



# City of Ann Arbor

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## Master

**File Number: 21-1616**

**File ID:** 21-1616

**Type:** Resolution

**Status:** Draft

**Version:** 1

**Reference:**

**Controlling Body:** City Council

**File Created Date :** 09/08/2021

\* **File Name:** Toter Change Order

**Final Action:**

**Title:** Resolution to Approve a Change Order with Toter LLC for Solid Waste Containers (\$50,000, total contract \$148,000) and appropriate \$50,000 from fund balance (8 votes required)

**Notes:**

**Sponsors:**

**Enactment Date:**

**Attachments:**

**Enactment #:**

**Drafter/Contact:**

**Hearing Date:**

\* **Admin/Mgr:** Craig Hupy, Public Services Area Administrator

**Effective Date:**

**Related Files:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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**Text of Legislative File 21-1616**

Resolution to Approve a Change Order with Toter LLC for Solid Waste Containers (\$50,000, total contract \$148,000) and appropriate \$50,000 from fund balance (8 votes required)

The City maintains a supply of solid waste collection containers to replace aging containers and to distribute when new solid waste customer accounts are added. The City's approved Solid Waste Resource Management Plan also has a goal to increase recycling at commercial and multi-family properties. In order to accomplish this goal, the City must have the ability to purchase containers for new or expanded recycling service.

Resolution R-21-054 authorized a purchase order with Toter LLC for \$98,000.00 in FY21 and \$98,000.00 to purchase solid waste containers. Staff ordered a sufficient number of containers in FY21 to spend the full approved amount but due to supply chain issues, Toter couldn't deliver all containers before the end of the fiscal year. The City received delivery of 60 containers totaling \$56,616.12 FY21. The remainder of the order anticipated for FY21 did not arrive until early July 2021, after the start of FY22. More containers have been ordered and the additional purchasing authority is needed to fulfill current and future inventory needs.

Public Works requests the authorization of an increase in the purchase order with Toter, LLC in the amount of \$50,000.00 for a total FY22 expenditure of \$148,000.00. Funds for this purchase are available in the FY22 Public Works, Solid Waste operations and maintenance budget. Staff will prepare the appropriate resolution for approval of the purchase order for council consideration at the next available meeting as required by City Code.

Toter, LLC uses the National Intergovernmental Purchasing Alliance (IPA) agreement with the City of Tucson (RFP No. 171717 contract for Refuse and Recycling Container Solutions and Related Products, Equipment and Services).

Toter, LLC complies with the City's conflict of interest, non-discrimination and living wage ordinances.

Budget/Fiscal Impact: Funding for this purchase was approved in FY21 through Council Resolution R-21-054. Funding for the amount of this change order for containers expected in FY21 is available in the Solid Waste Fund Balance.

Prepared by: Molly Maciejewski, Public Works Manager  
Reviewed by: Craig Hupy, Public Services Area Administrator  
Approved by: John Fourier, Interim City Administrator

Whereas, The City needs to maintain a stock of solid waste collection containers to replace existing containers, to provide larger containers and establish service for new customers;

Whereas, Toter, LLC is party to the National Intergovernmental Purchasing Alliance (IPA) agreement with the City of Tucson;

Whereas, This agreement provides competitive pricing that other municipalities can use;

Whereas, Council approved a purchase order with Toter for 98,000 in FY21 (R-21-054);  
Whereas, staff ordered containers and expected delivery in FY21 but shipping delays resulted in delivery of some containers after the fiscal year ended;  
Whereas, additional containers have been ordered and are needed in FY22 which will result an exceedance of the FY22 purchasing authority;  
Whereas, Funding is available in the Unrestricted Fund Balance of the Solid Waste fund; and

Whereas, Toter, LLC complies with the City's non-discrimination and living wage ordinances;

RESOLVED, That City Council approve an increase in the purchase order with Toter, LLC for \$50,000.00 for a total annual contract not to exceed \$148,000.00;

RESOLVED, That \$50,000 increase be appropriated from the Solid Waste Unrestricted Fund Balance; thereby increasing the revenue and expenditure budgets of the Solid Waste fund.;

RESOLVED, That the City Administrator be authorized to renew the purchase order for four additional one-year periods in accordance with The City of Tucson, AZ and The National Intergovernmental Purchasing Alliance (IPA) agreement pricing updates, subject to the availability of funding; and

RESOLVED, That the City Administrator be authorized to take the necessary actions to implement this resolution.

