

Mayor and Council Communication

DATE: 02/25/25

M&C FILE NUMBER: M&C 25-0145

LOG NAME: 13P AMEND CSC 59805 SW041512-TOT WASTE CARTS DM ENV

SUBJECT

(ALL) Authorize Execution of an Amendment to City Secretary Contract 59805 with Toter, LLC for the Purchase, Delivery and Maintenance of Garbage, Recycling, and Yard Waste Carts to Increase the Annual Amount by \$1,839,905.00 for a New Annual Amount Up to \$4,500,000.00 Using Sourcewell Cooperative Contract 041521-TOT for the Environmental Services Department

RECOMMENDATION:

It is recommended that the City Council authorize the execution of an amendment to City Secretary Contract No. 59805 with Toter, LLC for the purchase, delivery and maintenance of garbage, recycling, and yard waste carts to increase the annual amount by \$1,839,905.00 for a new annual amount up to \$4,500,000.00 using Sourcewell Cooperative Contract No. 041521-TOT for the Environmental Services Department.

DISCUSSION:

On July 18, 2023, the City entered into City Secretary Contract (CSC) No. 59805 with Toter, LLC using a Sourcewell Cooperative Agreement for the purchase, delivery and maintenance of garbage, recycling, and yard waste carts on an “as-needed” basis. The Environmental Services Department requested that the Purchasing Division assist with amending the agreement to provide additional spending authority. The Environmental Services Department will utilize this amendment to increase City CSC No. 59805 by \$1,839,905.00. This increase is requested due to the continued rapid growth of the City and the large influx of new home communities, which have significantly increased the demand for essential waste management services including the waste carts required by the program. To prevent service delays, inefficiencies, and potential public dissatisfaction, a request for additional funding is being requested. This additional funding will also provide increased revenue opportunities to the City as residents continually shift to larger size waste carts. This increase aids in maintaining operational standards, promoting public health, and supporting the solid waste fund’s sustainability and the City’s growth. Ensuring every home has access to proper waste disposal is critical to sustaining the quality of life and meeting our residents’ expectations.

Approval of this Mayor and Council Communication authorizes the City to spend up to \$4,500,000.00 per year with Toter, LLC for the purchase, delivery and maintenance of garbage, recycling, and yard waste carts. Actual usage in any term can be up to the authorized amount and will be dependent upon actual appropriations for this purpose in the department’s budgets.

State law provides that a local government purchasing an item under a cooperative purchasing agreement satisfies state laws requiring that the local government seek competitive bids for purchase of the item. Sourcewell cooperative contracts have been competitively bid to increase and simplify the purchasing power of government entities.

Funding is budgeted in the Other Contractual Services account within the Solid Waste Fund for the Environmental Services Department.

BUSINESS EQUITY - A Business Equity goal is not assigned when purchasing from an approved purchasing cooperative or public entity.

ADMINISTRATIVE CHANGE ORDER - An administrative change order or increase may be made by the City Manager up to the amount allowed by relevant law and the Fort Worth City Code and does not require specific City Council approval as long as sufficient funds have been appropriated.

RENEWAL OPTIONS – The current term of this Agreement will end on May 28, 2025, with one (1) one-year renewal option remaining. This action does not require specific City Council approval provided that City Council has appropriated sufficient funds to satisfy the City’s obligations during the renewal terms.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that upon approval of the recommendation, funds are available in the current operating budget, as previously appropriated in the Solid Waste Fund. Prior to an expenditure being incurred, the Environmental Services Department has the responsibility to validate the availability of funds.

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