

C7 H 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.

Applicable Area:

MIAMI BEACH

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)

RESOLUTION NO. _____

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 OF 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 FURTHER REQUIRING THE SUCCESSFULLY NEGOTIATED AGREEMENT BE BROUGHT BACK TO THE CITY COMMISSION FOR APPROVAL.

WHEREAS, in 2019, the City entered into an Agreement with Waste Connections of Florida Inc. (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; and

WHEREAS, the City is currently in its second one-year renewal term with Waste Connections of Florida, set to expire in December 2025, with the extension renewable by mutual consent of both parties; and

WHEREAS, Waste Connections 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; and

WHEREAS, the existing contract terms as written are no longer deemed financially viable for Waste Connections; and

WHEREAS, 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; and

WHEREAS, on November 20, 2024, at the request of Commissioner Joseph Magazine, the Mayor and City Commission (City Commission) approved a referral to the Finance and Economic Resiliency Committee (FERC) to discuss the City's Residential Solid Waste Collection Contract; and

WHEREAS, additionally, to provide a presentation showing the City's current situation, stats showing recent rate increases, and staff recommendations on whether to continue with the existing agreement or procure a new one, as well as a menu of options to consider on the matter; and

WHEREAS, on December 20, 2024, FERC members discussed the Residential Solid Waste Collection Contract and presentation as requested; and

WHEREAS, 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.

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 accept the recommendation of the Finance and Economic Resiliency Committee at its December 20, 2024 meeting, direct the Administration to proceed with negotiations of a long-term agreement between the City and Waste Connections of Florida, Inc., and waive 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 further require the successfully negotiated agreement be brought back to the City Commission for approval.

PASSED AND ADOPTED this _____ day of _____ 2025.

ATTEST:

Rafael E. Granado, City Clerk

Steven Meiner, Mayor

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney *SH* 1/24/2025
Date



**RESIDENTIAL SOLID WASTE
COLLECTION CONTRACT
DISCUSSION**

**FINANCE AND ECONOMIC RESILIENCY
COMMITTEE MEETING
December 20, 2024**

MIAMI BEACH

PUBLIC WORKS DEPARTMENT



HISTORY

In 2010, the City of Miami Beach (the City) entered into a **Residential Single Family and Multi-Family Exclusive Agreement for solid waste services** with **Choice Environmental Services of Miami, Inc. (Choice Environmental)**, for a duration of five (5) years (2010-2015).

This **Agreement provided the City with the option to renewal** for up to three (3) additional one (1) year terms.

In 2014, the City Commission **authorized a First amendment to the Agreement, consenting to the name change** of the contractor from **Choice Environmental** to **Progressive Waste Solutions of FL, Inc. (Progressive Waste)**, with all other material terms remaining unaltered.

Upon the expiration of the initial term of the Agreement, the City Commission, on July 8, 2015, **approved a one (1) year extension, with a directive to the City Administration to prepare a Request for Proposals (RFP, to go out for bid for future residential disposal and waste services).**



HISTORY

In 2015, the **Administration presented, and the City Commission approved, the issuance of RFP 2015-258-WG** for the Collection and Disposal of Residential Solid Waste Yard Trash, Bulk Waste, and Operation of the City's Green Waste Facility.

In 2016, the **City Commission provided further direction to the Administration to negotiate and extend the contract with Waste Connections, for the remaining two, one-year extension terms**, extending the contract to 2018.

Following the review and evaluation of the RFP submittals, **it was deemed that Waste Connections was the best qualified firm** to continue the City's Residential Solid Waste services.

In 2019, the City **entered into an Agreement with Waste Connections, extending the contract to 2023**, with the option of **up to three (3) additional one-year renewal terms**, provided that the Contractor is not in default under the agreement.

The City is its **second one-year renewal term with Waste Connections, set to expire on December 2025.**



WHERE WE ARE TODAY

Waste Connections has already indicated to the City that they will NOT be able to renew the Agreement after December 2025 under the existing contract terms. This extension can only be renewed by mutual consent of both parties.

Due to the increase in cost of service, the existing contract terms are no longer deemed financially viable for Waste Connections.

Staff's research shows that in the State of Florida (based on recent bids submitted to the different Florida cities for Residential Solid Waste Services) **there has been a rate increase for Residential Solid Waste Services in Florida cities, averaging 50%, from 2019 – 2024 (as shown on the next slide).**



ANALYSIS

Yearly Average Increase
2019-2024



2024	
Indian River County	32%
Monroe County	38%
Miami-Dade County	27%
2024 Average % Increase	32%

2023	
Highland Beach	93%
Islamorada	9%
West Melbourne	101%
Wilton Manors	81%
Coral Springs	26%
Village of Palm Springs	56%
Weston	5%
City of Jacksonville svc area 2	81%
Fernandina Beach	26%
Polk County SA2	96%
St. Johns County	41%
2023 Average % Increase	56%

2022	
Port St. Lucie (Citywide)	49%
Lee County Area 4	67%
Southwest Ranches	187%
Jupiter	53%
Ft. Lauderdale	97%
City of Delray Beach	61%
Riviera Beach	64%
Sebastian	35%
Tarpon Springs	53%
2022 Average % Increase	74%

2021	
City of Crystal River	61%
North Lauderdale	119%
Margate	32%
Pembroke Pines	87%
Wellington	28%
Pompano Beach	54%
City of Melbourne	38%
City of Malabar	104%
City of Hypluxo	63%
City of Miramar	62%
Hillsborough County	31%
2021 Average % Increase	62%

2020	
Davie	39%
El Portal	19%
Coral Gables	53%
2020 Average % Increase	37%

2019	
Fort Lauderdale	50
Weston	77
Coconut Creek	22
Hollywood	23
2019 Average % Increase	43%



CURRENT SERVICE LEVELS

- **Twice a week garbage service, and 6 bulk pickups a year.** This is a **back door or side yard service** which is **used by 80% of the residents.**
- **Waste Connections** also runs **the City's Green Waste Facility**, located at 2800 Meridian Avenue. This facility is open Monday through Saturday 7am-5pm and takes residential yard waste, electronic waste and textiles **free of charge** to Miami Beach residents.



CURRENT RATES

- \$48.53 per month for single-family residential units
- \$44.10 per unit, per month, for Multi Family up to 8 units
- Fees include a \$16 City service fee for single family home-owners and a \$12 monthly fee for multi-family. The City service fee includes administrative costs and contractual management services by City Administration.



ADMINISTRATION
RECOMMENDATION

Based on the existing market conditions, the Administration does not recommend going out to bid for Residential Solid Waste Services.

Further, **the City of Miami Beach is only one of two cities in Broward and Miami-Dade County that provides this type of service**, which is more labor intensive and requires the use of rear load trucks verses cart tippers picking up curbside.

As depicted in a previous slide, **rates have been going up significantly over the past 4 years** (that have gone out to bid for Residential Solid Waste Services). **The cities listed on the slide, have curbside service and not the back door or side yard service** like the City of Miami Beach offers.

Taking all of this into consideration **the Administration recommends moving forward with a bid waiver**, allowing the **negotiations of a long-term Agreement with Waste Connections**, 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.

Q & A



MIAMIBEACH