

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 THIRD AMENDMENT TO THE COMMINGLED WASTE DISPOSAL SERVICES AGREEMENT WITH WASTE MANAGEMENT, INC.

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

WHEREAS, on June 19, 2013, the City Commission passed and adopted Resolution Number R-2013-168, which authorized the issuance of blanket purchase order number B002496 to Waste Management Inc. of Florida for Commingled Waste Disposal Services, in accordance with Bid F-4365-13-IS, for an initial five year term for an annual estimated expenditure amount of \$487,500.00, with the option to renew for two additional five year periods; and

WHEREAS, on July 8, 2015, the City Commission passed and adopted Resolution Number R-2015-207, which approved and authorized the execution of the First Amendment to the Commingled Waste Disposal Services Agreement to reflect the estimated increased tonnage of 21,000 and the estimated annual amount of \$682,500.00 for the remainder of the initial five year term; and

WHEREAS, on August 31, 2016, the City Commission passed and adopted Resolution Number R-2016-249, which approved and authorized the execution of the Second Amendment to the Commingled Waste Disposal Services Agreement which reflected an increase to the estimated annual expenditure amount for said services to \$862,000.00; 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 Management, Inc. expires on July 14, 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 Management, Inc. 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 by the outcome of the analysis and to have continuity to provide the services during such time; and

WHEREAS, Waste Management, Inc. of Florida offered the City an interim agreement, and it is in the City's best interest to extend the current agreement until July 31, 2019 under the same terms and conditions of the existing contract for an estimated contract amount of \$908,090.00 (inclusive of the CPI Adjustment); 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 Third Amendment to the Commingled Waste Disposal Services Agreement with Waste Management, Inc., 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