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SUBJECT: PURCHASE OF UNIVERSAL/NESTABLE WASTE CONTAINERS

BID #: XF-0075-22

OPEN DATE: 2022-04-13

GENERAL GOVERNMENT AWARDS COMMITTEE

KIND AND BASIS OF CONTRACT: ONE TIME PURCHASE

AGENCY: SOLID WASTE

BASIS OF AWARD: ALL OR NONE TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER

NUMBER OF BIDS INVITED: 5 **NUMBER RECEIVED: 1** **OTHER: 2**

SUMMARY OF BIDS AND RECOMMENDED ACTIONS:
Recommend approval to award Toter LLC as the lowest responsive, responsible, and only bidder. Recommend approval to waive the missing addenda as a minor irregularity since Toter LLC has acknowledged and confirmed there is no change to their bid. The award is for a one (1) time purchase of supplies identified within the solicitation. The total award to Toter LLC shall not exceed $182,954.28.

This award to be funded by account 43101.157007.552160.000000.00000000.00000.0000000 and processed by individual Purchase Orders.

ATTACHMENTS: Recommendation Memo, Bid Tabulation, Terms and Conditions, Specifications

ANALYST: _____
BRYAN MATUS

RESPECTFULLY SUBMITTED: _____
GREGORY PEASE, CHIEF
PROCUREMENT DIVISION

CONCURRENCE BY: Will Williams, Chief, Solid Waste Division

(ALL AWARD ACTIONS SUBJECT TO LAWFULLY APPROPRIATED FUNDS)
ACTION OF GGAC COMMITTEE ON RECOMMENDATIONS ABOVE

MEMBERS APPROVING _____ MEMBERS DISAPPROVING _____ DATE: _____

_____ _____ OTHER: _____

_____ _____

_____ _____

ACTION OF AWARDING AUTHORITY DATE _____

APPROVED _____ DISAPPROVED _____

OTHER _____

SIGNATURE OF AUTHENTICATION _____

City of Jacksonville, Florida

Lenny Curry, Mayor

Department of Public Works
Solid Waste Division
1031 Superior Street
Jacksonville, FL 32254
(904) 255-7500
www.coj.net

ONE CITY. ONE JACKSONVILLE.

TO: Gregory Pease
Chief of Procurement

THRU: John Pappas, P. E., Director
Public Works Department

FROM: Will Williams, Division Chief
Solid Waste Division

DATE: April 18, 2022

SUBJECT: XF-0075-22 Universal Nestable Waste Containers
Recommendation to Award

Please be advised that the Solid Waste Division of the Department of Public Works has reviewed the submitted bid tabulation documents for XF-0075-22. We recommend that this contract be awarded to the sole bidder, Toter Incorporated, for submitting the lowest responsive bid. The one-time, lump sum, total cost amount will be $182,954.28 covered by account number 43101.157007.552160.000000.00000000.00000.0000000 utilizing funds from FY22.

Your assistance is appreciated. If you have any questions or need additional information, please contact me at 904-255-7512.

BID TABULATION

Title:	PURCHASE OF UNIVERSAL/NESTABLE WASTE CONTAINERS
Bid No:	XF 0075-22
Open Date:	April 13, 2022
Analyst:	Bryan Matus
No. Invited:	(5) No. Received: (1) Other: (2)
Recorded By:	John Hernandez

				Toter LLC		Schaefer Subco LLC		Otto Environmental Systems	
Item #	Item Description	Unit	Qty	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Price	Extended Price
1	96 Gallon EVR II Universal/Nestable Cart	EA	800	$63.00	$50,400.00		$0.00		$0.00
2	64 Gallon EVR II Universal/Nestable Cart	EA	150	$58.00	$8,700.00		$0.00		$0.00
3	96 Gallon EVR II Universal/Nestable Cart	EA	50	$62.50	$3,125.00		$0.00		$0.00
4	96 Gallon EVR II Universal/Nestable Cart	EA	930	$65.00	$60,450.00		$0.00		$0.00
5	64 Gallon EVR II Universal/Nestable Cart	EA	50	$60.00	$3,000.00		$0.00		$0.00
6	96 Gallon EVR II Universal/Nestable Cart	EA	350	$63.00	$22,050.00		$0.00		$0.00
7	64 Gallon EVR II Universal/Nestable Cart	EA	350	$58.00	$20,300.00		$0.00		$0.00
8	Freight (Total Freight for Bid Items 1-7)				$14,929.28		$0.00		$0.00
	LUMP SUM BASE BID (ITEMS 1-8):			$182,954.28		NO BID		NO BID	
	Bid Form:			Yes					
	Bid Proposal Form:			Yes					
	Conflict of Interest:			Yes					
	Addendum 1:			Not Acknowledge					

TERMS AND CONDITIONS

PURCHASE OF UNIVERSAL/NESTABLE WASTE CONTAINERS

1. **SCOPE**
The City of Jacksonville's Procurement Division is currently accepting bids to obtain a source of supply for the item(s)/service(s) as outlined in the bid documents provided. The purpose of this bid invitation is to obtain information about your firm and its ability to provide these item(s)/service(s) and to obtain pricing commitments for **UNIVERSAL/NESTABLE WASTE CONTAINERS** as listed in the bid documents.

2. **AWARD**
Award will be **ALL OR NONE** to the lowest responsive, responsible bidder subject to the Buy American Preference clause described below. Bidders must bid on all items to be considered for award. The City reserves the right to reject any or all bids. ALL awards are subject to the availability of funds.

As per Section 126.114 of the City of Jacksonville Ordinance Code, preference will be given to a responsive and responsible vendor offering American manufactured, assembled, or produced goods, and who is within 5% of the lowest responsive and responsible bidder. To receive this preference, the bidder must complete the attached Buy American Preference Compliance Certificate and attach supporting documentation and/or evidence attesting that at least 51% offered in the bid response is manufactured, assembled or produced in the United States.

- Bidder is not required to submit for the Buy American Preference. Bidders may quote items less than 51% American made but will not be eligible for the preference.
- Restrictions and exemptions may apply. Please refer to Section 126.114 for specifics.

3. **TERM OF AGREEMENT**
The term of this agreement will be a one-time purchase from the date of award through the delivery of the new items.

4. **PRE-BID CONFERENCE**
Not applicable.

5. **STATE CONTRACTS**
The City reserves the right to utilize contracts established by the State of Florida and or other governmental agencies for item(s)/service(s) covered under this bid. The city reserves the right to cancel this contract in whole or in part for such item(s)/service(s).

6. **QUANTITIES**
Quantities indicated are fixed.

7. **DELIVERY**
A packing list shall accompany all shipments, which shall indicate, at a minimum, the following; purchase order number, item number and description, date of shipment, quantity ordered, and shipped, unit price, and unit of measure. Items will be shipped to two different locations:
   - **1031 Superior St., Solid Waste Disposal Jacksonville, FL 32254**
   - **9798 Normandy Boulevard, Jacksonville, FL 32221**

   City representative will coordinate the delivery of items after a purchase order is issued.

8. **ESCALATION/DE-ESCALATION**
All pricing submitted shall remain firm for the initial term period. Upon renewal (if applicable), a supplier may submit in writing a request for price escalation/de-escalation for the percentage of change as listed in the Consumer Pricing Index (CPI) and/or documentation notifying of an industry wide increase. The City reserves the right to decline any price increase request.

9. **PRICES**
All unit prices shall include **freight, delivery, and handling charges** to the delivery location as outlined in the bid documents.

10. **PICK UP AND RETURNS**

The City reserves the right to return an order in whole or in part if the merchandise is not in compliance with the bid specifications. The City or its agencies will determine compliance with bid specifications. Pick up and returns will be made within 48 hours of notification at no charge to the City or its agencies.

11. **COMPLIANCE WITH SPECIFICATIONS**

The bidder, by affixing their signature to the bid form submitted, agrees to provide item(s)/service(s) in accordance with the bid documents provided. Bid only a single offering for each bid item. Multiple offerings, alternates (unless stated) and or stipulations may be cause for bid rejection. Bid only on forms provided herein unless otherwise stated. Bid submissions shall be in ink or typewritten. All corrections must be initialed.

12. **INVOICING**

Invoices will be issued once supplies/services are delivered and/or rendered to the City of Jacksonville or its agencies. At a minimum, invoices must include; purchase order number or contract number, item number and description, date of shipment, quantity ordered and shipped, unit prices, unit of measure, and extended totals. Payment terms are Net 30 days. All original invoices shall be submitted to: COJ1CloudInvoices@coj.net. The invoice email subject line **MUST BE**: inv_300000008806179. Invoices can also be submitted through the 1Cloud Supplier Portal.

13. **INSURANCE/INDEMNIFICATION**

Each supplier shall maintain, for the entire term of this bid, current insurance coverage as stated in the bid documents. All insurance certificates shall list the City of Jacksonville as an additional insured. The awarded supplier will be required to submit a copy of their Certificate of Commercial Liability Insurance within ten (10) days from the date of receipt of the award notice. Bid number shall be listed on certificate.

14. **REPORTING**

The City may request, during the term of this bid, reports including but not limited to; usage, pricing, and delivery. Suppliers will be required to provide reports requested in hard copy and electronic format as required.

15. **SUPPLIER ACCESSIBILITY**

The City or its representative must be able to contact, during normal business hours, by telephone or email any supplier providing goods or services to the City or its agencies. Any supplier accessibility requirements outlined in the specifications supersede this section.

SPECIFICATIONS

PURCHASE OF UNIVERSAL/NESTABLE WASTE CONTAINERS

All questions or discrepancies regarding the bidding process or the bid documents must be submitted in writing to Bryan Matus, Purchasing Analyst, at bmatus@coj.net by the date and time specified on the Bid Form.

When submitting a bid, please be sure to write the bid name and number and your company's name, address, and phone number on the **outermost** sealed envelope or package.

All items furnished shall be completely new, unopened, and free from defects. **The City of Jacksonville and its agencies prefer to purchase the brands and stock/model numbers shown on the Bid Proposal Form; however, equivalent items will be considered, but they must meet the expectations of the City. Request for equivalent review will need to be submitted to the City by the last date for questions.** The request must note the brand, stock/model number(s), and complete specifications of item(s) being offered as "equivalent." If an equivalent item is approved, it will be clarified through an addendum. The City reserves the right to request samples of any item to determine acceptability. The City reserves the right to make the final determination concerning acceptability. Unless requested by the City, samples will not be required. Samples requested by the City shall become the property of the City at no cost to the City.

All orders must be received within 14 business days after receipt of a Purchase Order. Products may be shipped or hand delivered. In the event the awarded bidder fails to deliver within these guidelines, the City reserves the right to make necessary purchases outside of the contract.

The Solid Waste Division of the City of Jacksonville, Florida is currently accepting bids to obtain source(s) of supply for the item(s)/service(s) as outlined in the bid documents provided. The purpose of this bid invitation is to obtain information about your firm and its ability to provide these item(s)/service(s) and to obtain pricing commitments for Universal/Nestable Waste Containers.

Section 1.0 - General Specifications

1.1 Scope

The specifications herein describe the minimum acceptable features and performance requirements for rollout waste containers the City will purchase for its citizens. All bids must be submitted on the City's form provided. Bids must show separate amounts for each line item. If an item is left blank, the City will assume the bidder cannot meet the specifications and may cause rejection of the bid.

1.2 Manufacturing Process and Materials

Each rollout container shall consist of a body, lid, wheels, axle and necessary accessories. The plastic resin material and the finished container must meet the minimum specifications herein.

a. Each container body must be manufactured by the Rotational molding process.
b. Plastic resin must be enhanced with color pigment and ultraviolet inhibitor, which must be uniformly distributed throughout the finished container. To ensure thorough distribution of these additive, the resin and additives must be mixed in a molted state using a hot-melt compounding process.

1.3 Container Requirements

The rollout containers must be compatible with automated arm lifters (ANSI type G) and function as follows:

a. ANSI CONFORMANCEL Containers bid herein must meet the requirements of ANSI Z245.30-2008 and ANSI Z245.60-2008 standards for "Type B/G" containers.

b. LOAD RATING: Containers must be designed to regularly receive and dump the following pounds of waste materials, excluding the weight of the container, without permanent damage or deformation. Load rating must conform with ANSI Standard Z245.30-2008.

96 Gallon – 325 pounds
64 Gallon – 220 pounds

c. CAPACITY: Total capacity of the container body, excluding the lid, must be 96 U.S gallons and 64 U. S. Gallons (+/-2%).

d. DIMENSIONSL The exterior dimensions of the completely assembled containers shall be as follows:
   a. 96 Gallon
      Height: 42"-43.5"
      Length: 35.0" – 35.5"
      Width: 29.0" – 30.0"
   b. 64 Gallon
      Height: 41.0" – 42.0"
      Length: 31.0" – 32.0"
      Width: 24.0" – 24.5"

e. RIM OF BODY: The upper rim of each body must consist of a closed tubular design, similar to square steel tubing, for maximum strength during collection. Rim must also include a ledge on which the lid rests to create a tight seal between body and lid. Rolled over or other rims that are open on the underside are NOT acceptable.

f. HANDLES: Each container must be equipped with two (2) handles, each a minimum of 1" diameter. The handle mounts must be an integrally molded part of the container body. The handles shall be designed to afford the user positive control of the loaded cart at all times. The handles must not have the ability to rotate on their own axis at any time. Handles which are molded as part of the lid are unacceptable. Bolted-on handle mounts or bolted on handles are unacceptable.

g. LID: the lid shall be configured to ensure that it will not warp, bend, slump, or distort such an extent that it no longer fits the container properly or becomes otherwise unserviceable. The lid must be crowned in shape and designed to disallow entry of rain when in the closed position. The list must open from a closed position through a full 270 degree arc. Living hinges and lid counter weights are unacceptable. Lid latches are unacceptable.

h. BOTTOM: the bottom of the container must have a molded-in wear strip to protect against dragging. Container base must be impact resistant at all points (four corners and the center) of the bas for durability. Screw-on, bolt-on, or pop-on wear guards are unacceptable.

i. WHEELS: Wheels shall be at least 10" diameter and at least 1.75" wide with knobby treads. Wheels must be blow molded high density polyethylene capable of supporting 200 pounds per wheel.

j. AXLE: The axle must be 5/8" diameter zinc chromate plated solid high strength steel fully supported by cart body. Axle must slide through two molded-in plastic journals in the cart bottom and must not be exposed to contents inside of the container. Each molded-in journal must be at least 1" wide. Axles attached by means of bolts or rivets are unacceptable.

k. STABILITY: Each container shall be stable and self-balancing when in the upright position, either loaded or empty. The container must be designed to withstand winds of up to 30 mph when empty. Containers must be easy for a citizen to tilt to the roll position when fully loaded while keeping both feet on the ground. Any container which is judged as too difficult to tilt when loaded to a maximum capacity of material will be disqualified. Containers that require a foot fulcrum to assist in tilting the container are unacceptable.

l. LIFT SYSTEM: Each container shall be equipped with attachment points which make it compatible with standard American semi-automated bar-locking lifters and fully-automated arm lifters. The upper lift point must be integrally molded into the body of the container. The lower lift bar must be designed to withstand over ten (10) years of lifter attachment, and must be 1" diameter galvanized steel. It must freely rotate a full 360 degrees on its own axis. The lower bar must be mounted in molded -in plastic bearings so that it is not

exposed to the contents inside the container inside the container. The lower bar must be factory installed and cannot be attached by means of rivets, screws, bolts, fasteners, etc. Containers with bolted on lower bars or plastic lower bars are NOT acceptable.

m. NESTABILITY: Containers must be designed so that each fully assembled container can be stacked inside another fully assembled container for maximum efficiency in storage and delivery. Containers that will not nest one inside another when fully assembled are NOT acceptable. Wheels and axles must be permanently mounted in one position. An axle and wheel assembly mounted in movable slides or pivots is not acceptable.

n. SERIAL NUMBERS: Each container must have a serial number hot stamped in white on the front face of its body. The serial number shall be preceded by a letter or number code which designated the year of manufacture. Serial numbers shall be in sequence beginning with a number designated by the City. The bidder will maintain a file that will identify the date of manufacture by the serial number.

o. CUSTOM HOT STAMPS: A custom marking shall be hot stamped onto both sides of the cart body. A custom marking "RECYCYLE" in 3" letters shall be hot stamped onto the lid in the white.

p. LOAD RATING: The load rating of the container must be raised-relief molded into the lid. Load rating shall be stated in both pounds and kilograms and in English and Spanish.

q. ULTRA HIGH FREQUENCY RFID TAG: An Ultra High Frequency RFID Tag shall be installed into the handle of the cart body at factory.

r. WARRANTY: Contractor will unconditionally guarantee the materials and workmanship on all equipment furnished for a period of **TEN YEARS**. If, within the guarantee period, any defects or signs of deterioration are noted, which, in the opinion of the City are due to faulty design and installation workmanship, or materials, upon ratification, the contractor, at its expense, will repair or adjust the equipment or parts to correct the condition or replace the part or entire unit to the complete satisfaction of the City. Repairs, replacements or adjustments will be made only at such times as will be designated by the City as least detrimental to the operation of City business.

From: Kellie Clark
To: Matus, Bryan
Cc: Tracey Barry
Subject: RE: Bid Review: XF-0075-22 Purchase of Universal/Nestable Waste Containers
Date: Tuesday, April 19, 2022 10:12:25 AM
Attachments: image001.png
image002.png

EXTERNAL EMAIL: This email originated from a non-COJ email address. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Good morning Bryan,

Yes, our bid pricing stands, even in light of Addendum 1 and the additional shipping location. There will be no change in pricing. We had actually checked last minute for addenda and missed the addendum somehow, but we are fine with the 3 delivery destinations.

Please do let me know if you need anything else, and/or next steps for Toter in your processes.

Best regards,
Kellie

Kellie K. Clark
Sr. Manager, Bids/Contracts
Toter
841 Meacham Road
Statesville, NC 28677
Toll Free – 800-424-0422, Ext 09584
Direct Phone – 704-768-2584
Email – kclark@toter.com
www.toter.com

From: Matus, Bryan <BMatus@coj.net>
Sent: Tuesday, April 19, 2022 9:43 AM
To: Kellie Clark <KClark@wastequip.com>
Cc: Tracey Barry <tbarry@wastequip.com>
Subject: RE: Bid Review: XF-0075-22 Purchase of Universal/Nestable Waste Containers

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ALERT: This message originated outside of Wastequip's network. BE CAUTIOUS before clicking any link or attachment.

Good morning,

Email acceptance is sufficient documentation for acceptance of the addendum and to confirm no changes in pricing for the additional shipping location.

Thank you,

Bryan

From: Kellie Clark <KClark@wastequip.com>
Sent: Monday, April 18, 2022 10:08 AM
To: Matus, Bryan <BMatus@coj.net>
Cc: Tracey Barry <tbarry@wastequip.com>
Subject: RE: Bid Review: XF-0075-22 Purchase of Universal/Nestable Waste Containers

EXTERNAL EMAIL: This email originated from a non-COJ email address. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Good morning, Mr. Matus,

Toter apologizes for having missed acknowledgement of this addendum. We do acknowledge its receipt and our acceptance.

If you need the addendum signed, we can do that tomorrow and return to you. Our most accessible signors are both out of office today. Please let us know if you need the addendum signed.

Thank you for the opportunity to correct this deficit for our bid. We are excited to be awarded, and look forward to any next steps in this

process.

Best regards,
Kellie

Kellie K. Clark
Sr. Manager, Bids/Contracts
Toter
841 Meacham Road
Statesville, NC 28677
Toll Free – 800-424-0422, Ext 09584
Direct Phone – 704-768-2584
Email – kclark@toter.com
www.toter.com

From: Matus, Bryan <BMatus@coj.net>
Sent: Thursday, April 14, 2022 4:18 PM
To: Kellie Clark <KClark@wastequip.com>
Subject: Bid Review: XF-0075-22 Purchase of Universal/Nestable Waste Containers
Importance: High

ALERT: This message originated outside of Wastequip's network. BE CAUTIOUS before clicking any link or attachment.

Good afternoon,

You are the apparent low bid for the above referenced solicitation. After reviewing your bid, Toter failed to acknowledge addendum #1. Please review addendum #1 and confirm the pricing will not change with the addition of the new shipping location (as listed in the attached addendum).

DELIVERY CLARIFICATION: A packing list shall accompany all shipments, which shall indicate, at a minimum, the following: purchase order number, item number and description, date of shipment, quantity ordered, and shipped, unit price, and unit of measure. Items will be shipped to three (3) different locations:

- **1031 Superior St., Solid Waste Disposal Jacksonville, FL 32254**
- **9798 Normandy Boulevard, Jacksonville, FL 32221**
- **2078 North Lane Avenue, Jacksonville, FL 32254**

City representative will coordinate the delivery of items after a purchase order is issued.

Please respond by 4/18/22 at 12:00PM.

Bryan Matus
Purchasing Analyst
Procurement Division
Finance and Administration Department
214 N. Hogan Street, Suite 800
Jacksonville, FL 32202
Phone: 904 255 8815
Email: bmatus@coj.net

CITY OF JACKSONVILLE

**** Florida has a very broad public records law. As a result, any written communication created or received by City of Jacksonville officials and employees will be made available to the public and media, upon request, unless otherwise exempt. Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this office. Instead, contact our office by phone. ****