

City Council Agenda Items
and
Contracts, Leases or Agreements

October 15th, 2013

City Council Meeting Date
Agenda Items Only

Brian Pugh

Submitted By

Solid Waste and Recycling

Division

Transportation Services

Department

Action Required:

Ordinance waiving the requirements of formal competitive bidding and authorizing a Contract for Service with Boston Mountain Solid Waste District for an education position utilized in the Solid Waste and Recycling Division.

\$ 25,000.00

Cost of this request

\$ 739,593.00

Category / Project Budget

Services & Charges

Program Category / Project Name

5500.5000.5315.00

Account Number

\$ 444,390.10

Funds Used to Date

SW Operations & Administration

Program / Project Category Name

\$ 295,202.90

Remaining Balance

Solid Waste and Recycling

Fund Name

Budgeted Item

Budget Adjustment Attached

Terry J. Gully
Department Director

9-27-13
Date

Previous Ordinance or Resolution # _____

J. Skellie
City Attorney

10-1-13
Date

Original Contract Date: _____

Original Contract Number: _____

Paul a. Beck
Finance and Internal Services Director

10-1-2013
Date

Received in City Clerk's Office 09-27-13 P03:06 RCVD
[Signature]

[Signature]
Chief of Staff

10-1-13
Date

Received in Mayor's Office
ENTERED 10/1/13
[Signature]

Samuel Jordan
Mayor

10/1/13
Date

Comments:

To: Fayetteville City Council

Thru: Mayor Lioneld Jordan
Don Marr, Chief of Staff
Terry Gulley, Transportation Director

From: Brian Pugh, Waste Reduction Coordinator *BP*

Date: September 27, 2013

Subject: Ordinance waiving the requirements of formal competitive bidding and authorizing a Contract for Service with the Boston Mountain Solid Waste District for an education position utilized in the Solid Waste and Recycling Division.

RECOMMENDATION

Fayetteville City Administration recommends authorizing a ordinance waiving the requirements of formal competitive bidding and authorizing a Contract for Service with the Boston Mountain Solid Waste District for an education position utilized in the Solid Waste and Recycling Division.

BACKGROUND

The Solid Waste & Recycling Division utilized two Energy Corp members from November 2012 to September 2013 for education related activities. The two positions were split with one full time and one part time position working on the recycling marketing and education programs. To date these positions have helped with these programs by reaching approximately 1,800 people with presentations ranging from solid waste and recycling tours, waste free lunches, recycling basics, composting techniques and how recycling can help with energy savings. These positions have been vital working in house on researching other programs, website maintenance and brochure and sign development and also crucial in conducting outreach to businesses and non-profits. These positions conducted much of the door to door education in rolling out the commercial glass program and cigarette litter prevention plan on Dickson St.

DISCUSSION

The Energy Corp program is no longer being funded through the Federal Government so there will be no positions in the 2013-2014 period in which to apply for help with the recycling education efforts. The Boston Mountain Solid Waste District has an agreement in place with Madison County to supply an education position for their programs. In addition, Boston Mountain is hiring for a position that would work 20 hours a week for Washington County and 20 hours a week for the City of Fayetteville conducting education for the recycling programs.

The employee hired for the new education position would be employed through the Boston Mountain Solid Waste District and the District would handle all personnel issues and benefit packages. The cost for the City would be \$25,000 per year and would come from education budget funds already approved for 2013 and 2014.

BUDGET IMPACT

The agreement is for \$25,000 and will be paid for from the Solid Waste and Recycling Budget – Promotional Activities 5500.5060.5342.00. In 2013 the cost will be pro-rated for the last remaining quarter in 2013. There is sufficient funding in the operating budget for this position.

ORDINANCE NO. _____

AN ORDINANCE WAIVING THE REQUIREMENTS OF FORMAL COMPETITIVE BIDDING AND APPROVING A CONTRACT WITH THE BOSTON MOUNTAIN SOLID WASTE DISTRICT IN THE AMOUNT OF \$25,000.00 FOR AN ENVIRONMENTAL AND RECYCLING EDUCATION PROGRAM

WHEREAS, the Boston Mountain Solid Waste District is willing to cost-share a position, to be employed by the District, to provide environmental and recycling education; and

WHEREAS, the Boston Mountain Solid Waste District already has an agreement in place with Madison County to supply an education program and cost-sharing this position with the District would be the most cost-effective way to provide this educational program,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby determines an exceptional situation exists in which competitive bidding is deemed not feasible or practical and therefore waives the requirements of formal competitive bidding and approves a Contract (marked as Exhibit "A" attached hereto and made a part hereof) between the City of Fayetteville, Arkansas and the Boston Mountain Solid Waste District in the amount of \$25,000.00 for the provision of an environmental and recycling education program for the citizens of Fayetteville.

PASSED and APPROVED this 15th day of October, 2013.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

CONTRACT FOR SERVICE

The Boston Mountain Regional Solid Waste Management District (District) and the City of Fayetteville, Arkansas agree to enter into the following agreement to provide environmental education and outreach in the City of Fayetteville.

Environmental Education is to be provided by the District. The District has the resources available to provide public education and community outreach relating to solid waste management and waste minimization education in Fayetteville.

It is agreed by the District and the City of Fayetteville as follows:

The District shall:

1. Provide waste reduction and waste minimization education to citizens of the City of Fayetteville.
2. Prepare and present education programs to Fayetteville's citizens on services and programs available to them related to solid waste management, including recycling.
3. Provide an environmental educator that will perform at least 1,040 hours per year on environmental education for the City. For any partial year performance, the District shall provide a prorated number of hours per year at a rate of 86.67 hours per month.
4. The environmental educator will be an employee of Boston Mountain Solid Waste District. The District agrees to indemnify and hold harmless, to the extent such is not in conflict with immunities provided for by state law, the City of Fayetteville and all of its officers and officials from any claims, of whatever nature, relating to the employment of the environmental educator.
5. Provide an annual report to the City of outreach programs and services performed. Said report shall be provided by January 31 of the year for the prior year. The report shall include detailed statistics regarding the number of Fayetteville citizens served by the education services provided by the District pursuant to this agreement, and the nature and content of educational services provided.

The City of Fayetteville shall:

1. Pay for this service the sum of \$25,000 per calendar year. A pro-rated sum shall be paid for any partial year performance for the calendar year of the execution of this agreement (2013).

This contract shall renew automatically on an annual basis unless by December 1st, either party provides written notice to the other of its intention not to renew this agreement.

All provisions of this agreement are contingent on annual budget authority granted by the City Council of the City of Fayetteville, Arkansas.

Signatures:

BOSTON MOUNTAIN REGIONAL SOLID WASTE
MANAGEMENT DISTRICT

HONORABLE FRANK WEAVER
BOARD CHAIRMAN

DATE

CITY OF FAYETTEVILLE, ARKANSAS

MAYOR LIONELD JORDAN

DATE

