

City of Scottsbluff, Nebraska

Monday, August 17, 2015

Regular Meeting

Item Reports9

Council to consider amending the Electronic Waste Services Agreement with Electronic Recyclers International Inc. (ERI).

Staff Contact: Nathan Johnson, Assistant City Manager

Agenda Statement

Item No.

For Meeting of: August 17, 2015

AGENDA TITLE: Council to consider amending the Electronic Waste Services Agreement with Electronic Recyclers International Inc. ("ERI")

SUBMITTED BY DEPARTMENT/ORGANIZATION: Administration

PRESENTATION BY: Assistant City Manager, Nathan Johnson

SUMMARY EXPLANATION:

The declining global commodity market, currently at an all-time 15 year low, has had a significant negative impact on the electronics and asset management recycling industry as a whole. Due to these issues the attached amended agreement addresses the price that the City will pay for electronic recycling.

- **VDD – Video Display Devices**
 - Previously charged \$0.18/lb – now charged \$0.27/lb
- **General Mixed Electronic Waste**
 - Previously ERI paid the City \$0.02/lb – now charged \$0.15/lb
- **Computers/Laptops**
 - Previously ERI paid the City \$0.20/lb – now \$0.00/lb (no payment/charge)

BOARD/COMMISSION RECOMMENDATION:

STAFF RECOMMENDATION: City staff recommends approving the amended Electronic Services Agreement with Electronic Recyclers International Inc. ("ERI")

EXHIBITS

Resolution Ordinance Contract Minutes Plan/Map

Other (specify) _____

NOTIFICATION LIST: Yes No Further Instructions
Please list names and addresses required for notification.

APPROVAL FOR SUBMITTAL: _____
City Manager

Rev: 11/15/12 City Clerk



Electronic Recyclers International, Inc.[®]

CONFIDENTIAL

8/12/15

VIA EMAIL njohnson@scottsbluff.org

City of Scottsbluff
2525 Circle Drive
Scottsbluff, NE 69361

Attn: Mr. Nathan Johnson

Re: ERI/Summit County

Dear Mr. Johnson,

Pursuant to our recent letter regarding the decline in the commodity markets and our discussions, ERI is writing to amend that certain Electronic Waste Services Agreement, dated May 12, 2014 (the "Agreement"), by and between Electronic Recyclers International Inc. ("ERI") and The City of Scottsbluff, NE.

For good and valuable consideration, the receipt of which is hereby acknowledged, ERI and The City of Scottsbluff agree that the Agreement is hereby amended as further set forth on Exhibit A, attached hereto and incorporated herein by this reference. Except as set forth herein, the Agreement is hereby ratified and confirmed in all respects.

If this Amendatory Letter accurately sets forth our mutual understanding, please indicate your acknowledgement by signing and initialing in the spaces provided below and returning a copy of this letter to ERI.

To the extent ERI and The City of Scottsbluff are unable to agree to amend the Agreement as set for on Exhibit A, this letter shall serve as ERI's 30 day written notice from the date hereof to terminate the Agreement. It is our hope that you choose to continue to partner with ERI for your e-waste recycling needs as we appreciate your business.

Should you have any question, please do not hesitate to ask as the entire ERI team is at your service.

Sincerely,

Kevin J. Dillon
Chief Marketing Officer, ERI

AGREED TO AND ACCEPTED:

City of Scottsbluff, NE

By: _____

Name: _____

Its: _____



Exhibit A

Amended Terms																					
Amended Term of Agreement:	This Amendment shall commence as of the date first set forth above and continue through May 12, 2016 . Thereafter, the Agreement may be extended on mutually agreeable terms between the parties set forth in writing. Notwithstanding the forgoing, The City of Scottsbluff, NE or ERI shall have the right to terminate with or without cause at any time with thirty (30) days' advance written notice to the other party.																				
Amended Covered Electronic Devices (CEDs) Pricing:	Not Applicable																				
Amended Electronic Waste Pricing:	<p>Rebates Indicated as (\$-.-) and/or Charges Indicated as \$-.-</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">VDD – Video Display Devices</td> <td style="text-align: right;">\$0.27/lb</td> </tr> <tr> <td>General Mixed Electronic Waste</td> <td style="text-align: right;">\$0.15/lb</td> </tr> <tr> <td>Computers/Laptops</td> <td style="text-align: right;">\$0.00/lb</td> </tr> </table>	VDD – Video Display Devices	\$0.27/lb	General Mixed Electronic Waste	\$0.15/lb	Computers/Laptops	\$0.00/lb														
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Amended Freight:	Not Applicable																				
Packaging Supplies Available for Purchase:	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Colorado</th> <th style="text-align: center;">Per Unit</th> <th style="text-align: center;">Minimum Count</th> <th style="text-align: center;">Minimum Order</th> </tr> </thead> <tbody> <tr> <td>40" Bins (46 x 38 x 40" Triple Wall Octagonal Bins)</td> <td style="text-align: center;">\$ 21.03</td> <td style="text-align: center;">40 Bins (1 Pallet)</td> <td style="text-align: right;">\$ 841.20</td> </tr> <tr> <td>Hand Stretch Film (15" x 1500ft Prestretch Hand Film)</td> <td style="text-align: center;">\$ 29.88</td> <td style="text-align: center;">36 ctn (1 Pallet)</td> <td style="text-align: right;">\$ 1,075.68</td> </tr> <tr> <td>Pallets (48 x 40" B Grade Pallet)</td> <td style="text-align: center;">\$ 9.54</td> <td style="text-align: center;">200 Pallets</td> <td style="text-align: right;">\$ 1,908.00</td> </tr> <tr> <td colspan="4">Fulfillment - 3-5 business days</td> </tr> </tbody> </table> <p style="text-align: center;">*Purchased supplies shall not be returned to Customer after use.</p>	Colorado	Per Unit	Minimum Count	Minimum Order	40" Bins (46 x 38 x 40" Triple Wall Octagonal Bins)	\$ 21.03	40 Bins (1 Pallet)	\$ 841.20	Hand Stretch Film (15" x 1500ft Prestretch Hand Film)	\$ 29.88	36 ctn (1 Pallet)	\$ 1,075.68	Pallets (48 x 40" B Grade Pallet)	\$ 9.54	200 Pallets	\$ 1,908.00	Fulfillment - 3-5 business days			
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Material Sorting Requirements:	<p>Sorting Requirements:</p> <ol style="list-style-type: none"> 1. CRT TV's and Monitors 2. DLP and Projection TV's 3. Flat Panel TV's and Monitors 4. General mixed Electronic Waste 5. Computers and Laptops <p style="text-align: center;">* Items not sorted into the above categories will be subject to a \$0.08/lb sorting fee.</p>																				

ERI Initials:
 Customer Initials: _____