

ORDINANCE 2019-06-20-0531

AUTHORIZING AN AMENDMENT TO THE EXISTING RECYCLING OF ELECTRONIC EQUIPMENT AGREEMENT WITH GOODWILL INDUSTRIES OF SAN ANTONIO, TO INCREASE THE CONTRACT AMOUNT FROM \$80,000.00 ANNUALLY TO \$146,000.00 ANNUALLY, TO PROVIDE RECYCLING OF ELECTRONIC EQUIPMENT SERVICES FOR THE CITY OF SAN ANTONIO. FUNDING FOR THIS AGREEMENT IS AVAILABLE FROM THE FY 2019 SOLID WASTE OPERATING AND MAINTENANCE FUND.

* * * * *

WHEREAS, Ordinance 2017-09-07-0636 authorized an agreement with Goodwill Industries of San Antonio to recycle electronic equipment collected by the Solid Waste Management Department (SWMD) from the City of San Antonio curbside collections, the Bulky Waste collection facilities, various departments and other collection programs; the term of the agreement was for three years with two one-year renewal options, in an amount not to exceed \$80,000.00 annually; and

WHEREAS, Goodwill Industries processes e-waste by separating it into three categories: high, mid and low grades, with a different processing rate for each type of e-waste ranging from \$0.00 to \$760.00 per ton, and in FY 2018 our average payment to Goodwill Industries was \$741.00 per ton; and

WHEREAS, the SWMD also contracts with Clean Harbors to process household hazardous waste (HHW), which includes electronic equipment, at the rate of \$250.00 per pallet of e-waste, regardless of type or weight, which averages approximately \$1,299.00 per ton; and

WHEREAS, the quantity of electronic equipment collected annually varies, the volume collected this year has exceeded the estimate and an increase in the value of the Goodwill Industries agreement will result in significant savings to the City; and

WHEREAS, this Ordinance authorizes an amendment to the existing recycling of electronic equipment agreement with Goodwill Industries of San Antonio to assist the SWMD with the recycling of electronic equipment by increasing the contract amount from \$80,000.00 annually to \$146,000.00 annually for the remainder of the contract, resulting in savings to the City; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager, or designee, or the Director, Solid Waste Management Department (SWMD), or designee, is hereby authorized to take all actions necessary to negotiate and execute an amendment to the existing recycling of electronic equipment agreement with Goodwill Industries of San Antonio to assist the Solid Waste Management Department (SWMD) with the recycling of electronic equipment. This amendment will increase the contract amount from \$80,000.00 annually to \$146,000.00 annually for the remainder of the initial contract term,

and the two one-year options for the City to extend the contract, which options may be exercised without further Council action. This change shall be effective immediately after the City executes the Amendment. A copy of the Amendment, in substantially final form, is attached and incorporated herein for all purposes as **Attachment I**. The execution authority granted by this ordinance shall expire 60 days from the effective date.

SECTION 2. Funding for this ordinance is available as part of the Fiscal Year 2019 budget per the table below:

Amount	General Ledger	Cost Center	Fund #
\$45,000	5201040	5555410002	55001000
\$21,000	5201040	5556060001	55001000
Total Amount \$66,000.00			

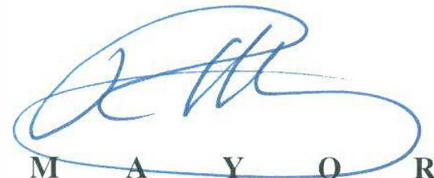
SECTION 3: Additional funding is contingent upon City Council approval of subsequent budgets within the term length of this contract.

SECTION 4: Payment not to exceed the budgeted amount is authorized to Goodwill Industries of San Antonio to assist the Solid Waste Management Department (SWMD) with the recycling of electronic equipment.

SECTION 5: The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance

SECTION 6. This ordinance shall be effective immediately upon passage by eight affirmative votes; otherwise it shall be effective on the tenth day after passage hereof.

PASSED and APPROVED this 20th day of June, 2019.


M A Y O R
Ron Nirenberg

ATTEST:


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


for Andrew Segovia, City Attorney

Agenda Item:	5 (in consent vote: 4, 5, 6, 7, 8, 9, 10A, 10B, 11A, 11B, 12, 13, 14, 16, 17, 18, 19A, 19B, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, 31, 32, 33, 34, 35, 38A, 38B, 39A, 39B, 39C, 39D, 41, Z-2)						
Date:	06/20/2019						
Time:	10:19:52 AM						
Vote Type:	Motion to Approve						
Description:	Ordinance amending the agreement with Goodwill Industries of San Antonio for the recycling of electronic equipment agreement to increase the contract amount from \$80,000.00 annually to \$146,000.00 annually. Funding for this agreement is available from the FY 2019 Solid Waste Operating and Maintenance Fund. [Roderick J. Sanchez, Assistant City Manager; David W. McCary, Director, Solid Waste Management]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x				
Jada Andrews-Sullivan	District 2		x				
Rebecca Viagran	District 3		x				x
Dr. Adriana Rocha Garcia	District 4		x				
Shirley Gonzales	District 5		x				
Melissa Cabello Havrda	District 6		x				
Ana E. Sandoval	District 7		x				
Manny Pelaez	District 8		x				
John Courage	District 9		x			x	
Clayton H. Perry	District 10		x				

Attachment I

**AMENDMENT ONE TO
AGREEMENT BETWEEN
THE CITY OF SAN ANTONIO
AND
GOODWILL INDUSTRIES OF SAN ANTONIO
FOR
RECYCLING OF ELECTRONIC EQUIPMENT (RFP 17-045)**

The City of San Antonio ("City") currently has an Agreement ("Agreement") with Goodwill Industries of San Antonio ("Contractor") for the Recycling of Electronic Equipment, pursuant to Ordinance No. 2017-09-07-0636, passed and approved by the City Council on September 7, 2017, for a term of three years, with two additional one year renewal terms at the City's option, in amount not to exceed \$80,000.00 annually as total compensation.

The Parties have agreed that an increase in the annual compensation amount from the City to the Contractor is required due to the higher than anticipated volume of electronics materials received by the City for recycling. As authorized by Ordinance 2019-06-20-_____, passed and approved by the City Council on June 20, 2019, the annual total compensation is increased by an additional \$66,000.00 to an amount not to exceed \$146,000.00 annually.

This **Amendment One** to the Agreement modifies the Compensation Section and is entered into by and between City and Contractor, acting by and through their designated representatives. The undersigned hereby agree to modify said Agreement as follows:

1. Page 1, Compensation Section, is amended by adding the underlined and deleting the ~~strikethrough~~ to read:

Compensation: In consideration of Contractor's performance in a satisfactory and efficient manner, as determined solely by the Director, Solid Waste Management Department (hereinafter "Director"), of all services and activities set forth in this Agreement, City agrees to pay Contractor the fees as provided in Exhibit III, the RFP Option B-1, Compensation/Price Schedule - Main Scope of Work, and Option B-2, Compensation/Price Schedule – Alternative Locations, in an amount not to exceed ~~\$80,000.00~~ \$146,000.00 annually, as total compensation for all fees and expenses. The Contractor shall accept all electronic waste received by the City from residential sources for recycling and the Contractor shall provide a revenue rebate to the City, as provided in the Contractor's response to the RFP Attachment B-1 and B-2.

2. This Amendment One to the Agreement shall not prejudice any present or future rights, remedies, benefits, or powers belonging to or accruing to the Parties under the terms of the Agreement herein amended.

3. Except as provided otherwise herein, the Agreement shall remain unaffected, unchanged, and unimpaired by reason of the foregoing Amendment One.

EXECUTED and AGREED to as of the dates indicated below.

CITY OF SAN ANTONIO

Goodwill Industries of San Antonio

(Signature)

Printed Name: David W. McCary,
Title: CPM
 SWMD Director

Date:

(Signature)

Printed Name: Angelique De Oliveira

Title: Vice President
Business Services

Date:

06/11/2019

Approved as to Form:
Andrew Segovia
City Attorney

By: Assistant City Attorney