



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Community Services  
**Department No.:** 057  
**For Agenda Of:** May 14, 2024  
**Placement:** Administrative  
**Estimated Time:** N/A  
**Continued Item:** No  
**If Yes, date from:** N/A  
**Vote Required:** Majority

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**TO:** Board of Supervisors

**FROM:** Department Jesús Armas, Community Services Director (805) 568-2467  
Director(s)  
Contact Info: Sherman Hansen, Community Services Business Manager (805) 568-3408

**SUBJECT:** Bid Waiver for BioBag Americas, Inc.

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:** N/A

As to form: N/A

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors:

- a) Authorize the County Purchasing Agent to issue a Purchase Order for an amount not to exceed \$35,000 with BioBag Americas, Inc., County Vendor # 002072, and waive competitive bidding by the County of Santa Barbara pursuant to Santa Barbara County Code section 2-39, subdivision (c); and
- b) Determine that the above recommended action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(2) since this is a continuing administrative or maintenance activity, such as a purchase for supplies.

**Summary Text:**

Pursuant to Santa Barbara County Code Section 2-39(c), the Community Services Department, Parks Division, is requesting that the Board of Supervisors authorize the County Purchasing Agent to issue a Purchase Order to BioBag Americas, Inc., in an amount not exceed \$35,000 annually. The recommended action will allow the Community Services Department, Parks Division, to purchase one-time use non-plastic disposable dog waste bags which are dispensed at County beaches, beach access ways, open spaces, and trails.

Community Services is requesting the Board of Supervisors waive the competitive bid process. BioBag Americas, Inc., produces a bag which is made from plant-based Mater-bi resin assuring they are free from plastic and adhere to ASTM D6400 standards for compostable materials. BioBag Americas, Inc. is the only known supplier to use Mater-bi resin. Community Services also receives donations to purchase these specific bags, thus reducing cost to the County

**Background:** Since 2014, Heal the Ocean has solicited funds from local companies for the purchase of non-plastic one-time use dog waste bags to dispense at County-owned beach parks, beach access ways, open spaces, and trails. Each company who donates will “sponsor” a bag dispenser that has a decal on it noting the local company who is sponsoring it. Public Works’ Project Clean Water and Community Services’ Parks Division work together to maintain these sponsored dispensers. Heal the Ocean and its donors have requested that Parks and Project Clean Water only use bags provided by BioBag Americas, Inc., as its research has shown BioBag Americas, Inc. bags contain no plastic. In fiscal year 2023-2024 it is estimated that Parks and Project Clean Water will dispense over 600,000 disposable bags. The estimated annual cost for Fiscal Year 2024-25 is expected to be approximately \$35,000. Of that amount, Heal the Ocean has secured \$25,000 in donations to offset the costs of these bags; the remaining costs are part of Parks’ and Project Clean Waters’ annual operating budgets.

Pursuant to County Code Section 2-39(c), “When permitted by state and/or federal law the purchasing agent may waive competition where there are limitations on the source or supply, necessary restrictions in specifications, or other valid reasons provided that a full record of the circumstances is made and the expenditure does not exceed twenty-five thousand dollars. Where the expenditure would or could exceed twenty-five thousand dollars competition may be waived only after approval by the board of supervisors.” Community Services is requesting the Board of Supervisors waive the competitive bid process. As noted above Community Services receives donations to purchase these specific bags, which are made from plant-based Mater-bi resin assuring they are free from plastic and adhere to ASTM D6400 standards for compostable materials. BioBag Americas, Inc. is the only known supplier to use Mater-bi resin.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

<b><u>Funding Sources</u></b>	<b><u>Current FY Cost:</u></b>	<b><u>Annualized On-going Cost:</u></b>	<b><u>Total One-Time Project Cost</u></b>
General Fund	\$ 10,000.00	\$ 10,000.00	
State			
Federal			
Fees			
Other: Donations	\$ 25,000.00	\$ 25,000.00	
Total	\$ 35,000.00	\$ 35,000.00	\$ -

**Narrative:**

Heal the Ocean solicits donations that cover approximately 71% of the costs of the bags (\$25,000 out of ~\$35,000); the remaining costs are included in Parks' and Project Clean Waters' annual operating budgets.

**Special Instructions:**

After Board action, please distribute the Minute Order to Sherman Hansen, [Shansen@countyofsb.org](mailto:Shansen@countyofsb.org)

**Attachments:**

N/A

**Authored by:**

Sherman Hansen, Community Services Business Manager

**cc:**

Jesús Armas, Community Services Director  
Andrew Myung, Community Services CFO