



## Legislation Text

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File #: 22-0563, Version: 1

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MOTION TO APPROVE THE PURCHASE OF MULCH ON AN AS NEEDED BASIS FROM EASTCOAST MULCH UTILIZING THE SOUTHEAST FLORIDA GOVERNMENTAL COOPERATIVE PURCHASING GROUP (CO-OP) CONTRACT # E-04-22 FOR AN ESTIMATED ANNUAL AMOUNT NOT TO EXCEED \$155,375, PURSUANT TO SECTION 35.18(C)(6) OF THE CITY'S CODE OF ORDINANCES.

### PROCUREMENT PROCESS TAKEN:

- *Chapter 35 of the City's Code of Ordinances is titled "PROCUREMENT PROCEDURES, PUBLIC FUNDS."*
- *Section 35.18 of the City's Code of Ordinances is titled "COMPETITIVE BIDDING OR COMPETITIVE PROPOSALS REQUIRED; EXCEPTIONS."*
- *Section 35.18(C) states that "Only the following situations are exempt from the competitive bid and competitive proposal requirements of this section:"*
- *Section 35.18(C)(6) states that, "Cooperative purchasing plans are exempt from this section."*
- *Section 35.21 of the City's Code of Ordinances is titled "AWARD OF CONTRACT."*
- *Section 35.21(A) of the City's Code of Ordinances is titled "City Commission Approval."*
- *Section 35.21(A)(1) states, "An initial purchase of, or contract for, commodities or services, in excess of \$25,000, shall require the approval of the City Commission, regardless of whether the competitive bidding or competitive proposal procedures were followed."*

### SUMMARY EXPLANATION AND BACKGROUND:

1. On March 4, 2020, the Commission approved the purchase of mulch on an as needed basis from Advanced Mulch, Inc., Adwood, Inc., Eastcoast Mulch, and Superior Mulch utilizing the Southeast Florida Governmental Purchasing Cooperative Group (Co-Op) contract # E-42-17 for an estimated annual amount not to exceed \$250,000 pursuant to section 35.18(C)(6) of the City's Code of Ordinances.
2. The City of Pompano Beach as the lead agency for the Co-Op competitively solicited and publicly awarded contract # E-42-17 to Advanced Mulch, Inc., Adwood, Inc., Eastcoast Mulch, and Superior Mulch. The original contract term was from November 15, 2017 through November 14, 2018. The

contract offered (4) four one year renewals, and we are currently on the second renewal term which commenced on November 11, 2019 and expires on November 14, 2020.

3. The Public Services Department purchases the red mulch, delivered and installed, which was awarded on contract # E-42-17 to EastCoast Mulch.

4. EastCoast Mulch declined to renew the agreement on the most recent renewal term. As a result, the City of Pompano Beach issued a new bid for the mulch items which were not renewed on contract # E-42-17.

5. On February 14, 2022, the City of Pompano Beach entered into a new agreement with EastCoast Mulch, contract # E-04-22. The new price for the bulk red mulch delivered and installed on the new agreement is \$27.50 per cubic yard. The new agreement will expire on November 14, 2022.

6. The City of Pompano Beach is working on a new bid for mulch as the lead agency for the Co-Op, which will take effect once contract # E-04-22 has expired. A separate agenda item will be brought to Commission for approval next fiscal year.

6. The Public Services Department is estimating needing 5,650 cubic yards for current fiscal year projects.

7. Motion to approve the purchase of mulch on an as needed basis from Eastcoast Mulch, utilizing the Southeast Florida Governmental Purchasing Cooperative Group (Co-Op) contract # E-04-22 for an estimated annual amount not to exceed \$155,375, pursuant to section 35.18(C)(6) of the City's Code of Ordinances.

Reviewed by Commission Auditor.

#### **FINANCIAL IMPACT DETAIL:**

- a) **Renewal Cost:** \$155,375 estimated annual cost to be utilized on as needed basis.
- b) **Amount budgeted for this item in Account No:** Funds are budgeted in account # 001-539-6004-546161-0000-000-0000- (R&M Landscaping)
- c) **Source of funding for difference, if not fully budgeted:** Not Applicable
- d) **5 year projection of the operational cost of the project** Not Applicable

#### **FEASIBILITY REVIEW:**

*A feasibility review is required for the award, renewal and/or expiration of all function sourcing contracts. This analysis is to determine the financial effectiveness of function sourcing services.*

- a) **Was a Feasibility Review/Cost Analysis of Out-Sourcing vs. In-House Labor Conducted for this service?** Not Applicable.
- b) **If Yes, what is the total cost or total savings of utilizing Out-Sourcing vs. In-House Labor for this service?** Not Applicable.

