



## REPORT TO COUNCIL City of Sacramento

915 I Street, Sacramento, CA 95814-2604  
www.CityofSacramento.org

**CONSENT**  
**March- 31-2009**

Honorable Mayor and  
Members of the City Council

**Title: Suspension of Competitive Bidding, Award of Contract to L & D Landfill  
and Authorization to Pay Prior Charges**

**Location/Council District:** Citywide

**Recommendation:** Adopt a **Resolution:** 1) Suspending competitive bidding, in the best interests of the City, for a short term contract with L&D Landfill to allow the continued disposal of debris from sewer and waterworks trenches, street excavations and catch basin debris, while a long term contract for disposal of this debris is being competitively bid; 2) Award the contract to L&D Landfill for an amount not to exceed \$ 125,000; and 3) ratify and authorize payment to L&D Landfill for prior disposal costs in the amount of \$40,325.

**Contacts:** Michael Malone, Field Services Division Manager, 808-6226  
Ken Swartz, Warehouse Administrator, 808-6276

**Presenters:** Not applicable

**Department:** Utilities

**Division:** Field Services

**Organization No:** 14001411, 14001421, and 14001431

**Description/Analysis:**

For several years, various sections within the Field Services Division of the Department of Utilities (DOU) have utilized L&D Landfill for their daily and ongoing need to dispose of debris from sewer and waterworks trenches, street excavations and catch basin Debris. DOU's purchase order for the current fiscal year, in the amount of \$80,000, has been expended, but the DOU has an ongoing need to dispose of this debris.



The DOU Field Services Division is initiating a competitive bid process to award a long term contract for the disposal of this debris. This report requests that the City Council suspend competitive bidding to allow approval of a short term contract with L&D Landfill for the continued disposal of this debris while a long term contract for disposal of this debris is being competitively bid. A contract is required, rather than simply increasing the current purchase order amount, because the City Code requires that a contract be used for the procurement of nonprofessional services in the amount of \$100,000 or more.

Due to the ongoing need to dispose of these materials, DOU also has incurred charges of \$40,325 in excess of the current purchase order, and this report requests that Council ratify and authorize payment to L & D Landfill for these charges.

**Issues:**

The DOU Field Services Division is presently working with the Procurement Services Division to issue an Invitation for Bid (IFB) for the disposal of debris from sewer and waterworks trenches, street excavations and catch basin debris. Staff anticipates completing this process so that a long term contract can be awarded prior to the end of the current FY2008/09. This report requests that the City Council suspend competitive bidding to allow approval of a short term contract with L&D Landfill for the continued disposal of debris while the long term contract is being competitively bid. This report also requests authorization to pay pending charges for costs that have exceeded the current purchase order.

**Policy Considerations:**

The recommendations in this report are in accordance with the provisions of City Code Section 3.56.230, that permits the City Council to suspend competitive bidding if the Council determines that it is in the City's best interest to do so. Staff believes that it is in the best interest of the City to suspend competitive bidding to enter into a short term contract with L&D Landfill, because there is a daily ongoing need to dispose of debris from sewer and waterworks trenches, street excavations and catch basin debris, and the proposed short term contract will provide for continued disposal of this debris while the competitive bidding process to select and award a long term contract is being conducted.

**Committee/Commission Action:** Not applicable

## **Environmental Considerations:**

### **California Environmental Quality Act (CEQA):**

The continued disposal of debris at the L&D Landfill will utilize existing facilities with no expansion of use and, as such, is categorically exempt from the California Environmental Quality Act (CEQA), under Section 15301 of the CEQA Guidelines.

### **Sustainability Considerations:**

While not meeting all of the goals of the City's Sustainability Master Plan, the current method for hauling debris impacts the City the least environmentally and financially. The DOU Field Services has been exploring ways to recycle the debris and looks forward to implementing a plan in the future.

### **Rationale for Recommendation:**

The DOU Field Services Division produces tons of debris daily from sewer and waterworks trenches, street excavations and catch basin debris. Approval of a short term contract is needed so that Field Services personnel can continue to haul this debris to landfill while competitive bidding is conducted for a long term contract.

With regard to the pending disposal charges that have exceeded the current purchase order amount, although no purchase order or contract authorized these charges when they were incurred, staff is recommending that the Council ratify and approve payment of these charges after-the-fact, because it was necessary to maintain the ongoing disposal of this debris even through the current purchase order was fully expended.

### **Financial Considerations:**

The purchase of Landfill services will be charged to Water Distribution, Wastewater Collection and Drainage Collection's general accounts 6005-14000-14001411, 6006-14000-14001421 and 6011-14000-14001431- 433061, where subsequently the items will be debited to there operating budget's as the items are disbursed. The Department of Utilities, Field Services Division, FY2008/09 operating budget has sufficient funds for these purchases. There is no additional fiscal impact.

**Emerging Small Business Development (ESBD):** L&D Landfill is not a certified ESBE.

Respectfully submitted by: Michael Malone  
Michael Malone  
Field Services Division Manager

Approved by: Marty Hanneman  
Marty Hanneman  
Director, Department of Utilities

Recommendation Approved:

*for* Marty Hanneman  
Ray Kerridge  
City Manager

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## **RESOLUTION NO. 2009-XXXX**

Adopted by the Sacramento City Council

**March 31, 2009**

### **AWARD CONTRACT TO L&D LANDFILL FOR THE DISPOSAL OF DEBRIS**

#### **BACKGROUND**

- A. The Field Services Division of the Department of Utilities (DOU) has a daily and ongoing need to dispose of debris from sewer and waterworks trenches, street excavations and catch basin debris. This debris currently is disposed of at the L&D Landfill. DOU's purchase order for the current fiscal year, in the amount of \$80,000, has been expended, but the DOU has an ongoing need to dispose of this debris.
- B. The DOU Field Services Division is initiating a competitive bid process to award a long term contract for the disposal of this debris. City staff has requested that the City Council suspend competitive bidding to allow approval of a short term contract with L&D Landfill for the continued disposal of this debris, while the long term contract is being competitively bid. City Code Section 3.56.230 permits the City Council to suspend competitive bidding if the Council determines that it is in the City's best interest to do so.
- C. Due to the ongoing need to dispose of these materials, the DOU also has incurred charges of \$40,325 in excess of the current purchase order, and staff has requested that the City Council ratify and authorize payment to L & D Landfill for these charges.
- D. It is in the best interest of the City to suspend competitive bidding to enter into a short term contract with L&D Landfill, because there is a daily ongoing need to dispose of debris from sewer and waterworks trenches, street excavations and catch basin debris, and the short term contract will provide for continued disposal of this debris while the competitive bidding process to select and award a long term contract is being conducted.

#### **BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

- Section 1. In the best interests of the City, competitive bidding is suspended for a nonprofessional service contract with L&D Landfill to allow the continued disposal by the DOU of debris from sewer and waterworks trenches, street excavations and catch basin debris, while a long term contract for disposal of this debris is being competitively bid.

Section 2. The contract is awarded to L&D Landfill for an amount not to exceed \$ 125,000.

Section 3. The prior disposal charges in the amount of \$40,325 are ratified and the City manager or City Manager designee is authorized to pay L & D Landfill for these charges.

