

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM: 12.1
(ID # 19666)

MEETING DATE:
Tuesday, August 30, 2022

FROM : DEPARTMENT OF WASTE RESOURCES:

SUBJECT: DEPARTMENT OF WASTE RESOURCES: Ratify and Authorize the Purchasing Agent to issue a Purchase Order to Perennial Energy LLC for the purchase of a Gas Flare Burner Head for FY22/23 in the amount of \$74,679, All Districts. [\$74,679 Total Cost - Department of Waste Resources Enterprise Funds 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Authorize the Purchasing Agent to issue a Purchase Order to Perennial Energy LLC for a purchase of a Gas Flare Burner Head for FY 22/23 in the amount of \$74,679.

ACTION:Policy

Hans Kemkamp, General Manager - Chief Engineer 8/15/2022

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: August 30, 2022
xc: Waste

Kecia R. Harper
Clerk of the Board
By:
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 74,679	\$ 0	\$ 74,679	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Waste Resources Enterprise Funds 100%			Budget Adjustment:	No
			For Fiscal Year:	22/23

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Landfill gas, a hazardous gas that is naturally produced within a landfill, is collected and treated by a landfill gas flaring system at the Lamb Canyon landfill. The flare burner head was found inoperable during start-up operations on June 23, 2022. The landfill gas flare is completely inoperable without a functional burner head. The Department is required to operate the landfill gas flaring system continuously, 24-hours per day, 7-days per week. An Emergency Justification purchase was approved by the Purchasing Agent to procure the burner head from the landfill gas flaring system manufacturer, Perennial Energy LLC.

Impact on Residents and Businesses

The Lamb Canyon landfill is strictly regulated by the South Coast Air Quality Management District, the Local Enforcement Agency, and other State regulatory agencies. As a landfill operating condition, the landfill gas flare needs to be operated continuously. Non-operation of the landfill gas flare could result in fines from \$5,000 – \$1,000,000 per day. In addition, non-operation of the landfill gas flare could result in other regulatory agencies not allowing the landfill to receive waste or receive future permits for ongoing operation or future landfill expansions.

The non-operation of the landfill gas flare also poses a safety risk to Department staff and members of the public that utilize the landfill. Landfill gas is an explosion hazard and if it is not removed in a controlled manner this can pose a health hazard.

When the landfill gas flare is not operated, there is risk to the environment. When the landfill gas flare is operating, landfill gas is collected and treated in a controlled manner. Without the flare operating, there is the potential for uncontrolled landfill gas emissions, which pose a threat to the environment.

Additional Fiscal Information

The burner head was procured directly from the manufacturer of the landfill gas flaring system. The burner head is a commodity part that is proprietary to Perennial Energy LLC.

ATTACHMENT A. PURCHASE ORDER

SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

ATTACHMENT B. EMERGENCY JUSTIFICATION APPROVAL

ATTACHMENT B. PERENNIAL ENERGY LLC PROPRIETARY LETTER



Suzanna Heckley, Assistant Director of Purchasing and Fleet Service

8/16/2022



Jason Farin, Principal Management Analyst

8/22/2022



COUNTY OF RIVERSIDE

Purchasing and Fleet Services Department
 2980 Washington St
 Riverside, CA 92504
 Phone: (951) 955-4937
 Fax: (951) 955-3730

PURCHASE ORDER

Vendor Instructions

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. Packaging Slip showing P.O. number and contents must accompany each shipment. 2. No charge for packaging or drayage will be allowed except when specified in order. 3. No partial billings except when specified in the order. 4. THIS ORDER EXPRESSLY LIMITS ACCEPTANCE TO THE TERMS OF THIS ORDER. ANY ADDITIONAL OR DIFFERENT TERMS PROPOSED BY THE SELLER ARE REJECTED UNLESS EXPRESSLY ASSENTED TO IN WRITING BY THE BUYER. | <ol style="list-style-type: none"> 5. MAIL INVOICE TO THE ADDRESS SHOWN BELOW. SHOW PURCHASE ORDER NUMBER AND ORDERING DEPARTMENT. 6. Out of state vendors MUST show CA Board of Equalization Permit Number. Otherwise, sales tax will be deducted. 7. IMPORTANT: Seller shall provide material safety data sheets for each product containing hazardous substances as listed by CA Dir. Ind. Rel. in CA Adm. Code, Title 8, Section 5194 and labor codes 8. If work is to be carried out on county property, vendor shall call purchasing and ascertain amounts and types of insurance required and provide proof of insurance before beginning work |
|--|---|

Department of Waste Resources

Waste
 WMD Main Off Riverside
 14310 Frederick Street
 Moreno Valley CA 92553
 United States

Dispatch Via Email		
Purchase Order WMARC-0000034106	Date 2022-07-13	Revision
Payment Terms Net 30	Freight Terms FOB Destination, Freight Paid	Ship Via BEST WAY
Buyer Tara Markland	Phone	Currency USD

Vendor: 0000209976
 Perennial Energy LLC
 1375 County Rd 8690
 West Plains MO 65775
 United States

Ship To: 0701-90303
 Waste
 Lamb Canyon Landfill
 16411 Lamb Canyon Rd
 Beaumont CA 92223
 United States

Attention: TODD SHIBATA
Bill To: Waste
 WMD Main Off
 Riverside
 14310 Frederick Street
 Moreno Valley CA 92553
 United States

Tax Exempt? N		Tax Exempt ID:		Replenishment Option: Standard			
Line-Sch	Item/Description	Mfg ID	Quantity	UOM	PO Price	Extended Amt	Due Date
1 - 1	T-BURNER HEAD		1.00	EA	56778.75	56778.75	07/12/2022
					SUT Code: SC7 (7.75%)	4400.35	
					Schedule Total	61179.10	
					Item Total 94127	61179.10	
2 - 1	NT- EXPEDITE FEE		1.00	EA	8500.00	8500.00	07/12/2022
					Schedule Total	8500.00	
					Item Total 94127	8500.00	
3 - 1	NT- FREIGHT		1.00	EA	5000.00	5000.00	07/12/2022
					Schedule Total	5000.00	
					Item Total 94127	5000.00	
					Total SUT Code SC7 (7.75%)	4400.35	

Emergency PO approved under SSJ# 23-017 by Suzanna Hinckley, Assistant Director of Purchasing & Fleet Services.

This Purchase Order is being issued at the request of the Department of Waste Resources for items as noted.
 All discrepancies in price or quantities must be communicated before work is completed or orders are shipped. No partial orders or backorders accepted.
 Please ship complete order.

Riverside County Terms and Conditions are in full effect as noted.
 To view County's Terms and Conditions, please refer to
<http://www.purchasing.co.riverside.ca.us>

Authorized Signature



COUNTY OF RIVERSIDE

Purchasing and Fleet Services Department
2980 Washington St
Riverside, CA 92504
Phone: (951) 955-4937
Fax: (951) 955-3730

PURCHASE ORDER

Vendor Instructions

1. Packaging Slip showing P.O. number and contents must accompany each shipment.
2. No charge for packaging or drayage will be allowed except when specified in order.
3. No partial billings except when specified in the order.
4. THIS ORDER EXPRESSLY LIMITS ACCEPTANCE TO THE TERMS OF THIS ORDER. ANY ADDITIONAL OR DIFFERENT TERMS PROPOSED BY THE SELLER ARE REJECTED UNLESS EXPRESSLY ASSENTED TO IN WRITING BY THE BUYER.
5. MAIL INVOICE TO THE ADDRESS SHOWN BELOW. SHOW PURCHASE ORDER NUMBER AND ORDERING DEPARTMENT.
6. Out of state vendors MUST show CA Board of Equalization Permit Number. Otherwise, sales tax will be deducted.
7. IMPORTANT: Seller shall provide material safety data sheets for each product containing hazardous substances as listed by CA Dir. Ind. Rel. in CA Adm. Code, Title 8, Section 5194 and labor codes
8. If work is to be carried out on county property, vendor shall call purchasing and ascertain amounts and types of insurance required and provide proof of insurance before beginning work

Department of Waste Resources

Waste
WMD Main Off Riverside
14310 Frederick Street
Moreno Valley CA 92553
United States

Dispatch Via Email		
Purchase Order WMARC-0000034106	Date 2022-07-13	Revision
Payment Terms Net 30	Freight Terms FOB Destination, Freight Paid	Ship Via BEST WAY
Buyer Tara Markland	Phone	Currency USD

Vendor: 0000209976
Perennial Energy LLC
1375 County Rd 8690
West Plains MO 65775
United States

Ship To: 0701-90303
Waste
Lamb Canyon Landfill
16411 Lamb Canyon Rd
Beaumont CA 92223
United States

Attention: TODD SHIBATA **Bill To:** Waste
WMD Main Off
Riverside
14310 Frederick Street
Moreno Valley CA 92553
United States

Line-Sch	Item/Description	Tax Exempt? N	Tax Exempt ID:	Mfg ID	Quantity	UOM	PO Price	Extended Amt	Due Date
----------	------------------	---------------	----------------	--------	----------	-----	----------	--------------	----------

*116-200 General Term
*116-210 General Conditions-Materials and/or Services
*Acceptance of order confers acceptance of terms as applicable to the product or service noted on this PO

PAYMENT TERMS: Net 30 unless acceptable prompt payment discount terms are stated. For calculating due dates for payment terms, the County will use either the date that the invoice is received by the County or the date the goods/services are received, whichever is later.

PO number must be referenced on all work orders and invoices to assure prompt payment. Invoices must be itemized and include a breakdown of parts and labor, if applicable.

Invoices can be sent electronically to: WasteAccountsPayable@rivco.org

Thank you,
Tara Markland, Buyer
Riverside County
Department of Waste Resources
14310 Frederick Street
Moreno Valley, CA 92553
Desk (951) 486-3237
Fax (951) 486-3205
tmarkland@rivco.org

Derek Price-Nolen
Procurement Contract Specialist
Riverside County Purchasing & Fleet Services
Department of Waste Resources Liaison
Office (951) 486-3233

Total PO Amount 74679.10

Authorized Signature

EMERGENCY JUSTIFICATION

This questionnaire has been designed to assist County of Riverside staff in providing information necessary in the processing of emergency requests for the purchase of goods, services, or equipment. Please complete and forward to Central Purchasing.

If more space is needed, please attach additional page(s).

Emergency procurement shall be defined as a sudden and/or unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss of impairment of life, health, property, or essential public services. (Please attach itemized quote or invoice if available).

Agency/Department: Waste Resources Total Dollar Amount: \$74,679.10

Vendor Name: Perennial Energy Vendor #: 0000209976

Date of Incident: 6/23/22 Location of Incident: Lamb Canyon
Landfill

1. **State the goods, services, or equipment which will mitigate the emergency situation:**

New replacement flare burner head.

2. **State the reason for the emergency purchase by explaining what the emergency is and/or what caused the emergency situation:**

The flare burner head was destroyed on June 23, 2022 during start-up operations. The landfill gas flare is completely inoperable without the burner head. The Department is required to operate the landfill gas flare continuously, 24-hours per day, 7-days per week.

3. **State the financial or operational damage/risk that will occur if needs are not satisfied immediately:**

The Lamb Canyon landfill is strictly regulated by the South Coast Air Quality Management District and the Local Enforcement Agency, among other State regulatory agencies. As a landfill operating condition, the landfill gas flare needs to be operated continuously. Non-operation of the landfill gas flare could result in fines from \$5,000 – 1,000,000 per day. In addition, non-operation of landfill gas flare could result in other regulatory agencies not allowing the landfill to receive waste or receive future permits for ongoing operation or future landfill expansions.

EMERGENCY JUSTIFICATION

This questionnaire has been designed to assist County of Riverside staff in providing information necessary in the processing of emergency requests for the purchase of goods, services, or equipment. Please complete and forward to Central Purchasing.
If more space is needed, please attach additional page(s).

The non-operation of the landfill gas flare also poses a risk to Department worker safety and users of the landfill. Landfill gas is an explosion hazard and if it is not removed in a controlled manner this can pose a threat to human health.

Finally, when the landfill gas flare is not operated, there is risk to the environment. When the landfill gas flare is operating, landfill gas is extracted and treated in a controlled manner. When the landfill gas flare is not operating, there is the potential for uncontrolled landfill gas emissions, which pose a threat to the environment.

4. State why the needs were not or could not be anticipated, so that the goods/services could have been purchased following standard procedures:

Spare parts are available, from a variety of vendors, for other components of the landfill gas flare. Some of those parts are purchased in advance of failure when the price is less than approximately \$1,000. The same procedure is also followed for unique parts even at costs greater than \$1,000.

The Department could not have anticipated that the burner head was going to be catastrophically destroyed.

5. State the reason and process used for selecting the vendor (Attach all quotes/proposals received, if applicable):

Perennial Energy is the manufacturer of the landfill gas flare, which includes the burner head. The replacement Burner Head is proprietary to Perennial Energy (see attached). Competitive quotes could not be obtained due to it being proprietary.

EMERGENCY JUSTIFICATION


This questionnaire has been designed to assist County of Riverside staff in providing information necessary in the processing of emergency requests for the purchase of goods, services, or equipment. Please complete and forward to Central Purchasing. If more space is needed, please attach additional page(s).



Department/Asst. or Deputy Head Signature

Title: Gen Mgr - Chief Eng **Date:** 7/19/22

Purchasing Department Comments:

Approve	Approve with Condition/s	Disapprove
	Suzanna Hinckley, Assistant Director	
Purchasing Agent	Date	SSJ Approval #
	7/20/22	23-017

You will need a Sole Source Justification (SSJ) control number for this emergency purchase. Only the Director of Purchasing, Assistant Director or Purchasing Manager can approve the SSJ control number.

EMERGENCY JUSTIFICATION

This questionnaire has been designed to assist County of Riverside staff in providing information necessary in the processing of emergency requests for the purchase of goods, services, or equipment. Please complete and forward to Central Purchasing.
If more space is needed, please attach additional page(s).

ATTACHMENT A

LIST OF CENTRAL PURCHASING STAFF WHO CAN VERBALLY APPROVE EMERGENCY PURCHASES

Please attempt to contact via the chain of command below:

Contact	Title	Email	Telephone
Suzanna Hinckley	Asst. Director, Purchasing & Fleet Services	shinckley@rivco.org	Office: (951) 955-4935 Cell: (951) 204-2695
Vanessa Manuel	Purchasing Manager	vmanuel@rivco.org	Office: (951) 955-9675 Cell: (951-901-5751



July 14, 2022

Riverside County Purchasing & Fleet Services
Department of Waste Resources Liaison
Derek Price-Nolen
Procurement Contract Specialist
Office (951) 486-3233

Derek,

This letter is to confirm that the part known as the "burner head" is proprietary to Perennial Energy's LoNox Flare design. As such, it is only available for purchase through Perennial Energy, LLC.

Respectfully,

A handwritten signature in black ink that reads 'Candis Watts'.

Candis Watts
Service Coordinator