkbox"/> No <input type="checkbox"/> Initials _____ Security Deposit: Amt. Refunded: \$ _____ Amt. Added: \$ _____ Amt. Transferred: \$ _____ Total Security Deposit for Current Phase: \$ _____
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