

December 22, 2022

Russell Mackie
Regional Vice President
Waste Pro USA
4100 Selvitz Rd
Fort Pierce, FL 34981

Re: Failure to Meet Performance Standards pursuant to Solid Waste, Recycling, and Commingled Waste Collection Services – R-2019-240.

Dear Mr. Mackie:

The City of Hollywood has experienced service failures by Waste Pro under the above referenced agreement for solid waste, recycling, and commingled waste collection. Pursuant to the terms and conditions stated in the above referenced agreement, Waste Pro’s Route Supervisors shall be responsible to ride through the neighborhood to ensure that all collections have been completed and all customer complaints have been addressed each day. Crews must return to an address, if necessary, to provide service for the customer.

Please see attached supporting documentation which document multiple service failures by Waste Pro for the month of November 2022. These failures have been exported from the TracEz online system and verified by our Sanitation Code Compliance Officers in the field to validate these missed collections under Solid Waste, Recycling, and Commingled Waste Collection Services Agreement. During the course of our review of the TracEz complaints, there were some complaints of missed collections and unresolved complaints that were closed out prematurely by Waste Pro staff as resolved complaints.

Under the *Solid Waste, Recycling, and Commingled Waste Collection Services Agreement (Exhibit B, Item (I) Liquidated Damages)*, the fines were calculated based upon Item (B) Failure to respond to missed pickup in the timeframe required; Item (D) Reporting unresolved missed pickup or other service complaint as resolved; Item (J) Failure to take prompt and effective remedial action to clean up litter, spills, or make repairs; Item (P) Failure to repair, replace, exchange, or provide Waste and Recycling Carts within the time specified, including prior to commencement date of service; and Item (K) Failure to leave a Non-Collection notice for Customer.

As a result, **the total amount of liquidated damages the City is seeking to collect for breach of service is \$16,650.00, as specified in the table below.** Please be advised that such election for liquidated damages shall not be construed as a waiver of any and all legal remedies the City may have under this Agreement.

MONTH OF SERVICE	LIQUIDATED DAMAGES
November 2022	\$16,650.00

2600 Hollywood Boulevard
P.O. Box 229045
Hollywood, Florida
33022-9045

Pursuant to the above referenced agreement, Waste Pro agreed that in case of breach of service, the City may elect to collect liquidated damages, not as a penalty, from Waste Pro in the amount set forth in the schedule specified in Liquidated Damages.

Sincerely,



Annalie Holmes
Interim Public Works Director

cc: Wazir Ishmael, Ph. D., City Manager
George Keller, JR CPPT, Deputy City Manager
Douglas R. Gonzales, City Attorney
Steve Stewart, Director of Procurement and Contract Compliance
Joshua Collazo, Interim Assistant Director of Public Works
Jaime Hernandez, Emergency and Governmental Affairs Manager
Daniel Millien, Environmental Services Manager

Waste Pro Performance Assessment - **NOVEMBER** 2022

TraceZ Ticket #	Property Address	Open/Close Date		Days	Damage Calculation	Liquidated Damage Amount
3595922	1727 Liberty Street	11/15-Open		15	\$250 x 17	\$3,750.00
3606963	6529 Wiley Street	11/28-11/30		2	\$100 x 2	\$200.00
3606949	305 S. 57 Way	11/28-11/30		2	\$100 x 2	\$200.00
3596241	3210 Harding Street	11/15-11/19		4	\$100 x 2 \$500 x 1	\$700.00
3598019	938 N. 32 Avenue	11/16-11/21		5	\$100 x 2 \$500 x 1	\$700.00
3596196	1627 N. Park Road	11/15-11/19		4	\$100 x 2 \$500 x 1	\$700.00
3606957	6160 Jefferson Street	11/28-11/30		2	\$100 x 2	\$200.00
3606955	829 S. 62 Avenue	11/28-11/30		2	\$100 x 2	\$200.00
3606953	418 S. 62 Avenue	11/28-11/30		2	\$100 x 2	\$200.00
3596235	3206 McKinley Street	11/15-11/19		2	\$100 x 2	\$200.00
3606945	200 S. 57 Avenue	11/28-11/30		2	\$100 x 2	\$200.00
3599411	2004 N. 31 Road	11/17-11/19		2	\$100 x 2	\$200.00
3606951	404 S. 62 Avenue	11/28-11/30		2	\$100 x 2	\$200.00
3598014	921 N. Gulf Drive	11/16-11/19		2	\$100 x 2	\$200.00
3598020	1022 N. 32 Avenue	11/16-11/19		2	\$100 x 2	\$200.00
3606959	6351 Fletcher Street	11/28-11/30		2	\$100 x 2	\$200.00
3606962	6448 Fletcher Street	11/28-11/30		2	\$100 x 2	\$200.00
3595422	5100 Jackson Street	11/15-Open		15	\$100 x 15	\$1,500.00

3596084	2117 Monroe Terrace	11/15-11/17		2	\$100 x 2	\$200.00
3596102	1411 N. 22 Avenue	11/15-11/17		2	\$100 x 2	\$200.00
3606850	5815 S. Farragut Drive	11/26-11/28		2	\$100 x 2	\$200.00
3606855	5740 Douglas Street	11/26-11/28		2	\$100 x 2	\$200.00
3606853	5810 N. Farragut Street	11/26-11/28		2	\$100 x 2	\$200.00
3606854	5741 Farragut Street	11/26-11/28		2	\$100 x 2	\$200.00
3606844	5631 Cleveland Street	11/26-11/28		2	\$100 x 2	\$200.00
3606846	5630 Harding Street	11/26-11/28		2	\$100 x 2	\$200.00
3606856	5715 Greene Street	11/26-11/28		2	\$100 x 2	\$200.00
3606847	5821 Hope Street	11/26-11/28		2	\$100 x 2	\$200.00
3601480	1911 N. 61 Avenue	11/19-11/21		2	\$100 x 2	\$200.00
3594758	1220 S. 13 Avenue	11/14-11/30		16	\$100 x 16	\$1,600.00
3603491	1331 Van Buren Street	11/22-11/29		6	\$100 X 6 - \$500 X 1	\$1,100
3588479	828 S. Southlake Drive	11/8-11/10		2	\$100 x 2	\$200.00
3594750	1230 S. 13 Avenue	11/14-11/30		16	\$100 x 16	\$1,600.00
						\$16,650.00