

**FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF
HOLLYWOOD, FLORIDA AND WASTE MANAGEMENT INC. OF FLORIDA
FOR COMMINGLED WASTE DISPOSAL SERVICES**

THIS FIRST AMENDMENT to the Agreement dated July 1, 2013, is hereby made and entered into on _____, 2015, by and between the City of Hollywood, a municipal corporation of the State of Florida ("City") and Waste Management Inc. of Florida, a Florida Corporation, authorized to do business in the State of Florida ("Waste Management").

RECITALS

WHEREAS, on July 1, 2013, the City and Waste Management entered into an agreement pursuant to Bid No. F-4365-13-IS for Waste Management to provide commingled waste disposal services; and

WHEREAS, when the agreement between that City and Waste Management Inc. of Florida was executed in July of 2013 the estimated tonnage for the commingled waste disposal was estimated to be in the amount of 15,000 tons annually; and

WHEREAS, the 2013 tonnage estimate was formulated by the Department of Public Works in conjunction with Kessler Consulting utilizing the City's FY11 and FY12 historical commingled waste disposal data in which the unit of measure utilized was by the truckload which was later converted to tons using an approved conversion factor ; and

WHEREAS, the Department of Public Works, Environmental Services Division has experienced fluctuations in the normal monthly services tonnage resulting in increased monthly expenditures; and

WHEREAS, the Department of Public Works researched and reviewed their actual commingled waste disposal tonnage statistical data from the past contract agreement year and have determined that the original estimated annual tonnage amount of 15,000 tons commingled waste disposal must be increased by 6,000 tons for the remainder of the initial five year contract term; and

WHEREAS, the City's established blanket purchase order number B002496 with Waste Management Inc. of Florida was awarded for the estimated annual expenditure amount of \$487,500.00 and the original estimated annual expenditure amount combined with the requested additional funding in the amount of \$195,000.00 will increase the annual estimated expenditure amount to \$682,500.00; and

WHEREAS, due to the increase and tonnage which results in an increase in the expenditure for such services, the July 1, 2013 agreement must be amended to reflect such changes; and

NOW, THEREFORE, in consideration of the mutual covenants herein, and for other valuable consideration received, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. That Article IV entitled "Compensation" is hereby amended as follows:

In accordance with the IFB Documents, City shall pay Vendor a Commingled Waste Fee in the amount of \$32.50 per ton for an estimated amount of ~~\$487,500.00~~ \$682,500.00 based on ~~45,000~~ 21,000 tons. Payment of said Fee shall be pursuant to the IFB Documents and shall be adjusted pursuant to the IFB Documents.

2. All other terms and conditions of the July 1, 2013 Agreement shall remain in full force and effect.

IN WITNESS OF THE FOREGOING, the parties have set their hands and seals the day and year first written above.

ATTEST:

CITY OF HOLLYWOOD, a municipal Corporation of the State of Florida

Patricia A. Cerny, MMC
City Clerk

By: _____
Peter Bober, Mayor

Approved as to Form & Legality for the use and reliance of the City of Hollywood, Florida, only.

Approved by: _____
Matthew Lalla, Director
Financial Services

Jeffrey P. Sheffel, City Attorney

Vendor

Witness:

Waste Management Inc. of Florida

Secretary
Print Name: _____

By: _____
Signature
Title: _____



City of Hollywood, Florida

2600 HOLLYWOOD BLVD. • P.O. Box 229045 • ZIP 33022-9045

DATE: **July 8, 2015**

RE: BLANKET ORDER # **B002496**

PRODUCT/SERVICE: **Commingled Waste Disposal Services (REVISED)**

**Waste Management, Inc. of Florida
Attn: Tim Hawkins, President
2700 Wiles Road
Pompano Beach, FL 33073**

Telephone Contact: 954-984-2000

Dear Vendor:

This is to inform you that the City of Hollywood, Florida is entering into a Blanket Order with your Company based on one of the following:

- FORMAL BID # **F-4365-13-IS & agreement dated July 1, 2013, approved via R-2013-168**
- INFORMAL BID # DATED:
- RENEWAL OF FORMAL BID # DATED:
- EXTENSION OF FORMAL BID/RFP# DATED:
- WRITTEN QUOTATION # DATED:
- VERBAL QUOTATION PER DATED:
- STATE OF FLORIDA CONTRACT # DATED:
- BROWARD COUNTY BID #
- OTHER:

The term of this order is **7/15/2013** through **7/14/2018**.

The estimated dollar value is **\$682,500.00 annually. (Revised estimated annual expenditure approved on July 8, 2015 via R-2015-XXX).**

The obligations of the City of Hollywood under this order are subject to the availability of funds lawfully appropriated for its purpose by the City Commission and are subject to the terms and conditions contained on the Purchase Order form.

NOTE: Prior to commencement of any work, certificates of insurance meeting the requirements of the Risk Manager and naming the City of Hollywood as additional insured, must be forwarded to Procurement Services.

The City of Hollywood Departments will issue hard copy orders against this Blanket Order as your authorization to deliver. All invoices must reference each unique document number.

If you have any questions, please contact **Ralph Dierks** at (954) 921-3223.

c: Public Works
Finance

CITY OF HOLLYWOOD, FLORIDA
PUBLIC WORKS DEPARTMENT
Environmental Services, Fleet Management & Grounds Maintenance Division
INTER-OFFICE MEMORANDUM

DATE: June 9, 2015 **FILE:** PW-15-062

TO: Joel Wasserman, Director
Procurement Services

VIA: Sylvia Glazer, Director
Public Works Department

FROM: Karen Arndt, Assistant Director *WESA*
Public Works Department

SUBJECT: Waste Management, Inc. of Florida

2015 JUN 16 PM 2:48
CITY OF HOLLYWOOD
PROCUREMENT SERVICES
DIVISION

ISSUE:

Waste Management, Inc. of Florida Blanket Purchase Order B002496 for Commingled Waste Disposal Services

EXPLANATION:

Waste Management, Inc. of Florida currently has a blanket Purchase Order for Commingled Waste Disposal Services for \$487,500 annually. The estimated tonnage for this contract needs to be adjusted. The estimated tonnage for the agreement, which was executed in July, 2013 was originally listed as 15,000 tons. This estimate was derived in conjunction with a consultant utilizing the FY11 and FY12 historical data for disposal. The disposal of commingled waste at that time was under an agreement that utilized truckloads as the unit of measure. The truckload data was converted to cubic yards and finally converted to a tons estimate using a conversion factor.

Public Works has reviewed that actual tonnage data from the past year of the agreement and has determined that the estimated tonnage figures from the original agreement must be adjusted from 15,000 tons with an estimated dollar value of \$487,500 to 21,000 tons with an estimated dollar value of \$682,500.

As such, we are seeking commission approval of an additional \$195,000 to reflect actual usage. Public Works already has allocated \$690,000 in budgetary allowance in account 45.5121.00000.534.004360 and 45.5121.00000.534.004361 for commingled waste disposal.

RECOMMENDATION:

Please place this item on the July 8th agenda to seek Commission for the approval of an additional \$195,000 and approve the purchase order for a total amount of \$682,500.