

Agenda Report

August 19, 2024

TO: Honorable Mayor and City Council

FROM: Department of Public Works

SUBJECT: AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TOTER, LLC FOR THE PURCHASE OF 7,000 ROTATIONALLY MOLDED AUTOMATED REFUSE CONTAINERS IN AN AMOUNT NOT-TO-EXCEED \$375,000

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the action proposed herein is not a “project” subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 21065 and within the meaning of Section 15378(b);
2. Authorize the City Manager to enter into a contract with Toter, LLC for the purchase of 7,000 rotationally molded automated refuse containers in an amount not to exceed \$375,000. Competitive price bidding is not required pursuant to the City Charter Section, 1002(H) (Contracts with other governmental entities or their contractors for labor, materials, supplies, or services); and
3. Grant the recommended contract an exemption from the Competitive Selection process pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City’s best interests are served.

BACKGROUND:

The Resource Recovery & Recycling Division (RRR) of the Public Works Department has purchased all residential automated refuse containers exclusively from Toter, LLC since it transitioned to automated refuse collection in 1993. Toter, LLC is the only manufacturer of rotationally molded automated refuse containers that come in 32-, 64- and 96-gallon sizes, which are the three specific sizes residents can choose from through the City’s “Pay as You Throw” refuse collection program.

Rotationally molded containers are more durable and flexible than the more common injection molded containers and the rotation molding process ensures a uniform wall body and superior strength versus the injection molded containers. The injection molding containers have empirically been known to have brittle bodies and weak corners that contribute to premature failure.

The City of Pasadena's standard fabrication specifications for the containers specify they be rotationally molded. There are approximately 90,000 containers located at residential properties throughout Pasadena and many have been in service for close to twenty years, longer than the typical life span of injection-molded containers. The use of a single standard also streamlines and simplifies the City's maintenance and repair of its 90,000 containers while also cutting down on cost.

As part of RRR Division's long-term container replacement program, staff is requesting to purchase approximately 7,000 automated refuse containers. This purchase will adequately supply the Department of Public Works with the quantity and size of automated refuse containers needed to accommodate customer requests for replacing damaged containers, changing of container sizes, and providing additional containers. Having available stock will help eliminate delays in meeting these customer requests.

The quoted prices received by the City for the 32-, 64- and 96-gallon automated refuse containers from Toter, LLC are from OMNIA Partners Contract Number 226024-02 awarded by the City of Tucson, Arizona. The City of Tucson, Arizona award included a broad menu of options so that each participating agency may customize their carts for the particular needs of their community. The City can take advantage of these reduced prices as Toter, LLC will honor the high-volume pricing schedule from this awarded contract. This cooperative purchasing agreement is available to public agencies nationwide. All agreements offered through OMNIA Partners have been awarded via a thorough Request for Proposal (RFP) competitive solicitation by a public agency/governmental entity. OMNIA Partners ensures that cooperative contracts are awarded utilizing industry best practices, processes, and procedures, ensuring maximum value and absolute security with complete transparency of the process.

COUNCIL POLICY CONSIDERATION:

The proposed action is consistent with the City Council's Strategic Plan Goals to maintain fiscal responsibility and stability and to increase conservation and sustainability.

ENVIRONMENTAL ANALYSIS:

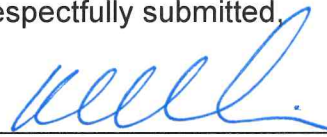
CEQA excludes, from environmental review, actions that are not "projects" as defined by CEQA Guidelines Section 21065 and within the meaning of Section 15378(b). Sections 21065 and 15378(b) define a project as an action which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. Section 15378 excludes from the definition of "project"

continuing administrative or maintenance activities, such as purchases for supplies. The actions proposed herein, authorizing the City Manager to enter into a contract for new refuse containers, is the purchasing of supplies, and therefore is not a "project" as defined by CEQA. Since the action is not a project subject to CEQA, no environmental document is required.

FISCAL IMPACT:

The cost of this action is \$375,000. Funding will be addressed by the utilization of existing budgeted Refuse Fund (406) appropriations in the Public Works Department, Resource Recovery & Recycling operating budget. There is no impact to the General Fund.

Respectfully submitted,



KRIS MARKARIAN, P.E.
Acting Director of Public Works

Prepared by:



Thanos Gauthier
RRR Administrator

Approved by:



MIGUEL MÁRQUEZ
City Manager