

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



**ITEM:** 12.4  
(ID # 21180)

**MEETING DATE:**  
Tuesday, February 28, 2023

**FROM :** DEPARTMENT OF WASTE RESOURCES:

**SUBJECT:** DEPARTMENT OF WASTE RESOURCES: Authorize the Purchasing Agent to issue a Purchase Order to JMI Covers, LLC for the purchase of Various Landfill Tarps for FY22/23 in the amount of \$179,597, All Districts. [\$179,597 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 JMI Covers, LLC for the purchase of Various Landfill Tarps without seeking competitive bids for FY22/23 in the amount of \$179,597.

**ACTION:Policy**

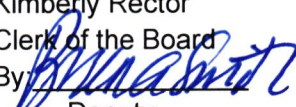
  
Hans Keinkamp, General Manager - Chief Engineer 2/10/2023

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**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Jeffries, Spiegel, Washington, and Gutierrez  
Nays: None  
Absent: Perez  
Date: February 28, 2023  
xc: Waste

Kimberly Rector  
Clerk of the Board  
By   
Deputy

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<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 179,597	\$ 0	\$ 179,597	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS: Waste Resources Enterprise Funds 100%</b>			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	22/23

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

The Riverside County Department of Waste Resources (RCDWR) deploys tarps within active landfills to protect large trash cells. These tarps are required by the State of California to help control odors, blowing of litter and to keep out wildlife. Over time the tarps begin to disintegrate from constant use and replacements are required. Provisions in Title 27, California Code of Regulations, subsection 20690(a) (27 CRR) require “daily cover and litter control” at the end of each business day at waste disposal sites for sanitation.

RCDWR has been purchasing landfill tarps from JMI Covers, LLC since 2017. They were awarded a First Amended and Restated Agreement under Contract ID: WMARC-93678-001-09/22 in 2019. The vendor was awarded due to their response in RFQ/u #WMARC-315 being able to meet RCDWRs engineering design and standards set forth.

RCDWR is currently working on amending the existing agreement with the vendor but due to unforeseen errors with the vendor’s tax status in the State of California, the process has been on hold for more than six (6) months. The vendor has shown sufficient evidence that are working on correcting these issues and the amendment will continue.

RCDWR now has a backlog of tarps that are urgently needed to continue operations.

**Impact on Residents and Businesses**

The landfill tarps are strictly regulated by Title 27, California Code of Regulations, subsection 20690(a) (27 CRR) primarily to satisfy Public Resources Code (PRC) Section 41781.3 which establishes the alternative daily cover (ADC) and other waste materials beneficially used at landfills constitutes diversion through recycling and requires CalRecycle to adopt regulations governing ADC.

Tarps help protect RCDWR staff and members of the public from exposed waste. In addition, tarps that are not in proper condition can result in other regulatory agencies not allowing the landfill to receive waste or receive future permits for ongoing operation or future landfill expansions.

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**Additional Fiscal Information**

The pricing provided by the vendor is consistent with the pricing that was offered in the original agreement and has not changed since 2019.

**Contract History and Price Reasonableness**

The vendor is still offering these tarps at the pricing indicated in the original agreement. Their pricing has stayed consistent and has not changed since the agreement began in 2019.

**ATTACHMENT A. SINGLE SOURCE JUSTIFICATION APPROVAL**



Suzanna Hackley, Assistant Director of Purchasing and Fleet Service

2/14/2023

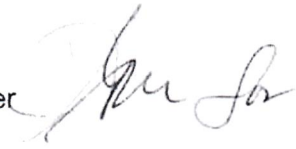


Jason Farin, Principal Management Analyst

2/22/2023



**RIVERSIDE COUNTY  
DEPARTMENT OF  
WASTE RESOURCES**

Date: 1/30/2022  
To: Purchasing Agent  
From: Hans Kernkamp, General Manager/Chief Engineer   
Via: Derek Price-Nolen, Procurement Contract Specialist  
Subject: Single Source Procurement; Request for various landfill tarps

The below information is provided in support of my Department requesting approval for a sole or single source. (*Outside of a duly declared emergency, the time to develop a statement of work or specifications is not in itself justification for sole or single source.*)

**1. Supplier being requested: J & M Industries Inc**

**2. Vendor ID: 0000109173**

**3.  Single Source       Sole Source**

*(Single Source - is a purchase of a commodity or service without obtaining competitive bids although more than one source is available)*

*(Sole Source - is a purchase of a commodity or service that is proprietary or no other vendor is qualified or willing to meet the county specified requirements)*

**4. Have you previously requested and received approval for a sole or single source request for this vendor for your department?** (*If yes, please provide the approved sole or single source number.*)

Yes  No   
SSJ# \_\_\_\_\_

**4a. Was the request approved for a different project?**

Yes  No

**5. Supply/Service being requested:**

*(If this request is for professional services, attach the service agreement to this sole source request. The Purchasing Agent, or designee, is the signing authority for agreements unless the service is exempted by Ordinance 459, Board delegated authority or by State law. All insurance requirements must be met prior to work commencement. See the Risk Management website for vendor insurance requirements.)*

Purchase of 15 landfill tarps in various sizes.



6. **Unique features of the supply/service being requested from this supplier.** *(If this sole source request is due to proprietary software or machinery, or hardware, provide a supporting letter from the manufacturer. If this is a single source request provide an explanation of how this provides the best value for the County by selecting this vendor.)*

The department has been purchasing landfill tarps from the vendor since 2017. They were awarded a First Amended and Restated Agreement under Contract id: WMARC-93678-001-09/22 in 2019. The vendor was awarded due to their response in RFQu #WMARC-315 being able to meet the department's engineering design and standards set forth.

The Agreement is currently being amended and was on hold due to the vendor's current standing with the California Franchise Tax Board (FTB) with the original term elapsing. Sufficient proof was given to County Counsel to show that the vendor is working on correcting their standing with the FTB and will now approve the amendment as to form. This SSJ is being requested for an urgent need of these tarps while the amendment is being processed by all parties.

Due to the process being on hold for more than six (6) months, the department now has a backlog of tarps that they urgently need that cannot wait for the execution of the amendment.

7. **Reasons why my department requires these unique features from the vendor and what benefit will accrue to the county:**

Riverside County Waste Resource deploy tarps within active landfills to protect large trash cells. These Tarps are required by the State of California to help control odors, blowing of litter and to keep out wildlife. Overtime the tarps begin to disintegrate from constant use and replacements are required. Provisions in Title 27, California Code of Regulations, subsection 20690(a) (27 CRR) require "daily cover and litter control" at the end of each business day at waste disposal sites for sanitation.

8. **Period of Performance:** N/A  
(total number of years)

Is this an annually renewable contract?  No Yes

Is this a fixed-term agreement:  No Yes

*(A fixed-term agreement is set for a specific amount of time; it is not renewed annually. Ensure multi-year fixed-term agreements include a cancellation, non-appropriation of funds, or refund clause. If there is no clause(s) to that effect, then the agreement must be submitted to the Board for approval. No exemptions shall apply.)*

9. **Identify all costs for this requested purchase. In addition, please include any single or sole source amounts previously approved and related to this project and vendor in the section designated below for current and future fiscal years. You do not need to include previous fiscal year amounts. If approval is for multiple years, ongoing costs must be identified below. If annual increases apply to ongoing costs such as CPI or other contract increases, provide the estimated annual cost for each consecutive year. If the annual increase may exceed the Purchasing Agent's authority, Board**



approval must be obtained. (Note: ongoing costs may include but are not limited to subscriptions, licenses, maintenance, support, etc.)

Description	Quantity	Unit Price	Ext Price	Tax	Total
100' x 48' Landfill Tarp	6	\$ 6,219.50	\$ 37,317.00	\$ 2,892.07	\$ 40,209.07
156' x 120' Landfill Tarp	8	\$ 14,857.90	\$ 118,863.20	\$ 9,211.90	\$ 128,075.10
120' x 120' Landfill Tarp	1	\$ 10,499.00	\$ 10,499.00	\$ 813.68	\$ 11,312.68
<b>Grand Total</b>					<b>\$ 179,596.85</b>

**10. Price Reasonableness:** (Explain why this price is reasonable or cost effective – were you provided government discounted pricing? Is this rate/fee comparable to industry standards?)

The pricing provided by the vendor is still consistent with the pricing that was offered in the original agreement and has not changed.

**11. Projected Board of Supervisor Date (if applicable):** 2/28/2023

(Draft Form 11s, service agreement and or quotes must accompany the sole source request for Purchasing Agent approval.)

	Sandra Green	1-30-23
Department Head Signature (or designee)	Print Name	Date

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**The section below is to be completed by the Purchasing Agent or designee.**  
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Purchasing Department Comments:

**Approve**

**Approve with Condition/s**

**Disapprove**

Condition/s:

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**Not to exceed:**

**One-time** \$ \_\_\_\_\_



Annual Amount \$ \_\_\_\_\_ / per fiscal year through \_\_\_\_\_ (date)  
(If Annual Amount Varies each FY)

FY \_\_\_\_\_ : \$ \_\_\_\_\_  
FY \_\_\_\_\_ : \$ \_\_\_\_\_  
FY \_\_\_\_\_ : \$ \_\_\_\_\_  
FY \_\_\_\_\_ : \$ \_\_\_\_\_  
FY \_\_\_\_\_ : \$ \_\_\_\_\_

A handwritten signature in black ink, appearing to read "Suzanna Hinckley".

Suzanna Hinckley,  
Assistant Director

2/2/2023

23-129

**Purchasing Agent**

**Date**

**Approval Number**  
(Reference on Purchasing Documents)