



Pulley, Bobbi <bobbi.pulley@iowa.gov>

Fwd: URGENT Waiver request - waste services

1 message

Cross, Charlee <charlee.cross@iowa.gov>
To: Bobbi Pulley <bobbi.pulley@iowa.gov>

Tue, Oct 6, 2020 at 2:04 PM

Charlee Cross, Division Director
State of Iowa Department of Administrative Services
Division of Business and Property Services
109 S. E. 13th Street, Des Moines, Iowa 50319
Office: (515) 725-2281
Cell: (515) 802-1653
charlee.cross@iowa.gov



Iowa Department of Administrative Services

Service • Efficiency • Value

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----- Forwarded message -----

From: Trombino, Paul <Paul.Trombino@governor.iowa.gov>
Date: Tue, Oct 6, 2020 at 2:00 PM
Subject: Re: URGENT Waiver request - waste services
To: Cross, Charlee [DAS] <Charlee.Cross@iowa.gov>
Cc: Allen Meyer <allen.meyer@iowa.gov>

I concur, please proceed. Thank you

From: "Cross, Charlee" <charlee.cross@iowa.gov>
Date: Tuesday, October 6, 2020 at 1:47 PM
To: "Trombino, Paul" <Paul.Trombino@governor.iowa.gov>
Cc: Allen Meyer <allen.meyer@iowa.gov>
Subject: URGENT Waiver request - waste services

Paul,
Attached is a waiver request for waste and recycling collection services. Procurement has issued two solicitations for this contract and have not been able to secure a vendor.

The current contract expires Monday. Al and I have discussed and agree this is the best option.

Thank you,
Charlee

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2 attachments

 **wir:mail.dat**
16K

 **DAS Waiver request - Waste Collection.pdf**
168K



October 6, 2020

Paul Trombino
Interim Director - Department of Administrative Services
1007 E. Grand Avenue
Des Moines, IA 50319

REQUESTS FOR "WAIVER OR VARIANCE"

Pursuant to 11 IAC 118.16, the Division of Business and Property Services requests a waiver to 11 IAC 118.11 (3), with respect to the 6- year limitation, including all optional renewals, on the duration of a service contract related to waste and recycling collection services for Capitol Complex and other select State operated locations, contracted by Department of Administrative Services Central Procurement.

11 IAC 118.11 (3) specifically provides:

"118.11 (3) A service contract should be competitively selected on a regular basis so that a state agency obtains the best value for the funds spent, avoids inefficiencies, waste or duplication and may take advantage of new innovations, ideas and technology. A service contract, including all optional renewals, shall not exceed a term of six years unless the state agency obtains a waiver of this provision pursuant to rule 11-118.16(8A)."

The six-year duration limitation established by 11 IAC 118.11 (3) was intended to reinforce the competitive bidding requirements established in chapter 11 by requiring agencies to renew contracts on a somewhat regular basis, including engaging in competitive selection processes that test the marketplace. The rules further authorize the DAS Director to waive the requirements of this rule for good cause. Rule 11 IAC 118.16(3) specifically recognizes that the six-year limitation may not be appropriate in all circumstances and provides an example of good cause when "showing that a requirement or provision of a rule should be waived because the requirement or provision would likely result in an unintended, undesirable, or adverse consequence or outcome."

Central Procurement has performed a competitive solicitation twice in an effort to get a replacement contract in place. The ability for two vendors whom would normally compete for these services are not in a position to do so, due to limited availability of dumpsters required to perform the service. The service is critical to support a clean and healthy work environment.

1. *Request.* A waiver of the "six year term limitation on service contracts" for the purpose of allowing Central Procurement to negotiate a 12 month extension of the current contract, to allow time for a solicitation in the spring and negotiation of acceptable terms and conditions.

- a. Justification. The current contract was originally sourced through a formal competitive RFP process. DAS Central Procurement has also completed a competitive solicitation twice in an effort to execute a timely replacement contract.
- b. Benefit. The renewal extension will allow continuity of a critical service until a competitive solicitation may be completed.

Thank you in advance for your consideration of this request. Please do not hesitate to contact me if you need any additional information.

Charlee Cross

Charlee Cross – Division Director, Division of Business and Property Services

10/6/2020

Date