

ESS
7/27/2021

(O-2021-164)

ORDINANCE NUMBER O- 21364 (NEW SERIES)

DATE OF FINAL PASSAGE AUG 03 2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING A SECOND AMENDMENT TO
THE CONTRACT BETWEEN THE CITY OF SAN DIEGO AND
REHRIG PACIFIC COMPANY FOR WASTE CARTS,
RECYCLING CARTS, CART PARTS, BINS & RELATED
PRODUCTS AND SERVICES.

WHEREAS, the City of San Diego's (City) Environmental Services Department requires waste carts, recycling carts, cart parts, bins, and related products and services; and

WHEREAS, on October 5, 2016, based on the results of the competitive process, Miami-Dade County, the administering agent on behalf of US Communities Government Purchasing Alliance, entered into a contract with Rehrig Pacific Company entitled, "Waste Carts, Recycling Carts, Cart Parts, Bins and Related Products and Services" identified as Contract No. 00254, which was subsequently amended on various dates (Agency Agreement); and

WHEREAS, on August 10, 2017, the City's Purchasing Agent certified in writing that the Agency Agreement meets the requirements set forth in San Diego Municipal Code section 22.3208; and

WHEREAS, on January 2, 2018, the City executed a cooperative procurement contract with Rehrig Pacific Company (Contractor) for Waste Carts, Recycling Carts, Cart Parts, Bins & Related Products and Services pursuant to San Diego Municipal Code section 22.3208 for an amount not to exceed \$3,000,000 (Contract); and

WHEREAS, the Contract is effective until September 30, 2021, with an option to extend for an additional five-year term; and

WHEREAS, on January 6, 2020, City and Contractor entered into the First Amendment to the Contract to increase the not to exceed amount to a total of \$8,545,000; and

WHEREAS, the Contract provides an economic and operational advantage for the City; and

WHEREAS, this action requests authorization to execute a Second Amendment to the Contract, increasing the not-to-exceed amount of the Contract by \$30,262,000, from \$8,545,000 to an amount not to exceed \$38,807,000 for the entire Contract, modifying pricing and services, and extending the Contract until September 30, 2026; and

WHEREAS, under Charter section 99, no contract, agreement, or obligation extending for a period of more than five (5) years may be authorized except by Ordinance approved by a two-thirds majority vote of the City Council; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the Mayor, or designee, is authorized to execute, for and on behalf of the City, the Second Amendment to the Contract Between the City of San Diego and Rehrig Pacific Company for Waste Carts, Recycling Carts, Cart Parts, Bins & Related Products and Services, increasing the not-to-exceed amount of the Contract by \$30,262,000 from \$8,545,000 to \$38,807,000, extending the Contract term through September 30, 2026, and otherwise modifying the Contract pursuant to the terms and conditions set forth in the Second Amendment to the Contract, on file in the Office of the City Clerk as Document No. OO- 21364

Section 2. That the Chief Financial Officer is hereby authorized to appropriate and expend an amount not to exceed \$38,807,000 from the Automated Refuse Container Fund No. 200302, the Recycling Enterprise Fund No. 700048, and the General Fund No. 100000, solely

and exclusively to provide funds for the Contract, contingent upon the adoption of the Annual Appropriations Ordinance for the applicable fiscal year, and contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Section 3. That a full reading of this ordinance is dispensed with prior to passage, a written or printed copy having been made available to the City Council and the public prior to the day of its passage.

Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Nicole M. Denow
Nicole M. Denow
Deputy City Attorney

NMD:jdf
06/24/2021
Or.Dept: ESD
Doc. No.: 2696942

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of 07/27/2021.

ELIZABETH S. MALAND
City Clerk

By /s/ Connie Patterson
Deputy City Clerk

Approved: 8/3/21
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUL 27 2021, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG 03 2021

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

JUL 13 2021, and on AUG 03 2021.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy

<p>Office of the City Clerk, San Diego, California</p> <p>Ordinance Number O- <u>21364</u></p>
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