



Office of the City Manager

CONSENT CALENDAR

December 11, 2007

To: Honorable Mayor and Members of the City Council

From:  Phil Kamlarz, City Manager

Submitted by: Claudette Ford, Director, Public Works

Subject: Contract No. 7260A Amendment: Environmental Delivery Services, Inc. for Pail Delivery for Food Scrap Program

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 7260A with Environmental Delivery Services, Inc. for food scrap pail delivery and labeling services, increasing the amount by \$30,422 for a total amount not to exceed \$80,647, for the period March 1, 2007 through December 31, 2007.

FISCAL IMPACTS OF RECOMMENDATION

The \$30,422 is available in FY 2008 in 645-5608-432.30-38-07S011. This amount will be partially offset by a refund of \$5,200 from Busch Systems to compensate the City for contractor's expenses due to a delay in shipping the kitchen pails to the City. A full explanation for this additional cost is provided in the Background section below.

The Alameda County Waste Management Authority (ACWMA), the grantor, will pay the City up to \$8 per eligible household served. The first \$120,000 was provided, but the City must invoice for other expenses. Any funds the City does not spend will remain with the ACWMA.

CURRENT SITUATION AND ITS EFFECTS

Contractor has completed all tasks associated with implementing the residential food scraps program. The original contract and amendment did not anticipate the total additional cost of applying labels to plant debris carts in the field. Staff allowed contractor to complete this task to maintain the schedule of the residential food scraps rollout and to meet grant requirements.

BACKGROUND

On April 24, 2007 by Resolution No. 63,657-N.S., Council accepted \$186,240 from the ACWMA in reimbursable grants to cover promotional activities and supplies for the rollout of the Residential Food Scraps collection program. The grant provides up to \$8.00 per eligible household.

On May 8, 2007 Council adopted Resolution No. 63,687N.S. approving a contract with Environmental Delivery Services, Inc. for FY 2008 in the amount of \$40,425 for house-to-house delivery of food scrap pails and bags of compost in support of the program. The contractor was to place educational materials and labels inside each pail. ACWMA then decided that participating cities must place the labels on the pails and green carts, rather than expect residents to apply them. On September 11, 2007 by Resolution No. 63,803-N.S., Council ratified the action taken by the City Manager during recess to execute an amendment increasing the contract amount by \$9,800 to cover the cost of compliance with the Living Wage ordinance, and \$0.20 per household for the added task of applying both labels. This price was based on the contractor's assumption that the green carts, like the pails, were at the transfer station and easily available.

Instead, the task required contractor to follow plant debris collection trucks on their routes, wipe the cart lids and place labels on 24,000 carts in the field. There are 3 plant debris routes every day, of approximately 700 homes per route. Contractor deployed 3 trucks, each with a crew of 3 workers, for ten days at a cost of \$2,657 per day.

The contractor also had costs of \$5,200 when the pail supplier, Busch Systems, mistakenly told City staff the pails had been shipped a week before the actual shipping date. Busch Systems has agreed to reimburse the City. EDS invoiced for the cost of rented trucks and staff for whom they had no other local work. This money will be returned to the City's grant fund.

#### RATIONALE FOR RECOMMENDATION

This amendment is necessary to pay outstanding invoices. Funds are available in the grant for program publicity and implementation. Any funds not spent will return to the granting agency.

#### ALTERNATIVE ACTIONS CONSIDERED

With the increase to weekly collection, Solid Waste staff could not be diverted to label application. Staff were advised not to withdraw and amend the council item for the initial contract amendment, but to do a further amendment.

#### CONTACT PERSON

Peter Holtzclaw, Manager of Solid Waste & Recycling, Public Works, 981-6359  
Tania Levy, Recycling Program Manager, Public Works, 981-6357

Attachment

1: Resolution

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

CONTRACT NO. 7260A AMENDMENT: ENVIRONMENTAL DELIVERY SERVICES,  
INC TO DELIVER KITCHEN PAILS FOR FOOD SCRAP PROGRAM

WHEREAS, on April 24, 2007 by Resolution No. 63,657N.S., Council accepted a grant for up to \$186,240 from the Alameda County Waste Management Authority to cover promotional activities and supplies for the new residential food scraps collection program; and

WHEREAS, on May 8, 2007, Council adopted Resolution No. 63,687N.S. authorizing a contract with Environmental Delivery Service, Inc. in an amount not to exceed \$40,425 for the period March 1, 2007 to December 31, 2007; and

WHEREAS, on September 19, 2007, Council adopted Resolution No. 63,803N.S. to ratify an action taken by the City Manager during recess to increase the contract limit to \$50,225; and

WHEREAS, the additional task of placing labels on carts in the field as part of the program publicity resulted in additional work for the Contractor; which has been completed; and

WHEREAS, dedicated grant funds are available for this contract amendment in the FY 2008 expenditure budget 645-5608-432.30-38 07S011.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley authorizes the City Manager to execute an amendment to Contract No. 7260A with Environmental Delivery Services, Inc. for food scrap pail delivery and labeling services, increasing the amount by \$30,422 for a total amount not to exceed \$80,647, for the period March 1, 2007 through December 31, 2007.

