Memorandum

MIAMI-DADE COUNTY

Date: February 21, 2008

Agenda Item No. 8(O)(1)(B)

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Action Items for Award of Collection Services and Carts for the Countywide Curbside Recycling Program

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Action Items

The attached resolution awarding the collections services component of the recycling program, along with resolutions for three options for award of recycling carts are presented to the Board of County Commissioners (Board) as action items. Resolution One regarding the collection services is provided per Board action on February 19, 2008 to award the North and Central Zones to World Waste, Inc., and the South Zone to Waste Services Inc.

There are three resolutions provided for the award of the recycling carts:

- Resolution Two is the award of fully loaded carts (including individual barcodes, serial numbers, full color recycling instruction label, and County logo and usage information in three languages) to Toter, Inc. from ITB No. 8513-0/08 (ITB No. 1).
- Resolution Three is the award of the stripped down carts to Puryear, Inc. from ITB No. 8513-0/09 (ITB No. 2).
- Resolution Four is the award of the stripped down carts to Toter, Inc. as a bid waiver from alternative pricing based on the results of ITB No. 1. This alternative pricing with Toter is now an option following the withdrawal of Puryear from ITB No.1.

The bottom line is that Resolution Four offers the lowest cost for the stripped down cart. Although my recommendation stands to award the fully loaded carts pursuant to Resolution Two, please consider this memorandum as a written recommendation for bid waiver in the event that Resolution Four is preferable to the Board.

Scope

The impact of the contracts in the accompanying resolutions are countywide in nature.

Fiscal Impact

The funding source for the recycling program is Department of Solid Waste Management (DSWM) proprietary revenue. The fiscal impact of awarding the collection services contracts is $7.918 million in the first year, increasing by Consumer Price Index (CPI) for seven years, with one seven-year option to renew to World Waste ($5.072 million) and Waste Services ($2.846 million).

The fiscal impact of awarding the recycling carts depends upon which resolution the Board chooses to adopt:

- Resolution Two results in the award of a contract to Toter at $15,824,450
- Resolution Three results in the award to Puryear at $15,816,850
- Resolution Four results in the award to Toter at $15,561,650

Track Record/Monitor
DSWM will monitor these contracts. Compliance and performance issues are reported in Item 12B4 on today's Board agenda.

Background
On February 19, 2008, the Board received a Curbside Recycling Program Report (Item 12B4 on today's agenda) detailing the results of a price competition among five collection services vendors and an Invitation to Bid (ITB) for recycling carts pursuant to Board direction on November 8, 2007. The Board directed the award of collection services as noted in Resolution One. In addition, the Board requested a copy of the tally sheet from the ITBs for the recycling carts issued on September 26, 2007 and November 15, 2007. The ITB tally sheets, as well as summary sheets that depict the outcome of the two bids including the alternative pricing option, are attached.

Attachments
A. Carts Tally Sheet for ITB No. 1
B. Carts Tally Sheet for ITB No. 2
C. October 11, 2007 Toter Letter Re: Alternative Pricing
D. Carts Summary Sheet for ITB No. 1
E. Carts Summary Sheet for ITB No. 2

Assistant County Manager

CARTS - ITB No. 1 TALLY SHEET

ATTACHMENT A

Solicitation Number: 8513-0/08
Summary Recycling Carts
Solicitation Opening/ Closing Date: 10/03/2007
Prepared by: Andrew Zawoyski
Verified by:

THIS TALLY SHEET IS AN INDICATION OF PRICES ONLY AND IS NOT A DETERMINATION OF THE LOWEST RESPONSIVE/RESPONSIBLE BIDDER(S)

Vendor Name:	Puryear*		Toter		Cascade		Otto	
Is the bid responsive (if no, state reason below):	___ Yes ____ No		___ Yes ____ No		___ Yes ____ No		___ Yes ____ No	
Indicate DBD certification:								
Registered vendor (yes/ no):								
Incumbent vendo	N/A							
Local Preference Affirmed (yes/no):	No		No		No		No	
Items being procured per current solicitation								
Item no.	Description	Quantity	Current Unit Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
											$ -
1	35 gal cart	5000		$ 42.53	$ 212,650.00	$ 35.48	$ 177,400.00	$ 37.75	$ 188,750.00	$ 32.23	$ 161,150.00
2	Assembly and distribution to residents	5000		$ 2.90	$ 14,500.00	$ 3.50	$ 17,500.00	$ 3.25	$ 16,250.00	$ 2.81	$ 14,050.00
3	65 gal cart	350000	$38.60**	$ 34.48	$12,068,000.00	$ 40.65	$14,227,500.00	$ 43.75	$ 15,312,500.00	$ 42.28	$14,798,000.00
4	Assembly and distribution to residents	350000	$ 3.25**	$ 2.90	$ 1,015,000.00	$ 3.50	$ 1,225,000.00	$ 3.25	$ 1,137,500.00	$ 2.81	$ 983,500.00
5	95 gal cart	5000		$ 48.34	$ 241,700.00	$ 49.91	$ 249,550.00	$ 53.75	$ 268,750.00	$ 48.09	$ 240,450.00
6	Assembly and distribution to residents	5000		$ 2.90	$ 14,500.00	$ 3.50	$ 17,500.00	$ 3.25	$ 16,250.00	$ 2.81	$ 14,050.00
					$ -		$ -		$ -		$ -
	Total 65 gal cart with Assmbly & Dist.		$41.85		$ -		$ -		$ -		$ -
					$ -		$ -		$ -		$ -
					$ -		$ -		$ -		$ -
					$ -		$ -		$ -		$ -
					$ -		$ -		$ -		$ -
Total Raw Price:					$13,566,350.00		$15,914,450.00		$ 16,940,000.00		$16,211,200.00
Evaluation Adjustment 5% SBE Preference:					$ 678,317.50						
Total Evaluated Price:					$12,888,032.50		$15,914,450.00		$ 16,940,000.00		$16,211,200.00
Reflecting Price Reduction:							$15,824,450.00	***			
Reflecting Alternative Pricing:							$15,561,650.00	****			
Spare Parts:					25% disc		25% disc		0%		10%

*Bidder withdrew offer.

**Prices obtained from Cascade in July 2007 via the Houston-Galvaston Area Council.

***Price based on ITB No. 1 with $0.25 reduction on all carts.

****Price based on ITB No. 1 with $0.25 reduction on all carts. It also reflects alternative pricing of an additional $0.25 reduction for omitting the barcodes and $0.48 reduction for omitting the full color recycling instruction label.

CARTS

Summary of Invitation to Bid (ITB) No. 1

	Low Bidder →			High Bidder
	Puryear	Toter	Otto	Cascade
FULLY LOADED (Individual Barcodes, Serial Numbers, County Logo with Usage Information in Three Languages & Full Color Recycling Instruction Label)				
Aggregate Price	13,566,350*	15,824,450**	16,211,200	16,940,000

*Bidder withdrew offer.

**Price based on ITB No. 1 with $0.25 reduction on all carts. (Resolution Two)

STRIPPED DOWN (Includes only County Logo with Usage Information in Three Languages)	Toter
Alternative Pricing (October 11, 2007 Letter for Toter)	15,561,650***

***Price based on ITB No. 1 with $0.25 reduction on all carts. It also reflects alternative pricing of an additional $0.25 reduction for omitting the barcodes and $0.48 reduction for omitting the full color recycling instruction label. (Resolution Four)

Toter® INCORPORATED

October 11, 2007

Mr. Andrew Zawoyski, CPPO, CPPB
Chief Negotiator
Miami-Dade County
Department of Procurement Management
111 NW 1st Street, Ste. 1300
Miami, FL 33128-1974

Dear Mr. Zawoyski

Thank you for taking the time to hold today's conference call. We are pleased to be able to offer the County options that will save over $1 million and make it possible to meet the County's cart production schedule within one or two weeks.

Options to Reduce the County's Cost and Accelerate Delivery

1. The majority of Toter Municipal customers, including Nashville, Fort Worth, Mobile, Akron, Dallas and many others are choosing our "Granite" colors because of their upscale appearance. Toter is pleased to offer our "Blackstone" color cart with Black Lid at a savings of $1.05 per cart.
2. If Miami-Dade County will choose to use the proven, long term lid marking process of Hot Stamping (in White), we will be able to begin production of lids within one to two weeks after receiving the purchase order, and we will reduce our stated cart prices by $0.48 per cart. (A photograph of a recent Toter Lid Hot Stamp is attached to demonstrate the capabilities of lid hot stamping.)
3. Toter is willing to reduce the price of all carts bid by $0.25.
4. If Miami-Dade County will accept the unique, sequential Hot Stamped Serial Number on the carts as the identification number, in lieu of the molded-in Bar Code Label. Serial Numbers have been used by thousands of cities for over 30 years as the method of tracking their carts. Elimination of the Bar Code Label will save the County $0.25 per cart and would allow Toter to begin the manufacture of carts within one to two weeks of receipt of the purchase order.
5. Per our bid pricing, the County's choice of our Wheels attached by Pal Nuts rather than being "Snap-On" design offers a savings of $0.90 per cart. Please note that Toter has sold over 19 million carts with Pal Nuts, all with excellent field service of 15 to 20 years, and that our crews will assemble the carts, which makes assembly time for wheels a moot point.

Note that the lead times stated above are after Toter's receipt of the County's written approval of the graphic or hot stamp proof.

In summary, the five options will afford Miami-Dade County a total savings of $1,054,800 and the opportunity to provide County residents with the industry's leading carts.

The contact information on the lid graphics manufacturers will follow in a separate e-mail.

Please do not hesitate to call us at 800-424-0422 if you have any questions about this offer.

Sincerely,

John G. Scott
President and CEO

hs

Hdqrs: PO Box 5338 • Statesville NC 28687-5338 • 841 Meacham Road • Statesville NC 28677-2983 • 704-872-8171 • Fax 704-878-0734
Western Division: 1980 Industrial Way • PO Box 7 • Sanger CA 93657-0007 • 559-875-7130 • Fax 559-875-7137

Printed On Recycled Paper

ATTACHMENT C

CARTS - ITB No. 2 - TALLY SHEET

ATTACHMENT D

Invitation to Bid 8513-0/09 for Recycling Carts (Four Groups)

GROUP A - Plain Carts

	Units (#)	Puryear		Otto Environmental Systems, LLC		Toter		Cascade		Cason	
1	5000	$31.00	$155,000.00	$30.79	$153,950.00	$34.59	$172,950.00	$35.60	$178,000.00	$80.99	$404,950.00
1a	5000	$2.90	$14,500.00	$2.81	$14,050.00	$3.25	$16,250.00	$3.25	$16,250.00	$20.99	$104,950.00
2	350000	$41.08	$14,378,000.00	$40.87	$14,304,500.00	$41.63	$14,570,500.00	$43.15	$15,102,500.00	$95.99	$33,596,500.00
2a	350000	$2.90	$1,015,000.00	$2.81	$983,500.00	$3.25	$1,137,500.00	$3.25	$1,137,500.00	$8.99	$3,146,500.00
3	5000	$47.97	$239,850.00	$47.76	$238,800.00	$49.26	$246,300.00	$51.10	$255,500.00	$98.99	$494,950.00
3a	5000	$2.90	$14,500.00	$2.81	$14,050.00	$3.25	$16,250.00	$3.25	$16,250.00	$28.99	$144,950.00
		SUM:	$15,816,850.00	SUM:	$15,708,850.00	SUM:	$16,159,750.00	SUM:	$16,706,000.00	SUM:	$37,892,800.00
	Price for Eval Purpose:		$15,026,007.50								

GROUP B - Carts with Barcode

	Units (#)	Puryear		Otto Environmental Systems, LLC		Toter		Cascade		Cason	
4	5000	$31.51	$157,550.00	$31.30	$156,500.00	$35.08	$175,400.00	$36.60	$183,000.00	NO BID	
4a	5000	$2.90	$14,500.00	$2.81	$14,050.00	$3.25	$16,250.00	$3.25	$16,250.00	NO BID	
5	350000	$41.59	$14,556,500.00	$41.38	$14,483,000.00	$42.12	$14,742,000.00	$44.15	$15,452,500.00	NO BID	
5a	350000	$2.90	$1,015,000.00	$2.81	$983,500.00	$3.25	$1,137,500.00	$3.25	$1,137,500.00	NO BID	
6	5000	$48.49	$242,450.00	$48.28	$241,400.00	$49.75	$248,750.00	$52.10	$260,500.00	NO BID	
6a	5000	$2.90	$14,500.00	$2.81	$14,050.00	$3.25	$16,250.00	$3.25	$16,250.00	NO BID	
		SUM:	$16,000,500.00	SUM:	$15,892,500.00	SUM:	$16,336,150.00	SUM:	$17,066,000.00	SUM:	
	Price for Eval Purpose:		$15,200,475.00								

GROUP C - Carts with Instruction Label

	Units (#)	Puryear		Otto Environmental Systems, LLC		Toter		Cascade		Cason	
7	5000	$32.03	$160,150.00	$31.82	$159,100.00	$35.35	$176,750.00	$36.10	$180,500.00	$80.99	$404,950.00
7a	5000	$2.90	$14,500.00	$2.81	$14,050.00	$3.25	$16,250.00	$3.25	$16,250.00	$20.99	$104,950.00
8	350000	$42.10	$14,735,000.00	$41.89	$14,661,500.00	$42.39	$14,836,500.00	$43.65	$15,277,500.00	$95.99	$33,596,500.00
8a	350000	$2.90	$1,015,000.00	$2.81	$983,500.00	$3.25	$1,137,500.00	$3.25	$1,137,500.00	$8.99	$3,146,500.00
9	5000	$49.00	$245,000.00	$48.79	$243,950.00	$49.98	$249,900.00	$51.60	$258,000.00	$98.99	$494,950.00
9a	5000	$2.90	$14,500.00	$2.81	$14,050.00	$3.25	$16,250.00	$3.25	$16,250.00	$28.99	$144,950.00
		SUM:	$16,184,150.00	SUM:	$16,076,150.00	SUM:	$16,433,150.00	SUM:	$16,886,000.00	SUM:	$37,892,800.00
	Price for Eval Purpose:		$15,374,942.50								

GROUP D - Carts with Barcode and Instruction Label

	Units (#)	Puryear		Otto Environmental Systems, LLC		Toter		Cascade		Cason	
10	5000	$32.54	$162,700.00	$32.33	$161,650.00	$35.84	$179,200.00	$37.10	$185,500.00	$80.99	$404,950.00
10a	5000	$2.90	$14,500.00	$2.81	$14,050.00	$3.25	$16,250.00	$3.25	$16,250.00	$20.99	$104,950.00
11	350000	$42.61	$14,913,500.00	$42.40	$14,840,000.00	$42.88	$15,008,000.00	$44.65	$15,627,500.00	$95.99	$33,596,500.00
11a	350000	$2.90	$1,015,000.00	$2.81	$983,500.00	$3.25	$1,137,500.00	$3.25	$1,137,500.00	$8.99	$3,146,500.00
12	5000	$49.51	$247,550.00	$49.30	$246,500.00	$50.47	$252,350.00	$52.60	$263,000.00	$98.99	$494,950.00
12a	5000	$2.90	$14,500.00	$2.81	$14,050.00	$3.25	$16,250.00	$3.25	$16,250.00	$28.99	$144,950.00
		SUM:	$16,367,750.00	SUM:	$16,259,750.00	SUM:	$16,609,550.00	SUM:	$17,246,000.00	SUM:	$37,892,800.00
	Price for Eval Purpose:		$15,549,362.50								

Part: 7% Discount

Subcontractor: Otto Environmental
SBE: Yes
Local Yes

Parts: 10% Discount

No Sub
SBE: No
Local No

Parts: 25% Discount
Sub: Cart Men, Universal Refuse Delivery Service, and James Smyrre
SBE: No
Local No

Parts: 0% Discount
Sub: Sequential Environmental Services, Curbside Services
SBE: No
Local No

Parts: 0% Discount (Did not list parts discount for Group D and Group C.
SBE: No
Local: Yes
No Subs

THIS TALLY SHEET IS AN INDICATION OF PRICES ONLY AND IS NOT A DETERMINATION OF THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER

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ATTACHMENT E

CARTS

Summary of Invitation to Bid (ITB) No. 2

	Low Bidder →		→	→	High Bidder
	Puryear	**Otto**	**Toter**	**Cascade**	**Cason**
FULLY LOADED (Individual Barcodes, Serial Numbers, County Logo with Usage Information in Three Languages & Full Color Recycling Instruction Label)					
Aggregate Price	16,367,750	16,259,750	16,609,550	17,246,000	37,892,800
Price for Evaluation Purposes*	15,549,363				
BARCODE Only (Including County Logo with Usage Information in Three Languages)					
Aggregate Price	16,000,500	15,892,500	16,336,150	17,066,000	n/a
Price for Evaluation Purposes*	15,200,475				
INSTRUCTION LABEL Only (Including County Logo with Usage Information in Three Languages)					
Aggregate Price	16,184,150	16,076,150	16,433,150	16,886,000	37,892,800
Price for Evaluation Purposes*	15,374,943				
STRIPPED DOWN (ONLY including County Logo with Usuage Information in Three Languages)					
Aggregate Price	15,816,850	15,708,850	16,159,750	16,706,000	37,892,800
Price for Evaluation Purposes*	15,026,008				

*Price for Evaluation Purposes when 5% Community Small Business Enterprise (CSBE) adjustment is considered. (Resolution Three)

MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: February 21, 2008

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 8(O)(1)(B)

Please note any items checked.

_____	"4-Day Rule" ("3-Day Rule" for committees) applicable if raised
_____	6 weeks required between first reading and public hearing
_____	4 weeks notification to municipal officials required prior to public hearing
_____	Decreases revenues or increases expenditures without balancing budget
_____	Budget required
_____	Statement of fiscal impact required
_____	Bid waiver requiring County Manager's written recommendation
_____	Ordinance creating a new board requires detailed County Manager's report for public hearing
_____	Housekeeping item (no policy decision required)
✓	No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(O)(1)(B)
02-21-08

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE REJECTION OF ALL BIDS RECEIVED IN RESPONSE TO INVITATION TO BID NO. 8513-0/08 FOR RECYCLING CARTS; WAIVING THE REQUIREMENTS OF SECTIONS 2-8.3 AND 2-8.4 OF THE MIAMI-DADE COUNTY CODE, PERTAINING TO BID PROTEST PROCEDURES BY A TWO THIRDS VOTE OF THE BOARD MEMBERS PRESENT; AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH TOTER, INC. IN THE AMOUNT OF $15,824,450 TO PURCHASE RECYCLING CARTS BASED ON THE NEGOTIATED PRICING FROM INVITATION TO BID NO. 8513-0/08

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board authorizes the rejection of all bids received in response to Invitation to Bid No. 8513-0/08 for recycling carts.

Section 2. This Board waives the requirements of Sections 2-8.3 and 2-8.4 of the Miami-Dade County Code, pertaining to bid protest procedures, by a two-thirds (2/3) vote of the Board members present.

Section 3. This Board authorizes the County Mayor or his designee to execute an agreement with Toter, Inc. to purchase recycling based on the negotiated pricing of $15,824,450 from Invitation to Bid No. 8513-0/08 for and on behalf of Miami-Dade County and to exercise any cancellation and renewal provisions and all other rights

contained therein. This resolution is subject to the award of the collection services contract.

The foregoing resolution was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman
Barbara J. Jordan, Vice-Chairwoman

Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of February, 2008. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.
Hugo Benitez

Bid No.: 8513-0/08

Submit Bid To:
CLERK OF THE BOARD
Stephen P. Clark Center
111 NW 1st Street
17th Floor, Suite 202
Miami, Florida 33128-1983

DEPARTMENT OF
PROCUREMENT MANAGEMENT

OPENING: 2:00 P.M.
WEDNESDAY
October 3, 2007

INVITATION TO BID
SECTION 4.0
BID SUBMITTAL FORM

PLEASE QUOTE PRICES F.O.B. DESTINATION, LESS TAXES, DELIVERED IN MIAMI-DADE COUNTY, FLORIDA

NOTE: Miami-Dade County is exempt from all taxes (Federal, State and Local). Bid price should be less all taxes. Tax Exemption Certificate furnished upon request.

Issued by:	DPM	Date Issued: September 25, 2007	This Bid Submittal Consists of Pages 20 through 23
AZ			

Sealed bids subject to the Terms and Conditions of this Invitation to Bid and the accompanying Bid Submittal. Such other contract provisions, specifications, drawings or other data as are attached or incorporated by reference in the Bid Submittal, will be received at the office of the Clerk of the Board at the address shown above until the above stated time and date, and at that time, publicly opened for furnishing the supplies or services described in the accompanying Bid Submittal Requirement.

RECYCLING CONTAINERS FOR AUTOMATED RECYCLING COLLECTION FOR A ONE YEAR PERIOD.

A Bid Deposit in the amount of N/A of the total amount of the bid shall accompany all bids

A Performance Bond in the amount of N/A of the total amount of the bid will be required upon execution of the contract by the successful bidder and Miami-Dade County

DO NOT WRITE IN THIS SPACE

ACCEPTED ____ HIGHER THAN LOW ____

NON-RESPONSIVE ____ UNRESPONSIBLE ____

DATE B.C.C. _____ NO BID ____

ITEM NOS. ACCEPTED _____

COMMODITY CODE: **450-65 450-34**

Andrew Zawoyski ********

FIRM NAME: Toter Incorporated

RETURN ONE ORIGINAL AND TWO COPIES OF BID SUBMITTAL PAGES AND AFFIDAVITS

FAILURE TO COMPLETE THE CERTIFICATION REGARDING LOCAL PREFERENCE ON PAGE 23 OF SECTION 4, BID SUBMITTAL FORM SHALL RENDER THE VENDOR INELIGIBLE FOR LOCAL PREFERENCE

FAILURE TO SIGN PAGE 23 OF SECTION 4, BID SUBMITTAL FORM, WILL RENDER YOUR BID NON-RESPONSIVE

BID SUBMITTAL FOR:

RECYCLING CONTAINERS

FIRM NAME: Toter Incorporated

ITEM	QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
	Total Estimated Usage			
1.	5,000 ea	35 gallon carts	$ 35.48* ea	$ 177,400.00
	Percent recycled resin used in carts 0% to 50 % based on availability from supplier and color of carts.			
1b.	5,000 ea	Assembly and distribution cost per cart	$ 3.50** ea	$ 17,500.00
2.	350,000 ea	65 gallon carts	$ 40.65* ea	$14,227,500.00
	Percent recycled resin used in carts 0% to 50 % based on availability from supplier and color of carts.			
2b.	350,000 ea	Assembly and distribution cost per cart	$ 3.50** ea	$ 1,225,000.00
3.	5,000 ea	96 gallon carts	$ 49.91* ea	$ 249,550.00
	Percent recycled resin used in carts 0% to 50 % based on availability from supplier and color of carts.			
3b.	5,000 ea	Assembly and distribution cost per cart	$ 3.50** ea	$ 17,500.00
	EXTENDED TOTAL			$15,914,450.00

Spare parts at 25% % off of the current published manufacturer's parts list.

In any dispute with the numbers the unit price shall prevail.

Please see notes on next page entitled, "Notes to Bid Submittal". Notes apply to both cart and assembly and distribution pricing stated above and marked with "*" and "**".

Toter®
INCORPORATED

NOTES TO BID SUBMITTAL
for "Recycling Containers – Bid No.: 8513-0/08

* Add $1.00 per cart for optional "Quiet Cap" snap-on wheels.
* Deduct $0.90 per cart for optional Standard Sunburst Wheels with Pal Nut Wheel Attachment. This deduction represents significant savings for the City, considering that assembly of all ordered carts will be accomplished by Toter's subcontractor.
* Add $1.25 per cart for Special Granite color body with solid Black lid.

** Assembly and Distribution pricing includes unloading, assembly of carts and distribution to households. Delivery crews will attach a plastic bag with Toter's "Safe Use and Care" brochure upon request, plus City-provided printed information.

Hdqrs: PO Box 5338 • Statesville NC 28687-5338 • 841 Meacham Road • Statesville NC 28677-2983 • 704-872-8171 • Fax 704-878-0734
Western Division: 1980 Industrial Way • PO Box 7 • Sanger CA 93657-0007 • 559-875-7130 • Fax 559-875-7137

Printed On Recycled Paper

BID SUBMITTAL FOR:

RECYCLING CONTAINERS

ACKNOWLEDGEMENT OF ADDENDA

INSTRUCTIONS: COMPLETE PART I OR PART II, WHICHEVER APPLIES

PART I:

LIST BELOW ARE THE DATES OF ISSUE FOR EACH ADDENDUM RECEIVED IN CONNECTION WITH THIS BID

Addendum #1, Dated September 28, 2007

Addendum #2, Dated _____

Addendum #3, Dated _____

Addendum #4, Dated _____

Addendum #5, Dated _____

Addendum #6, Dated _____

Addendum #7, Dated _____

Addendum #8, Dated _____

Addendum #9, Dated _____

PART II:

☐ NO ADDENDUM WAS RECEIVED IN CONNECTION WITH THIS BID

FIRM NAME: Toter Incorporated

AUTHORIZED SIGNATURE: _____ **DATE:** October 1, 2007

John G. Scott

TITLE OF OFFICER: Pres. & CEO

MIAMI-DADE

BID SUBMITTAL FORM

Bid Title: Recycling Carts

By signing this Bid Submittal Form the Bidder certifies that it satisfies all legal requirements (as an entity) to do business with the County, including all Conflict of Interest and Code of Ethics provisions in Section 2-11 of the Miami-Dade County Code. Any County employee or member of his or her immediate family seeking to contract with the County shall seek a conflict of interest opinion from the Miami-Dade County Ethics Commission prior to submittal of a Bid response or application of any type to contract with the County by the employee or his or her immediate family and file a copy of that request for opinion and any opinion or waiver from the Board of County Commissioners with the Clerk of the Board. The affected employee shall file with the Clerk of the Board a statement in a form satisfactory to the Clerk disclosing the employee's interest or the interest of his or her immediate family in the proposed contract and the nature of the intended contract at the same time as or before submitting a Bid, response, or application of any type to contract with the County. Also a copy of the request for a conflict of interest opinion from the Ethics Commission and any corresponding opinion, or any waiver issued by the Board of County Commissioners, must be submitted with the response to the solicitation.

In accordance with Sec. 2-11.1(s) of the County Code as amended, prior to conducting any lobbying **regarding this solicitation, the Bidder must file the appropriate form with the Clerk of the Board stating that a particular lobbyist is authorized to represent the Bidder.** Failure to file the appropriate form in relation to each solicitation may be considered as evidence that the Bidder is not a responsible contractor.

The Bidder confirms that this Bid is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a Bid for the same goods and/or services and in all respects is without collusion, and that the Bidder will accept any resultant award. Further, the undersigned acknowledges that award of a contract is contingent upon vendor registration. Failure to register as a vendor within the specified time may result in your firm not being considered for award.

Pursuant to Miami-Dade County Ordinance 94-34, any individual, corporation, partnership, joint venture or other legal entity having an officer, director, or executive who has been convicted of a felony during the past ten (10) years shall disclose this information prior to entering into a contract with or receiving funding from the County.

☐ **Place a check mark here only if bidder has such conviction to disclose to comply with this requirement.**

COUNTY USER ACCESS PROGRAM (UAP): Joint purchase and entity revenue sharing program

For the County's information, the bidder is requested to indicate, at 'A' and 'B' below, its general interest in participating in the Joint Purchase Program of the County User Access Program (UAP) described in Section 2.21 of this contract solicitation, if that section is present in this solicitation document. Vendor participation in the Joint Purchase portion of the UAP is **voluntary**, and the bidder's expression of general interest at 'A' and 'B' below is for the County's information only and **shall not be binding** on the bidder.

A. If awarded this County contract, would you be interest in participating in the Joint Purchase portion of the UAP with respect to other governmental, quasi-governmental or not-for-profit entities located ***within*** the geographical boundaries of Miami-Dade County?
Yes X No _____

and

B. If awarded this County contract, would you be interested in participating in the Joint Purchase portion of the UAP with respect to other governmental, quasi-governmental or not-for-profit entities located ***outside*** the geographical boundaries of Miami-Dade County?
Yes X No _____

LOCAL PREFERENCE CERTIFICATION: The responding vendor hereby attests, **by checking one of the following blocks,** that it is ☐, or is not ☐, a local business. For the purpose of this certification, a "local business" is a business located within the limits of Miami-Dade County (or Broward County in accordance with the Interlocal Agreement between the two counties) that conforms with the provisions of Section 1.10 of the General Terms and Conditions of this solicitation and contributes to the economic development of the community in a verifiable and measurable way. This may include, but not be limited to, the retention and expansion of employment opportunities and the support and increase to the County's tax base. **Failure to complete this certification at this time (by checking the appropriate box above) shall render the vendor ineligible for Local Preference.**

Firm Name: Toter Incorporated

Street Address: 841 Meacham Road, Statesville, NC 28677

Mailing Address (if different): same as above

Telephone No. 704-872-8171 or 800-424-0422 Fax No. 704-878-0734

Email Address: kclark@toter.com FEIN No. 56-1316224

Prompt Payment Terms: 0 % 30 days net 30 days
(Please see paragraph 1.7 H of General Terms and Conditions)

"By signing this document the bidder agrees to all Terms and Conditions of this Solicitation and the resulting Contract"

Signature: John G. Scott
(Signature of authorized agent)

Print Name: John G. Scott Title: President and CEO

Failure to sign this page shall render your Bid non-responsive.

Toter®
INCORPORATED

October 11, 2007

Mr. Andrew Zawoyski, CPPO, CPPB
Chief Negotiator
Miami-Dade County
Department of Procurement Management
111 NW 1st Street, Ste. 1300
Miami, FL 33128-1974

Dear Mr. Zawoyski

Thank you for taking the time to hold today's conference call. We are pleased to be able to offer the County options that will save over $1 million and make it possible to meet the County's cart production schedule within one or two weeks.

Options to Reduce the County's Cost and Accelerate Delivery

1. The majority of Toter Municipal customers, including Nashville, Fort Worth, Mobile, Akron, Dallas and many others are choosing our "Granite" colors because of their upscale appearance. Toter is pleased to offer our "Blackstone" color cart with Black Lid at a savings of $1.05 per cart.
2. If Miami-Dade County will choose to use the proven, long term lid marking process of Hot Stamping (in White), we will be able to begin production of lids within one to two weeks after receiving the purchase order, and we will reduce our stated cart prices by $0.48 per cart. (A photograph of a recent Toter Lid Hot Stamp is attached to demonstrate the capabilities of lid hot stamping.)
3. Toter is willing to reduce the price of all carts bid by $0.25.
4. If Miami-Dade County will accept the unique, sequential Hot Stamped Serial Number on the carts as the identification number, in lieu of the molded-in Bar Code Label. Serial Numbers have been used by thousands of cities for over 30 years as the method of tracking their carts. Elimination of the Bar Code Label will save the County $0.25 per cart and would allow Toter to begin the manufacture of carts within one to two weeks of receipt of the purchase order.
5. Per our bid pricing, the County's choice of our Wheels attached by Pal Nuts rather than being "Snap-On" design offers a savings of $0.90 per cart. Please note that Toter has sold over 19 million carts with Pal Nuts, all with excellent field service of 15 to 20 years, and that our crews will assemble the carts, which makes assembly time for wheels a moot point.

Note that the lead times stated above are after Toter's receipt of the County's written approval of the graphic or hot stamp proof.

In summary, the five options will afford Miami-Dade County a total savings of $1,054,800 and the opportunity to provide County residents with the industry's leading carts.

The contact information on the lid graphics manufacturers will follow in a separate e-mail.

Please do not hesitate to call us at 800-424-0422 if you have any questions about this offer.

Sincerely,

John G. Scott
President and CEO

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Hdqrs: PO Box 5338 • Statesville NC 28687-5338 • 841 Meacham Road • Statesville NC 28677-2983 • 704-872-8171 • Fax 704-878-0734
Western Division: 1980 Industrial Way • PO Box 7 • Sanger CA 93657-0007 • 559-875-7130 • Fax 559-875-7137

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