



Legislation Details (With Text)

File #: 21-0290

Type: Departmental

Status: Passed

In control: Board of County Commissioners

On agenda: 1/12/2021

Final action: 1/12/2021

Title: FRANCHISE AGREEMENT WITH WASTE MANAGEMENT, INC. OF FLORIDA (WMIF) FOR THE COLLECTION OF SOLID WASTE AND RECYCLABLE MATERIAL

Sponsors:

Indexes:

Code sections:

Attachments: 1. DEPT-6 Supp_Memo_01.12.2021.pdf, 2. Martin.Franchise Agreement with WMIF.CLEAN.1-8-2021.pdf, 3. WM Presentation.pdf

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

PLACEMENT: Departmental

TITLE:

FRANCHISE AGREEMENT WITH WASTE MANAGEMENT, INC. OF FLORIDA (WMIF) FOR THE COLLECTION OF SOLID WASTE AND RECYCLABLE MATERIAL

EXECUTIVE SUMMARY:

On November 18, 2019, the County issued a Request for Proposals (RFP) from qualified vendors that wish to collect solid waste and recyclable materials for the County pursuant to an exclusive franchise agreement. The deadline for delivering proposals was February 19, 2020. Proposals were received from FCC Environmental Services (FCC), Waste Management, Inc, of Florida (WMIF) and Waste Pro. Presentations were subsequently made to the selection committee by all three proposers via Zoom on August 26, 2020. The selection committee's rankings were presented for Board consideration on September 15, 2020. In accordance with the options set forth in the RFP, the Board rejected all proposals and directed staff to negotiate a Franchise Agreement with WMIF.

DEPARTMENT: Utilities and Solid Waste

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

REQUESTED BY: Don Donaldson, P.E., Deputy County Administrator

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

1. **Agreement/Contract Drafted by:** David S. Dee, Esq.,
Gardner, Bist, Bowden, Bush, Dee, LaVia, Wright & Perry, P.A. special counsel to Martin County
2. **Parties to the Agreement/Contract:** Martin County Board of County Commissioners and Waste Management, Inc of Florida
3. **Purpose of the Agreement/Contract:** To provide for commercial and residential collection of solid waste and recyclable materials
4. **New/Renewal/Modified:** New
5. **Duration:** 8 year initial term with three 2-year renewals not to exceed six years
6. **Benefits to Martin County:** Contractor will provide for the collection of solid waste and recyclable materials for commercial and residential properties countywide
7. **Cost to Martin County (annual and potential total):** To be provided by Supplemental Memorandum

ISSUES:

At the direction of the Board, staff has completed negotiations with WMIF for a new franchise agreement. Service under the new agreement will commence on October 1, 2021. The Franchise agreement will be provided via Supplemental Memorandum along with a discussion of its provisions.

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 that the Board authorize the Chair to execute the Solid Waste Franchise Agreement between the County and WMIF.

ALTERNATIVE RECOMMENDATIONS

Move that the Board provide further direction.

FISCAL IMPACT:

RECOMMENDATION

No negative fiscal impact is anticipated. Funds are budgeted annually, and revenues collected, via special assessment, for the residential services portion of the agreement.

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

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

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