

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED FIRST AMENDMENT TO THE SOLID WASTE DISPOSAL SERVICES AGREEMENT WITH PROGRESSIVE WASTE SOLUTIONS OF FL, INC., D/B/A WASTE CONNECTIONS OF FLORIDA.

WHEREAS, the Department of Public Works, Environmental Services Division required an agreement with a qualified contractor to provide solid waste disposal services Citywide; and

WHEREAS, on July 3, 2013, the City Commission passed and adopted Resolution Number R-2013-168, which authorized the issuance of blanket purchase order number B002492 to Progressive Waste Solutions of FL, Inc., f/k/a Waste Services of Florida, Inc. and now d/b/a Waste Connections of Florida ("Waste Connections") for Solid Waste Disposal Services, in accordance with Bid F-4365-13-IS, for an initial five year term for an annual estimated expenditure of \$1,579,600.00, with the option to renew for two additional five year periods; and

WHEREAS, the City Commission has directed the Department of Public Works to conduct a solid waste analysis, researching various options for solid waste services, including but not limited to commingled disposal services; and

WHEREAS, the Department of Public Works has contracted with a Solid Waste Consultant that specializes in consulting and procurement services in the area of solid waste; and

WHEREAS, the current contract with Waste Connections expires on July 3, 2018, unless renewed by the parties for an additional five year period; and

WHEREAS, as the solid waste analysis will overlap with any renewal of the services provided by Waste Connections under the existing contract, City staff determined that it is necessary to shorten the renewal term in order to allow both the City and Consultant to explore the various options determined as an outcome of the analysis and to have continuity to provide the services during such time; and

WHEREAS, Waste Connections has offered the City an interim agreement, and it is in the City's best interest to extend the current agreement until July 31, 2019; and

WHEREAS, solid waste disposal fees set forth in the current agreement will increase from \$41.08 per ton to \$45.82 per ton during this extension term only; and

WHEREAS, in the event that the City determines that it is in its best interest to retain the services of Waste Connections beyond the interim agreement's extended term, then the City may exercise one of the five year renewal options under the original agreement's terms and conditions, and the disposal fees, subject to any CPI adjustments, will revert back to the rates applicable at the time the renewal decision was to made in July of 2018; and

WHEREAS, Section 38.40(C)(8) provides that when the City Commission declares by a 5/7ths vote that competitive bidding and competitive proposals are not in the best interest of the City, such purchases are exempt from the competitive bidding and competitive proposal requirements; and

WHEREAS, funding for this service has been provided in the FY 2018 budget in the Department of Public Works Budget Account Numbers 45.5121.00000.534.004360 - Waste Disposal and 45.5121.00000.534.004631- Waste Disposal – Broward County.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That it approves and authorizes the execution by the appropriate City officials of the attached First Amendment to the Solid Waste Disposal Services Agreement with Waste Connections of Florida, together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 3: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2018.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC, CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY for the use and reliance of
the City of Hollywood, Florida, only.

DOUGLAS R. GONZALES, CITY ATTORNEY