



Office of the City Manager

CONSENT CALENDAR

November 19, 2013

To: Honorable Mayor and Members of the City Council

From:  Christine Daniel, City Manager

Submitted by: Andrew Clough, Director, Public Works

Subject: Purchase Orders: Toter, Incorporated for Refuse and Recycling Roll-Out Carts

RECOMMENDATION

Adopt a Resolution:

1. Authorizing the City Manager to enter into additional FY 2014 purchase orders with Toter, Incorporated for refuse and recycling rollout carts, for a total FY 2014 amount not to exceed \$176,039; and
2. Authorizing the City Manager to purchase refuse and recycling rollout carts from Toter, Incorporated, piggy-backing off of a National Intergovernmental Purchasing Alliance (NIPA) contract with Toter, for annual expenditures not to exceed:
 

FY 2015 .....	\$259,659
FY 2016 .....	\$267,448
FY 2017 .....	\$275,472
FY 2018 .....	\$283,736

FISCAL IMPACTS OF RECOMMENDATION

The cost for each kind of cart (ranging from 10 gallons to 96 gallons) and any inserts includes hot stamps, sales tax and freight.

The City already purchased Toter carts in FY 2014 through the NIPA contract, for a cost of \$77,483. Funds for the additional FY 2014 purchases are available in the Refuse Collection Disposal Fund, (820), and the State Grant Funds (646 and 647).

Funding is subject to appropriation in the FY 2015 – FY 2018 budgets in the Refuse Collection Disposal Fund, (820), and the State Grant Funds (646 and 647).

CURRENT SITUATION AND ITS EFFECTS

Most of the carts provided to customers are well over 20 years old, are wearing out, and must be replaced. In FY 2104 to date, the City has purchased new carts for a cost of almost \$77,500 and additional purchases are needed.

In addition, due to the new recycling mandate from the Waste Management Authority, the City expects new cart requests from small businesses, and is obligated to make them available to the Berkeley business community. A large portion of these recycling carts will be purchased with funds from State Grants.

#### BACKGROUND

In February 2008 the City went out to bid (Specification No. 08-10293-C) for refuse rollout carts. Although Toter submitted the lowest bid, the City was able to get carts at an even lower price by piggy-backing off of a National Intergovernmental Purchasing Alliance (NIPA) contract with Toter. This National program awards master agreements, such as those with Toter, which lowers costs and provides savings to participating public agencies, such as the City of Berkeley.

#### RATIONALE FOR RECOMMENDATION

Replacement refuse and organics carts are needed to provide refuse and recycling services to our residential and business customers. The NIPA program offers the City the best pricing for purchasing these carts. In addition, Toter carts are the right type of cart for the City's equipment. NIPA and Toter have a new 5-year contract that extends until 2018.

#### ALTERNATIVE ACTIONS CONSIDERED

None

#### CONTACT PERSON

Rogelio Marquina, Senior Supervisor, Zero Waste, Public Works, 981-6355  
Kenneth Etherington, Manager, Zero Waste Division, Public Works, 981-6359

Attachments:

1: Resolution

RESOLUTION NO. ##,###-N.S.

PURCHASE ORDERS: TOTER, INCORPORATED FOR REFUSE AND RECYCLING  
ROLL-OUT CARTS

WHEREAS, the City of Berkeley provides essential refuse and recycling services to residents and businesses with the goal of reaching zero waste, and these services require the purchase of roll-out refuse and recycling carts; and

WHEREAS, while in 2008 the City went out to bid (Specification No. 08-10293-C) for refuse roll-out carts, and Toter, Inc. submitted the low bid, the City was able to get carts at an even lower price by piggy-backing off of a Toter master agreement available through the National Intergovernmental Purchasing Alliance (NIPA), providing lower costs on these commodities to the City of Berkeley as a participating public agency; and

WHEREAS, there is a new 5-year NIPA contract with Toter that extends the agreement until 2018; and

WHEREAS, the Public Works Zero Waste Division has purchased carts for a cost of \$77,483 in FY 2014 and additional carts are needed before the end of this fiscal year, and the Division anticipates additional demands and annual purchases for new carts that exceed City Manager authority in the coming fiscal years.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to enter into additional FY 2014 purchase orders with Toter, Incorporated for refuse and recycling rollout carts in FY 2014 for a total amount not to exceed \$176,039.

BE IT FURTHER RESOLVED that the City Manager is authorized to purchase refuse and recycling rollout carts from Toter, Incorporated, piggy-backing off of the NIPA contract with Toter, for annual expenditures in fiscal years 2015 through 2018 for amounts not to exceed:

FY 2015 .....	\$259,659
FY 2016 .....	\$267,448
FY 2017 .....	\$275,472
FY 2018 .....	\$283,736

