

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

September 24, 2024

FROM

PETE MENDOZA, Director, Purchasing Department

SUBJECT

Non-Financial Contract with Circle Green, Inc. for Donated Mulch and Mulch Placement Services

RECOMMENDATION(S)

Approve non-financial **Contract No. 24-932** with Circle Green, Inc. to provide donated mulch and mulch placement services for County owned property, as needed, for the term of September 24, 2024, to September 30, 2027, with the option to extend the term by two additional years.

(Presenter: Pete Mendoza, Director, 387-2073)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). Circle Green, Inc. (Circle Green) will provide ground cover mulch services, including all labor, materials, fuel, and equipment to place the mulch in areas designated by San Bernardino County (County). These services will be provided at no cost to the County. The savings value of the mulch received will depend on the amounts used over the course of the 3-year term and is anticipated to exceed \$10,000. In accordance with County Policy 06-01SP, the Board of Supervisors (Board) must approve any offers valued over \$10,000.

BACKGROUND INFORMATION

Circle Green has excess volumes of ground cover mulch, specifically recovered organic waste mulch, at their organic processing facilities and contacted the County about placing the mulch on County owned properties at no cost to the County. The services include all labor, materials, fuel, and equipment needed to place the mulch. The recovered organic waste mulch will be transported and placed in accordance with all County and State requirements, including the product procurement requirements and standards pursuant to California Code of Regulations (CCR) Title 14 Section 18993.1 and County Code Section 14.0017.

This donation will assist the County in meeting the requirements of the Short-Lived Climate Pollutant Act of 2016 (Senate Bill (SB) 1383), which allows for acquisition from a hauler via free delivery or distribution of products and subsequently use to meet its procurement target, in accordance with CCR Title 14 section 18993.1(e).

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SB 1383 requires green waste material diverted from landfills and taken to permitted facilities for processing and recycling. Due to this regulation, Circle Green has experienced an increase in the amount of green waste they receive. Circle Green must find alternative uses for the material they produce and contacted the County as a potential outlet knowing that the County has a procurement requirement per SB 1383 and also controls a large amount of land that could benefit from mulch placement.

The first location for the placement of the ground cover mulch will be at the Millikin Sanitary Landfill located in Ontario. Circle Green will also be responsible for weed management for one year after application.

In accordance with County Policy 06-01SP, this item is being presented to the Board for approval, as the value of the mulch is anticipated to exceed \$10,000. The exact value will depend on the amounts used over the course of the term of the contract.

The recommended action supports the County and the Chief Executive Officer's goal and objective of operating in a fiscally responsible and business-like manner by allowing the County to procure the mulch at no cost to the County while assisting the County in meeting its procurement target of recovered organic waste as required by SB 1383.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Adam Ebright, Deputy County Counsel, 387-5455) on September 6, 2024; Risk Management (Gregory Ustaszewski, Staff Analyst II, 386-9008) September 9, 2024; Public Works (Darren Meeka, Deputy Director, 386-8701); Finance (Kathleen Gonzalez, Administrative Analyst, 387-5412, and Jessica Trillo, Administrative Analyst, 387-4222) on September 6, 2024; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on September 9, 2024.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Curt Hagman Seconded: Joe Baca, Jr.
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Curt Hagman, Joe Baca, Jr.
Absent: Dawn Rowe

Lynna Monell, CLERK OF THE BOARD

BY



DATED: September 24, 2024



cc: Purchasing - Candelaria w/agree
 Contractor - c/o Purchasing w/agree
 File - w/agree
MBA 09/27/2024