

RESOLUTION NO. 2023-32807

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE FIRST ONE-YEAR RENEWAL TERM OF THE AGREEMENT BETWEEN THE CITY AND WASTE CONNECTIONS OF FLORIDA, INC., PURSUANT TO REQUEST FOR PROPOSALS NO. 2018-024-WG, FOR COLLECTION AND DISPOSAL OF RESIDENTIAL SOLID WASTE, YARD DEBRIS AND BULK WASTE AND OPERATION OF THE CITY'S GREEN WASTE FACILITY, EXTENDING THE TERM OF THE AGREEMENT FOR THE PERIOD COMMENCING ON JANUARY 1, 2024 AND EXPIRING ON DECEMBER 31, 2024.

WHEREAS, on February 20, 2018, the City issued Request for Proposals No. 2018-024-WG, entitled, "Collection and Disposal of Residential Solid waste, Yard Debris, Bulk Waste, and Operation of the City's Green Waste Facility" (the "RFP"); and

WHEREAS, on July 25, 2018, the Mayor and City Commission adopted Resolution No. 2018-30433, accepting the recommendation of the City Manager, pursuant to Request For Proposals No. 2018-024-WG, for Collection and Disposal of Residential Solid Waste, Yard Debris and Bulk Waste, and operation of the City's Green Waste Facility; and authorizing the Administration to enter into negotiations with Progressive Waste Solutions of FL, Inc. d/b/a Waste Connections of Florida ("Contractor"); and authorizing a month-to-month extension of the existing agreement with Progressive Waste Solutions of Florida, Inc. d/b/a Waste Connections of Florida, until such time as a new Agreement was executed; and

WHEREAS, the City and the Contractor negotiated and entered into an agreement on February 21, 2019, to provide for residential solid waste, yard debris, bulk waste collection, disposal services, and operation of the City's Green Waste Facility ("Agreement"), with an initial term, commencing retroactively on January 1, 2019 and expiring on December 31, 2023; and

WHEREAS, on or about June 8, 2018, Progressive Waste Solutions of FL, Inc. changed its name to Waste Connections of Florida, Inc; and

WHEREAS, Section 4 (Term) of the Agreement allows the City to approve up to three (3) additional one-year renewal terms, provided that Contractor is not in default under the Agreement; and

WHEREAS, Contractor has provided exemplary services during the initial Term of the Agreement; and, as such, the Administration wishes to exercise the first renewal term, extending the Term of the Agreement for one year, commencing on January 1, 2024 and expiring on December 31, 2024, to allow the City sufficient time to evaluate market conditions.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve the first one-year renewal term of the Agreement between the City and Waste Connections of Florida, Inc., pursuant to Request For Proposals No. 2018-024-WG, for Collection and Disposal of Residential Solid Waste, Yard Debris and Bulk Waste and Operation of the City's Green Waste Facility, extending the term of the Agreement for the period commencing on January 1, 2024 and expiring on December 31, 2024.

PASSED and ADOPTED this 18 day of October, 2023.

ATTEST:



NOV 07 2023

RAFAEL E. GRANADO, CITY CLERK



DAN GELBER, MAYOR



APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

11-6-23
Date

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Alina T. Hudak, City Manager
DATE: October 18, 2023

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING A ONE (1) YEAR EXTENSION OF THE AGREEMENT WITH THE CITY AND WASTE CONNECTIONS OF FLORIDA, PURSUANT TO REQUEST FOR PROPOSALS NO. 2018-024-WG, FOR COLLECTION AND DISPOSAL OF RESIDENTIAL SOLID WASTE, YARD DEBRIS AND BULK WASTE AND OPERATION OF THE CITY'S GREEN WASTE FACILITY, SET TO EXPIRE ON DECEMBER 31, 2023.

RECOMMENDATION

The Administration recommends approving the Resolution.

BACKGROUND/HISTORY

On October 14th, 2009, the City issued a RFP No. 60-08/09 entitled "Collection and Disposal of Residential Solid Waste Yard Trash, Bulk Waste and Operation of the Green Waste Facility. At the regular Commission Meeting on February 3rd, 2010, the Mayor and City Commission authorized the Administration to negotiate with the two (2) top ranked proposers pursuant to RFP No. 60-08/09. At the June 9th, 2010 Commission Meeting Resolution No. 2010-27421 was adopted authorizing an agreement between the City of Miami Beach and Choice Environmental Services (Choice), for a five year term expiring on August 31st, 2015. It also provided the City with the option to renew for up to three, additional one-year terms.

On April 10th, 2014, the City Commission authorized a First Amendment to the Agreement consenting to the name change of the contractor from Choice to Progressive Waste Solutions of FL Inc with all other materials terms remaining unaltered. Upon the expiration of the initial term of the underlying Agreement, the City Commission, on July 8th, 2015 approved a one year extension and simultaneously directed the Administration to prepare a Request for Proposals (RFP) to go out for bid for future residential disposal and collection services. On September 2nd, 2015, adhering to the direction of the City Commission and the Administration presented, and the City Commission approved, the issuance of RFP 2015-258-WG for Collection and Disposal of Residential Solid Waste Yard Trash, Bulk Waste, and Operation of the City's Green Waste Facility. Thereafter, on February 10th, 2016 the City Commission provided further direction to the Administration to (1) extend the RFP opening date; and (2) to negotiate with

Progressive as to the existing Amended Agreement which provides up to two additional one year extension terms. The Administration met with and negotiated terms with Progressive that enhanced the level of service, per year, for the remaining two, one-year extension terms provided under the Amended Agreement.

The City's agreement for the collection and disposal of residential Solid Waste, Yard Trash and Bulk Waste and for operation of the City's Green Waste Facility expired on August 31, 2018 and continued a month-to-month basis.

At its regular meeting on July 25, 2018, the Mayor and City Commission adopted Resolution No. 2018-30433, accepting the recommendation of the City Manager, pursuant to Request For Proposals No. 2018-024-WG, for Collection and Disposal of Residential Solid Waste, Yard Debris and Bulk Waste and operation of the City's Green Waste Facility; and authorizing a month-to-month extension of the Agreement with Progressive Waste Solutions of Florida, Inc. d/b/a Waste Connections of Florida, until such time as a new Agreement was executed.

The City and the Contractor negotiated and entered into an agreement on February 21, 2019, to provide for residential solid waste, yard debris, bulk waste collection, disposal services, and operation of the City's Green Waste Facility, set to expire on December 31, 2023.

The current level of service being provided by Waste Connections has been exemplary during some very difficult times throughout the COVID-19 Pandemic.

Significant changes are occurring in the solid waste market. As this contract is set to expire December 31, 2023, the Administration wishes to extend the contract for one (1) more year, through December 31, 2024 to allow us sufficient time to evaluate market conditions.

SUPPORTING SURVEY DATA

Results from the 2022 Resident Survey related to the City's perception and satisfaction show an overall approval of 67.4%, and rated the City as a good place to live.

FINANCIAL INFORMATION

No fiscal impact.

CONCLUSION

The Administration recommends approving the Resolution.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Prosperity - Revitalize targeted areas and increase investment.

Legislative Tracking

Public Works

ATTACHMENTS:

Description

- Draft RESO
- FY 2024 Fee Schedule Final (003) Solid Waste

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING A ONE (1) YEAR EXTENSION OF THE AGREEMENT WITH THE CITY AND WASTE CONNECTIONS OF FLORIDA, PURSUANT TO REQUEST FOR PROPOSALS NO. 2018-024-WG, FOR COLLECTION AND DISPOSAL OF RESIDENTIAL SOLID WASTE, YARD DEBRIS AND BULK WASTE AND OPERATION OF THE CITY'S GREEN WASTE FACILITY, SET TO EXPIRE ON DECEMBER 31, 2023.

WHEREAS, The City's agreement for the collection and disposal of residential Solid Waste, Yard Trash and Bulk Waste and for operation of the City's Green Waste Facility expired on August 31, 2018 and continued on a month-to-month basis; and

WHEREAS, at its regular meeting on July 25, 2018, the Mayor and City Commission adopted Resolution No. 2018-30433, accepting the recommendation of the City Manager, pursuant to Request For Proposals No. 2018-024-WG, for Collection and Disposal of Residential Solid Waste, Yard Debris and Bulk Waste and operation of the City's Green Waste Facility; and authorizing a month-to-month extension of the Agreement with Progressive Waste Solutions of Florida, Inc. d/b/a Waste Connections of Florida, until such time as a new Agreement was executed; and

WHEREAS, the City and the Contractor negotiated and entered into an agreement on February 21, 2019, to provide for residential solid waste, yard debris, bulk waste collection, disposal services, and operation of the City's Green Waste Facility, set to expire on December 31, 2023; and

WHEREAS, the Administration wishes to extend the contract for one (1) more year, through December 31, 2024.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby authorize a one (1) year extension of the agreement with the City and Waste Connections of Florida, pursuant to Request For Proposals No. 2018-024-WG, for collection and disposal of residential solid waste, yard debris and bulk waste and operation of the City's green waste facility, set to expire on December 31, 2023.

PASSED and ADOPTED this ____ day of _____, 2023.

ATTEST:

RAFAEL E. GRANADO, CITY CLERK

DAN GELBER, MAYOR

Section of this Code	Description	FY 2024 Fee
	Chapter 90. Solid Waste	
	<i>Article III. Collection and Disposal</i>	
	<i>Division 3. Rates, Charges, Billing Procedures</i>	
90-137(a) †	Single-family residences, per month±	48.53
†	Apartments, condominiums with less than nine (9) dwelling units, per month per dwelling unit±	44.10
	<i>Article IV. Private Waste Collectors/Contractors</i>	
	<i>Division 4. Specialty Contractors</i>	
	<i>Subdivision II. Rolloff Waste Container Contractors</i>	
90-276(2)	Annual Permit Fee	1,178.00
90-278(1)	When rolloff is located in parking meter spaces, per meter, per day	5.00
90-278(4)	Failure to timely submit the monthly report	50.00
90-278(6)	Failure to timely pay license fee	50.00
	<i>Subdivision IV. Hazardous, Biohazardous Waste Containers</i>	
90-332(b)	Annual fee, each permit	33.00
	Chapter 98. Streets and Sidewalks	
	<i>Article III. Excavations</i>	
	<i>Division 2. Permit</i>	
98-92(c) (1)	Street excavation permit:	
	50 lineal feet or less	457.00
	Each additional lineal foot	3.84
98-92(c)(2)	Sidewalk repair permit:	
	50 lineal feet or less	376.00
	Each additional lineal foot	3.84
Note: † The FY 2024 fees will be calculated upon the receipt of the Miami-Dade County notification and CPI percentage in October. Once received, the solid waste fees will be updated to be effective on January 1, 2024.		
98-92(c)(3)	Sidewalk construction permit:	
	50 lineal feet or less	376.00
	NOTE: Annual adjustment / indexing provision moved to Footnote E	
	Each additional lineal foot	3.84
98-92(c)(4)	Paving or resurfacing of parkway or shoulder area permit:	
	25 lineal feet or less	376.00
	Each additional lineal foot	8.12
98-92(c)(5)	Landscaping, per tree	132.00
98-92(c)(6)	Landscaping, bedding	132.00
98-92(c)(7)	Building line and grade survey permit:	
	50 lineal feet or less	457.00
	Each additional lineal foot	9.08
98-92(c)(8)	Driveway construction permit, each driveway	164.00
98-92(c)(9)	Flume excavation permit, each excavation	376.00
98-92(c)(10)	Utility placement permit, poles, splice pits, manholes, hand holes, catch basins, pedestals, vaults and auger holes	376.00