CITY OF SAN DIEGO
ENVIRONMENTAL SERVICES DEPARTMENT

Certified Recyclable Materials Collector Application

Business Name: _____

Business Address: _____
Street Address City Zip Code

Mailing Address: _____
Street Address or PO Box City Zip Code

Phone number: (_____)_____ Fax number (_____)_____

Contact Person: _____

Email address: _____

Business License #: _____

Vehicle Description: Please describe below the year, make, model, vehicle identification number, and license number of each vehicle that will be used to provide recyclable materials collection services within the City.

Vehicle	Year	Make	Model	VIN	License Plate
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					

(Add additional sheet if necessary)

Address where vehicles will be stored and maintained: _____

_____

Types of containers provided to customers: (check all that apply)

- ❑ 32 gallon cart
- ❑ 64 gallon cart
- ❑ 96 gallon cart
- ❑ 44 gallon corrugated plastic
- ❑ Dumpster (indicate capacity) _____
- ❑ Other: _____

Sectors of customers serviced: (check all that apply)

- ❑ Multi-family
- ❑ Restaurants
- ❑ Retail
- ❑ Manufacturing/Industrial
- ❑ Special Events
- ❑ Office
- ❑ Other: _____

_____

_____

Annual Reports
Applicant agrees to submit an annual report to the City for review. The report shall include information about the services the applicant provides to facilities within the City, pursuant to section 66.0711 of the Municipal Code.

Indemnify the City
Applicant agrees to defend, with counsel to be agreed upon by both parties, indemnify, and hold harmless, City and its agents, officers, servants, and employees from and against any and all claims asserted or liability established for damages or injuries to any person or property, including injury to City's employees, agents, or officers which arise from, or are connected with, or are caused or claimed to be caused by acts or omissions of the applicant, or its agents, officers or employees, in the performance of the recyclable materials collection services, and all costs and expenses of investigating and defending against same; provided, however, that the applicant's duty to indemnify and hold harmless shall not include any claims or liability arising from the established active negligence, sole negligence, or sole willful misconduct of the City, its agents, officers, or employees.

Insurance Requirements
Without limiting the indemnification obligation above, the applicant agrees to obtain and maintain in full force and effect throughout the term of the recyclable materials collector certificate, and any extensions or modifications thereof, insurance coverage which meets or exceeds the requirements established by the Director. Current insurance requirements are as follows:

A. *Minimum Scope of Insurance.* Coverage shall be at least as broad as:

1. Comprehensive General Liability and Insurance Services Office covering Broad Form Comprehensive General Liability.
2. Automobile Liability Policy.

3. Worker's compensation insurance as required by the Labor Code of the State of California and Employer's Liability insurance.

B. *Minimum Limits of Insurance.* Applicant shall maintain limits no less than:

1. Comprehensive General Liability: $1,000,000 combined single limit per occurrence for bodily injury and property damage.
2. Automobile Liability: $1,000,000 combined single limit per accident for bodily injury and property damage.
3. Worker's Compensation and Employers Liability: Worker's Compensation limits of $1,000,000 as required by the Labor Code of the State of California.

C. *Deductibles and Self-Insured Retentions*. Any significant deductibles or self-insured retentions must be declared to and approved by the City's Risk Manager. At the option of the City's Risk Manager, either: the insurer shall reduce or eliminate such deductibles or self insured retentions as respects the City, its officials, employees, agents or volunteers; or the Applicant shall procure an additional letter of credit or bond guaranteeing payment of losses and related investigations, claim administration, and defense expenses.

D. *Other Insurance Provisions.* The policies are to contain, or be endorsed to contain, the following provisions:

1. General Liability and Automobile Liability Coverages

   a. Applicant shall obtain, and during the term of this Agreement, shall maintain policies of liability, automobile liability, public liability, general liability and property damage insurance from an Insurance Company authorized to be in business in the State of California, in an insurable amount of not less than $1,000,000 for each occurrence. The insurance policies shall provide that the policies shall remain in full force during the life of this Agreement and shall not be canceled, terminated or allowed to expire without thirty (30) days prior written notice to the City from the insurance company.

   b. The City shall be named as an additional insured on these policies.

   c. The Applicant's insurance coverage shall be primary insurance as respects the City, its officials, employees and volunteers. Any insurance or self-insurance maintained by the City, its officials, employees or volunteers shall be in excess of the Applicant's insurance and shall not contribute with it.

   d. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the City, its officials, employees or volunteers.

   e. Coverage shall state that the Applicant's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

2. Worker's Compensation and Employers Liability Coverage:

The insurer shall agree to waive all rights of subrogation against the City, its officials, employees and volunteers for losses arising from work performed by the Applicant in the City.

E. *Acceptability of Insurers.* The insurance policies required by this section shall be issued by an insurance company or companies authorized to do business in the State of California and with a rating in the most recent edition of Best's Insurance Reports, of size category VII or larger and a rating classification of A or better.

F. *Required Endorsements.* Each insurance policy shall contain appropriate endorsements, as specified by the City.

G. *Delivery of Proof of Coverage.* Simultaneously with the submittal of this Application, Applicant shall furnish the City certificates of each policy of insurance required hereunder, in form and substance satisfactory to the City. Renewal certificates shall be furnished to the City upon each policy renewal to demonstrate maintenance of the required coverages throughout the term of the Certified Recyclable Materials Collector certificate.

Compliance with the law
Certified Recyclable Materials Collectors shall conduct all of their activities in compliance with all applicable federal, state, and local laws, regulations, ordinances, and requirements and shall be responsible for obtaining all applicable permits, licenses, certifications, and registrations.

Application Verification
The Director may independently verify any and all statements made or implied in the application or any accompanying documents. The Director may also request clarification from the applicant of any such statements or information.

Application Review
In reviewing each application, the Director shall take into consideration all components of the application including, but not limited to: (i) the ability of the applicant to meet the requirements of this Division and the certificate; (ii) any history of criminal or civil violations that may compromise the public's interest; and (iii) the completeness, accuracy, and validity of the application.

Application Determination
After a reasonable review period, the Director shall notify the applicant in writing of the decision to grant or deny the application. If the Director fails to grant an application after thirty (30) days from the receipt of a complete application, including accompanying documentation, the applicant may at the applicant's option deem the application denied. If the Director denies an application, the Director shall notify the applicant in writing of the reasons for the denial.

Certificate Revocation
The Director may revoke a certificate if the Director determines, after providing notice and an opportunity for a hearing, that a Certified Recyclable Materials Collector has violated the

provisions in the certificate or any applicable law. If the Director revokes a certificate, the Director shall notify the applicant in writing of the reasons for the revocation.

Appeal Upon Denial of Application or Revocation of Certificate
Within thirty (30) days after the issuance of a written notice of the denial of an application or the revocation of a certificate, the applicant or Certified Recyclable Materials Collector may request in writing to the Director that the Mayor review the Director's decision. Within thirty (30) days of the Department's receipt of such a request, a meeting with the Mayor or designee shall be scheduled to review the items cited in the written notice. At that meeting, the applicant or Certified Recyclable Materials Collector may provide any additional information in support of the applicant's position. Within thirty (30) days of such a meeting, the Mayor will issue a written decision on the application or revocation, which shall include the reasons for the decision. The Mayor's decision shall be final. A copy of the Mayor's written decision shall be provided to the applicant or Certified Recyclable Materials Collector and the Director.

Certificate Renewal
Two months prior to certification expiration, ESD will mail a renewal notice to Certified Recyclable Materials Collector notifying of the certification expiration date and renewal procedures.

The undersigned has reviewed, agreed to, and will comply with the requirements of this application and those contained in section 66.0714 of the Municipal Code.

_____

Signature Date

_____

Print name Title

Please return application, check or money order for $130 payable to City Treasurer, and any attachments to:

City of San Diego Environmental Services Dept.
Attn: CRO Exemption
9601 Ridgehaven Ct., Ste. 320
San Diego, CA 92123-1636

For ESD use only

Application Fee: $130.00 Paid by: ❑ Money Order ❑ Check# _____ Date: ____/____/____

Payment Received by: _____

Application ❑ Approved ❑ Denied by: _____ Date: ____/____/____