

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE CONSULTING/PROFESSIONAL SERVICES AGREEMENT WITH KESSLER CONSULTING, INC. FOR ADDITIONAL SOLID WASTE CONSULTING SERVICES IN AN AMOUNT NOT TO EXCEED \$50,000 (FOR A TOTAL AGGREGATE CONTRACT AMOUNT NOT TO EXCEED \$180,000.00).

WHEREAS, the Department of Public Works was interested in conducting a solid waste analysis, researching various options for these same services that include but are not limited to solid waste collection and disposal; commingled collection and disposal; recycling collection and processing; current program evaluation; evaluating in-house collections versus contractor collections; evaluating alley collection versus curbside collection; developing contract/bid specifications; bid evaluations to include fee and rate study for impacts of recommendations, and assist with implementation after award; and

WHEREAS, due to the complexity in the area of solid waste collection and disposal as well as recycling collection and processing, current study and evaluation of the Alpha 250 site performed by Broward County, utilizing a Solid Waste Working Group and the various options relating to solid waste collection and disposal, recycling collection and processing, that will result from this study, including the possibility of creating a countywide Solid Waste Authority, the City determined that it is in its best interest to obtain third party assistance in conducting this analysis; and

WHEREAS, on April 4, 2018, the City Commission passed and adopted Resolution No. R-2018-105, which authorized the appropriate City officials to execute a Consulting/Professional Services Contract with Kessler Consulting, Inc. ("Kessler"), in an amount not to exceed \$130,000.00; and

WHEREAS, on October 17, 2018, Kessler presented preliminary findings to the City Commission in a solid waste workshop, and direction was provided by the City Commission to have staff move forward with preparing bid specifications; however, direction was also given to pursue a long term extension for the solid waste disposal contract, negotiate a recycling processing agreement and to expand upon the cost analysis of recommencing in house City-provided residential collection and commercial collection services; and

WHEREAS, the additional analysis and contract negotiations requires Kessler to expand their scope of services at an additional cost not to exceed \$50,000.00, for a total aggregate amount not to exceed \$180,000.00; and

WHEREAS, pursuant to Section 38.40(C)(2) of the City's Purchasing Code, Contracts for professional services involving peculiar skill, ability, experience or expertise, which are in their nature unique and not subject to competitive bidding or competitive proposals, are exempt from the code; however, state laws, such as the Consultants' Competitive Negotiation Act, to the extent applicable, shall be followed; and

WHEREAS, funding for the attached agreement has been appropriated and exists in account number 445.520101.53400.543610.000000.000.000.

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 Consulting/Professional Services with Kessler Consulting, Inc., together with such non-material changes as may be acceptable to 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