



Office of the City Manager

CONSENT CALENDAR
JUNE 16, 2020

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Phillip L. Harrington, Director, Public Works

Subject: Contract No. 8219C Amendment: Ecology Center, Inc. for Residential Curbside Recycling Collection

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to amend and extend Ecology Center, Inc.'s Contract No. 8219C and increase the current Contract to include: \$210,089.81 for the purchase of 1600 new recycling carts, and \$3,850,384 to fund one (1) additional year of residential curbside recycling collection services. With this Amendment increase of \$4,060,473.81, the Contract's not to exceed amount is \$39,643,152.81 and will extend the Contract term for one (1) year from July 1, 2020 through June 30, 2021.

FISCAL IMPACTS OF RECOMMENDATION

Funding is available in the Zero Waste Fund 601 FY 2021 budget.

Given the City's Public Health Officer's Shelter in Place Orders, dated March 16 and 31, and April 29, 2020, and current and for the foreseeable future business and market place conditions, it will be problematic for the City to solicit and have a contractor in place to assume the residential curbside collection program commencing July 1, 2020. Therefore, extending the current Contract, Scope of Services and Payment Terms will ensure continuous collection of residential recycling materials (8,078 tons in 2019) for the community's residential members.

CURRENT SITUATION AND ITS EFFECTS

Ecology Center Contract No. 8219C expires June 30, 2020. Payment to the Ecology Center for contracted fees are derived from the Department of Public Works Zero Waste Division. Like many other organizations dependent upon such fee-based income sources, City revenues are projected to experience an unprecedented reduction as businesses have either closed or have request a substantial reduction in service. Current estimates are that the City faces a \$28.7 million deficit in FY 21, and all departments are developing reduction strategies to address the shortfall. Due to potential impacts to Zero Waste revenue streams from COVID-19 and Shelter in Place Orders, the City of Berkeley is in a position to offer Ecology Center a 12-month contract extension with no increase, and a committed to purchase 1600 new carts for approximately \$210,089.81. The City's extension offer is in alignment with the recent

contract extension offered to our other non-profit, Community Conservation Center, operating at the City's Transfer Station.

BACKGROUND

On December 8, 2009 by Resolution No. 64,714 – N.S., City Council approved Contract No. 8219 with the Ecology Center, Inc. to provide residential curbside recycling service through June 30, 2020, with a not to exceed amount of \$37,020,678.

On June 29, 2010 by Resolution No. 64,960 – N.S., City Council approved Contract Amendment No 8219A to provide residential curbside recycling collection service in rolling carts, with an increased not to exceed amount of \$37,135,678.

On June 14, 2011 by Resolution No. 65,335 – N.S., City Council approved Contract Amendment No 82198 to convert residential curbside recycling collection services to single or one (1) crew member operator routes, with a reduced contract not to exceed amount of \$34,718,739.

On March 19, 2013 by Resolution No. 66,036 – N.S., City Council approved Contract Amendment No. 8219C to add "other plastic containers", an outreach mailing to the residential curbside recycling collection program; the purchase of a new vehicles, fuel, maintenance and insurance, increasing the contract amount by \$863,940 with a revised not to exceed amount of \$35,582,679

ENVIRONMENTAL SUSTAINABILITY

The residential curbside recycling collection services provided by Ecology Center support and are consistent with the City of Berkeley's 2009 Climate Action Plan, 2005 Zero Waste Goal, diversion of materials from landfills, and long-standing commitment to protect the environment.

RATIONALE FOR RECOMMENDATION

The Ecology Center has provided Berkeley's residents with many years of consistent and continuous curbside recycling collection.

ALTERNATIVE ACTIONS CONSIDERED

The City would solicit an RFP (Request for Proposal) for these residential curbside recycling collection services. However, it would be problematic for the City to solicit and have a contractor in place to assume the residential curbside recycling collection program commencing July 1, 2020.

CONTACT PERSON

Greg Apa, Solid Waste & Recycling Manager, Public Works, (510) 981-6359

Contract Amendment of Residential
Curbside Recycling Collection
Service

Consent Calendar
June 13, 2020

Attachment:
1: Resolution

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

CONTRACT NO. 8219C AMENDMENT: ECOLOGY CENTER, INC. FOR
RESIDENTIAL CURBSIDE RECYCLING COLLECTION

WHEREAS, the City recognizes that given current Bay Area County and City's Public Health Officers' Shelter in Place Orders and the impact this has had and will have on local and regional businesses, this Contract extension will provide and ensure the continuation of this essential services for the collection of residential curbside recycling; and

WHEREAS, funding for this Contract Amendment is available in the Zero Waste Fund 601 budget; and

WHEREAS, on December 8, 2009 by Resolution No. 64,714 – N.S., City Council approved Contract No. 8219 with the Ecology Center, Inc. to provide curbside recycling service through June 30, 2020, with a not to exceed amount of \$37,020,678; and

WHEREAS, on June 29, 2010 by Resolution No. 64,960 – N.S., City Council approved Contract Amendment No 8219A to provide residential recycling service in rolling carts, with an increased not to exceed amount of \$37,135,678; and

WHEREAS, on June 14, 2011 by Resolution No. 65,335 – N.S., City Council approved Contract Amendment No 82198 to convert residential recycling services to single operator routes, with a reduced not to exceed amount of \$34,718,739; and

WHEREAS, on March 19, 2013 by Resolution No. 66,036 – N.S., City Council approved Contract Amendment No. 8219C to add "other plastic containers", an outreach mailing to the residential recycling collection program; the purchase of a new vehicle, fuel, maintenance and insurance, increasing the contract amount by \$863,940 for a revised not to exceed amount of \$35,582,679.

NOW THEREFORE, BE IT RESOLVED that by the Council of the City of Berkeley that the City Manager is authorized to execute an Amendment to Contract No. 8219C with Ecology Center, Inc. to provide residential curbside recycling collection services for \$4,060,473.81 and a total Contract not to exceed amount of \$39,643,152.81, includes \$210,089.81 for cart replacement, and extend the current Contract's term and conditions for one (1) additional year for the period of July 1, 2020 to June 30, 2021. A record signature copy of said amendment to be on file in the Office of the City Clerk.