



**COMMISSION MEMORANDUM**

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: February 3, 2025

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE AT ITS DECEMBER 20, 2024 MEETING, DIRECTING THE ADMINISTRATION TO PROCEED WITH NEGOTIATIONS FOR A LONG-TERM AGREEMENT BETWEEN THE CITY AND WASTE CONNECTIONS OF FLORIDA, INC., AND WAIVING, BY 5/7TH VOTE, THE FORMAL COMPETITIVE BIDDING REQUIREMENT IN SECTION 82-39(A) OF THE CITY CODE, FINDING THAT THE PUBLIC INTEREST WOULD BE SERVED BY WAIVING SUCH CONDITION, TO CONTINUE TO PROVIDE STABLE PRICING AND CONTINUED SERVICE EXCELLENCE TO OUR RESIDENTS, AND ONCE NEGOTIATIONS ARE COMPLETED, BRING IT TO THE CITY COMMISSION FOR APPROVAL.

**RECOMMENDATION**

The Administration recommends accepting the recommendation of the Finance and Economic Resiliency Committee (FERC) at its December 20, 2024 meeting, directing the Administration to proceed with negotiations for a long-term agreement between the City and Waste Connections of Florida Inc. (Waste Connections), and waiving, by 5/7th vote, the formal competitive bidding requirement in Section 82-39(a) of the City Code, finding that the public interest would be served by waiving such condition, to continue to provide stable pricing and continued service excellence to our residents, and once negotiations are completed, bring it to the City Commission for approval.

**BACKGROUND/HISTORY**

In 2019, the City entered into an Agreement with Waste Connections, formerly known as Choice Environmental Services of Miami, Inc., extending their contract from 2019 - 2023, with the option to renew up to three (3) additional one-year renewal terms.

The City is currently in its second one-year renewal term with Waste Connections of Florida, set to expire in December 2025. This extension can only be renewed by mutual consent of both parties.

Waste Connections of Florida has indicated to the Administration that they will NOT be able to renew their contract with the City after the extension expires in December 2025, due to the increase in cost of service. The existing contract terms as written, are no longer deemed financially viable for Waste Connections. Further, research shows that in the State of Florida (based on bids submitted to the different Florida cities for residential solid waste services), there has been an average rate increase of 50% over a five-year period, from 2019 – 2024.

On November 20, 2024, at the request of Commissioner Joseph Magazine, the Mayor and City Commission (City Commission) approved a referral to FERC to discuss the City's Residential Solid Waste Collection Contract. Additionally, to provide a presentation showing the City's current situation, statistics showing recent rate increases, and staff recommendations on whether to

continue with the existing agreement or to procure a new one, as well as any other options to consider on the matter.

On December 20, 2024, FERC members discussed the Residential Solid Waste Collection Contract and presentation (see attached) as requested. The discussion concluded with a motion, directing the Administration to proceed with negotiations for a long-term agreement between the City and Waste Connections, and waiving by 5/7th vote, the formal competitive bidding requirement in Section 82-39(a) of the City Code, finding that the public interest would be served by waiving such condition, to continue to provide stable pricing and continued service excellence to our residents, and once negotiations are completed, bring it to the City Commission for approval.

Waiving the formal competitive bidding requirement is necessary to allow the Administration to negotiate a contract which will be brought back to the City Commission for a formal vote.

### **FISCAL IMPACT STATEMENT**

No fiscal impact.

### **CONCLUSION**

The Administration recommends accepting the recommendation of the FERC at its December 20, 2024 meeting, directing the Administration to proceed with negotiations for a long-term agreement between the City and Waste Connections, and waiving, by 5/7th vote, the formal competitive bidding requirement in Section 82-39(a) of the City Code, finding that the public interest would be served by waiving such condition, to continue to provide stable pricing and continued service excellence to our residents, and once negotiations are completed, bring it to the City Commission for approval.

### **Applicable Area**

Citywide

**Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?**

Yes

**Is this item related to a G.O. Bond Project?**

No

**Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying?** No

If so, specify the name of lobbyist(s) and principal(s):

### **Department**

Public Works

### **Sponsor(s)**

Commissioner Joseph Magazine

### **Condensed Title**

Accept Rec/Waive Bid/Negotiate Long-term Agmt w/ Waste Connections of Florida. PW 5/7

### **Previous Action (For City Clerk Use Only)**

