



Legislation Details (With Text)

File #: 21-0289
Type: Departmental **Status:** Passed
In control: Board of County Commissioners
On agenda: 1/12/2021 **Final action:** 1/12/2021
Title: SECOND AMENDMENT TO SOLID WASTE FRANCHISE AGREEMENTS TO PROVIDE A SECOND SIX-MONTH EXTENSION

Sponsors:

Indexes:

Code sections:

Attachments: 1. Martin.Second Amendment to WMIF Franchises.12-7-2020.pdf, 2. DEPT-5 Supp Memo 01.12.2020.pdf, 3. Martin.Second Amendment to WMIF Franchises. CLEAN. 1-7-2021.pdf

Date	Ver.	Action By	Action	Result
1/12/2021	1	Board of County Commissioners	approved	Pass

PLACEMENT: Departmental

TITLE:

SECOND AMENDMENT TO SOLID WASTE FRANCHISE AGREEMENTS TO PROVIDE A SECOND SIX-MONTH EXTENSION

EXECUTIVE SUMMARY:

Waste Management, Inc. Florida (WMIF) is the current contractor for the Solid Waste Franchise Agreements that provide for collection of solid waste and recyclables. The term of the Franchise Agreements was set to expire September 30, 2020. The County and WMIF amended the agreements to provide for a six-month extension, extending the expiration date to March 31, 2021. A second six-month extension will extend the expiration date to September 30, 2021 and provide adequate time for WMIF to purchase new collection vehicles and begin service under the new contract beginning October 1, 2021.

DEPARTMENT: Utilities and Solid Waste

PREPARED BY: **Name:** Sam Amerson, P.E.
Title: Director of Utilities and Solid Waste

REQUESTED BY: Sam Amerson

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

At the direction of the Board, staff and WMIF have been negotiating a new Franchise Agreement for

the Collection of Solid Waste and Recyclable Material (Agreement). The new Agreement will commence on October 1, 2021.

ISSUES:

In order to provide adequate time for WMIF to procure new collection vehicles, procure and distribute recycling carts and transition to providing collection of solid waste and recyclable material in accordance with the new Agreement, a time extension of the current Agreement is necessary.

Subsequently, County and WMIF agree as follows:

1. The term of the Franchise Agreements shall be and hereby is extended through September 30, 2021.
2. All of the terms and conditions in the Franchise Agreements, as previously amended, shall remain unaltered and in effect, except as provided in paragraph 1, above.

LEGAL SUFFICIENCY REVIEW:

This item has been reviewed for legal sufficiency to determine whether it is consistent with applicable law, has identified and addressed legal risks, and has developed strategies for legal defensibility.

RECOMMENDED ACTION:

RECOMMENDATION

Move the Board authorize the Chair to execute the Second Amendment to Solid waste Franchise Agreements to extend the term of the Franchise Agreements through September 30, 2021.

ALTERNATIVE RECOMMENDATIONS

Move that the Board provide further direction.

FISCAL IMPACT:

RECOMMENDATION

No negative fiscal impact is anticipated.

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

- Budget Transfer / Amendment Chair Letter Contract / Agreement
 Grant / Application Notice Ordinance Resolution
 Other:

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